

MEMORANDUM

Substitute
Special Item No. 2

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

DATE: October 26, 2020

FROM: Abigail Price-Williams
County Attorney

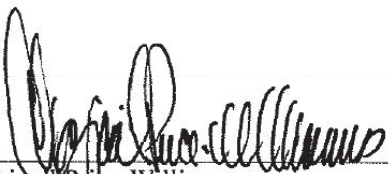
SUBJECT: Resolution directing the Public Health Trust to expand the provision of behavioral health services to residents countywide who have been impacted by coronavirus disease 2019 ("COVID-19") by providing remote, telehealth or in-person consultations, and collaborating with a provider that operates a mobile behavioral health clinic; directing the Public Health Trust to promote the availability of the expanded behavioral health services; allocating \$3,000,000.00 from remaining funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (CARES Act) reserved for the unincorporated municipal service area to achieve this purpose; directing the Public Health Trust and the County Mayor to take all actions necessary to carry out the purposes of this resolution; and requiring a report

Resolution No. R-1131-20

The substitute differs from the original item in that it:

1. Directs the Public Health Trust throughout the item to expand its provision of behavioral health services by providing remote, telehealth or in-person consultations to County residents, and by collaborating with a provider that operates a mobile behavioral health clinic, instead of directing the Trust to create, operate and maintain a mobile mental health clinic;
2. States the minimum requirements for the Trust's expansion of its provision of behavioral health services, including that the Trust utilize the County's 311 Contact Center as a means for residents to seek services, among other things;
3. Directs the Trust to immediately promote the availability of the expanded behavioral health services to the public in collaboration with the County Mayor;
4. Adds a whereas clause recognizing the importance of ensuring that much-needed behavioral health services are available to residents of the unincorporated municipal service area of Miami-Dade County; and
5. Makes conforming changes to the title.

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator Javier D. Souto.


Abigail Price-Williams
County Attorney

APW/lmp



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Audrey M. Edmonson
and Members, Board of County Commissioners

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County Attorney

SUBJECT: Substitute
Special Item No. 2

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Statement of social equity required
- ☐ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☒ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's present ____, 2/3 membership ____, 3/5's ____, unanimous ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3)(h) or (4)(c) ____, or CDMP 9 vote requirement per 2-116.1(4)(c)(2) ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor

Veto _____

Override _____

Substitute

Special Item No. 2

10-26-20

RESOLUTION NO. _____ R-1131-20

RESOLUTION DIRECTING THE PUBLIC HEALTH TRUST TO EXPAND THE PROVISION OF BEHAVIORAL HEALTH SERVICES TO RESIDENTS COUNTYWIDE WHO HAVE BEEN IMPACTED BY CORONAVIRUS DISEASE 2019 (“COVID-19”) BY PROVIDING REMOTE, TELEHEALTH OR IN-PERSON CONSULTATIONS, AND COLLABORATING WITH A PROVIDER THAT OPERATES A MOBILE BEHAVIORAL HEALTH CLINIC; DIRECTING THE PUBLIC HEALTH TRUST TO PROMOTE THE AVAILABILITY OF THE EXPANDED BEHAVIORAL HEALTH SERVICES; ALLOCATING \$3,000,000.00 FROM REMAINING FUNDS MADE AVAILABLE THROUGH THE 2020 CORONAVIRUS AID, RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) RESERVED FOR THE UNINCORPORATED MUNICIPAL SERVICE AREA TO ACHIEVE THIS PURPOSE; DIRECTING THE PUBLIC HEALTH TRUST AND THE COUNTY MAYOR OR COUNTY MAYOR’S DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT THE PURPOSES OF THIS RESOLUTION; AND REQUIRING A REPORT

WHEREAS, coronavirus disease 2019 (“COVID-19”) is an infectious disease caused by severe acute respiratory syndrome coronavirus 2, a novel coronavirus that was first identified in December 2019; and

WHEREAS, the disease has spread globally, and on March 11, 2020, the World Health Organization officially declared COVID-19 a pandemic; and

WHEREAS, on March 1, 2020, Governor Ron DeSantis issued Executive Order No. 20-51, directing the State Health Officer and Surgeon General to declare a public health emergency in the State of Florida and directing the State Health Officer to take any action necessary to protect the public health, including following the guidelines established by the United States Centers for Disease Control and Prevention (“CDC”) to control the spread of COVID-19; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order No. 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 11, 2020, the Mayor of Miami-Dade County declared a state of emergency for Miami-Dade County as a result of COVID-19; and

