

MEMORANDUM

Agenda Item No. 11(A)(19)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 