WHEREAS, these orders have since been extended; and

WHEREAS, in response to the COVID-19 pandemic, public health officials and the CDC have encouraged “social distancing” to reduce the spread of the virus; and

WHEREAS, according to the CDC, fear or anxiety about a new disease, such as COVID-19, and necessary public health actions associated therewith can be overwhelming, stressful and mentally challenging; and

WHEREAS, the CDC reports that anxiety related to COVID-19 can be caused by fear or worry about the health of self or loved ones, a change in financial or employment situation, loss of support services, increased substance use, among other concerns; and

WHEREAS, according to the CDC, public health actions, such as social distancing, while necessary to contain the virus, can also make people feel isolated, lonely and can increase stress or anxiety; and

WHEREAS, indeed, many Miami-Dade County residents have experienced negative financial or health consequences as a result of COVID-19 and necessary public health actions, such as social distancing measures; and

WHEREAS, since March 2020, more than 57 million Americans have applied for unemployment benefits; and

WHEREAS, COVID-19 has negatively impacted mental health and created new challenges for people already suffering from mental illness or substance use disorders; and

WHEREAS, during the course of the pandemic, there has been a significant increase in the incidence of adverse mental health conditions, substance use, and suicidal thoughts being experienced by adults; and

WHEREAS, research indicates that these impacts are disproportionately affecting certain populations, including minorities, young adults, those at higher risk of developing complications from COVID-19, essential workers and unpaid caregivers for adults; and

WHEREAS, as a result of the pandemic, there is significant concern regarding the nationwide amplification of domestic violence and child abuse cases, with many such cases likely going unreported; and

WHEREAS, limited transportation or access to mental health services often present obstacles to obtaining such services, and these barriers are likely to be exacerbated during the pandemic; and

WHEREAS, the stigma traditionally associated with mental health treatment, in addition to the general unfamiliarity with the signs and symptoms of such illness, can also prevent people from seeking out these services in Miami-Dade County; and

WHEREAS, this Board recognizes that the Public Health Trust (“Trust”) is Miami-Dade County’s most vital health care resource; and

WHEREAS, it is the mission of the Trust to build the health of the community by providing a single, high standard of quality health care for the residents of Miami-Dade County; and

WHEREAS, as part of its designated facilities, the Trust operates, maintains and governs Jackson Behavioral Health Hospital, which provides a full continuum of behavioral and mental health care services for children, adolescents, adults and seniors; and

WHEREAS, pursuant to Section 25A-4(j) of the Code, the Trust shall comply with any Commission directive, as set forth from time to time by resolution of the Commission; and

WHEREAS, pursuant to Section 25A-4(b)(4) of the Code, if any such directive will result in a financial impact to the Trust, then this Board shall provide County funding to the Trust for implementation of and compliance with the directive for the period of time necessary for implementation or compliance; and

WHEREAS, to help blunt the impact of the economic downturn set in motion by the COVID-19 pandemic, the United States Congress passed, and on March 27, 2020 President Donald Trump signed into law, H.R. 748, the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”); and

WHEREAS, the CARES Act is a \$2 trillion stimulus package which provided, among other things:

- one-time checks of \$1,200 to Americans earning a certain income;
- \$349 billion in loans to small businesses;
- \$17 billion of assistance to companies deemed crucial to national security;
- grants of \$25 billion for passenger air carriers, \$4 billion for air-cargo carriers, and \$3 billion for certain contractors; and
- a \$150 billion Coronavirus Relief Fund for local governments; and

WHEREAS, the CARES Act requires that the payments to local governments from the Coronavirus Relief Fund only be used to cover expenses that:

- are necessary expenditures incurred due to the public health emergency with respect to COVID-19;

- were not included in the budget most recently approved as of March 27, 2020 for the state or local government; and
- were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020; and

WHEREAS, the State of Florida was allocated \$8.328 billion from the Coronavirus Relief Fund, of which Miami-Dade County received \$474 million; and

>>**WHEREAS**, this Board recognizes the importance of ensuring much-needed behavioral health services are available countywide, including the unincorporated municipal service area; and<<¹

WHEREAS, the Coronavirus Relief Fund monies must be used by December 30, 2020, and any residual returned to the federal government; and

WHEREAS, this Board desires to provide for the continuing health, safety and well-being of County residents through the ~~[[establishment of a mobile mental health clinic to deliver mental]]~~
>>expansion of behavioral<< health services to the residents of Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Adopts the foregoing recitals as if fully set forth herein.

Section 2. ~~[[Directs the Public Health Trust to immediately create, operate and manage a temporary mobile mental health clinic to provide temporary mobile mental health services to County residents in the unincorporated municipal service area who have been impacted by the~~

¹ The differences between the substitute and the original item are indicated as follows: Words stricken through and/or [[double bracketed]] shall be deleted, words underscored and/or >>double-arrowed<< are added.

~~COVID-19 pandemic. The temporary mobile mental health clinic shall cease operation on December 30, 2020, or when the funds allocated in section 3 of this resolution are exhausted, whichever occurs first. The mobile mental health clinic, at a minimum, shall provide mental health services at least weekly at sites located throughout the unincorporated municipal service area. The planned dates, times and locations of the clinic will be announced to the public in advance.]]~~

>>Directs the Public Health Trust to immediately expand its provision of behavioral health services to residents countywide who have been impacted by the COVID-19 pandemic, by providing remote, telehealth, or in-person consultations, and by collaborating with a provider that operates a mobile behavioral health clinic. The Public Health Trust shall, at a minimum: coordinate with County administration to utilize the County's 311 Contact Center to receive calls from the public for behavioral health services; deliver, in accordance with the needs of the individual resident, behavioral health clinical services, whether remotely, by telehealth or in person; and collaborate with a provider that operates a mobile behavioral health clinic equipped to provide behavioral health services to County residents. The Public Health Trust shall cease providing expanded behavioral health services on December 30, 2020, or when the funds allocated in section 4 of this resolution are exhausted, whichever occurs first.

Section 3. Directs the Public Health Trust to immediately promote the availability of the expanded behavioral health services to the public through, at a minimum: issuance of public service announcements; displaying information about the available behavioral health services on the Public Health Trust's website; utilization of social media or similar platforms; and collaboration with the County Mayor or County Mayor's designee to facilitate promotion of the expanded behavioral health services through County websites, social media or other similar platforms.<<

~~[[Section 3.]]~~ >>Section 4.<< Allocates \$3,000,000.00 from >>remaining<< funds made available through the 2020 Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) >>reserved<< for the unincorporated municipal service area, to fulfill this purpose.

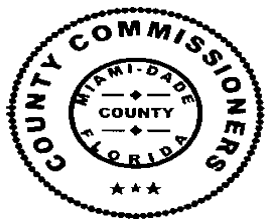
~~[[Section 4.]]~~ >>Section 5.<< Directs the >>Public Health<< Trust and the County Mayor or County Mayor’s designee to take all actions necessary, including, but not limited to, the execution of documents following approval of same by the County Attorney’s Office for legal form and sufficiency, to accomplish the purposes of this resolution.

~~[[Section 5.]]~~ >>Section 6.<< Directs the County Mayor or County Mayor’s designee to provide a written report to this Board ~~[[on or before November 15, 2020]]~~ >>within 30 days of the effective date of this resolution<<. Such report shall update this Board on the progress and achievements of the ~~[[temporary mobile mental health clinic,]]~~ >>Public Health Trust’s expanded behavioral health services<< and shall include, at a minimum: 1) the number of individuals served ~~[[by the mobile mental health clinic since its inception]]~~; ~~[[2) the locations served by the mobile mental health clinic; 3)]]~~ >>2)<< how much of the allocated funding has been expended and how much of the allocated funding is expected to be spent by December 30, 2020; ~~[[4)]]~~ >>3)<< a recommendation as to whether the ~~[[program]]~~ >>expanded behavioral health services provided pursuant to this resolution<< should be continued beyond December 30, 2020; and ~~[[5)]]~~ >>4)<< if necessary, the identification of any funds that may be or become legally available to allocate for a continuation of same. The County Mayor or County Mayor’s designee shall place the completed report on an agenda of this Board pursuant to Ordinance No. 16-45.

The Prime Sponsor of the foregoing resolution is Senator Javier D. Souto. It was offered by Commissioner **José "Pepe" Diaz**, who moved its adoption. The motion was seconded by Commissioner **Rebeca Sosa** and upon being put to a vote, the vote was as follows:

Audrey M. Edmonson, Chairwoman	aye		
Rebeca Sosa, Vice Chairwoman	aye		
Esteban L. Bovo, Jr.	aye	Daniella Levine Cava	aye
Jose "Pepe" Diaz	aye	Sally A. Heyman	aye
Eileen Higgins	aye	Barbara J. Jordan	aye
Joe A. Martinez	aye	Jean Monestime	aye
Dennis C. Moss	aye	Sen. Javier D. Souto	aye
Xavier L. Suarez	absent		

The Chairperson thereupon declared this resolution duly passed and adopted this 26th day of October, 2020. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.



MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

Melissa Adames

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

Kevin Marker
Christopher C. Kokoruda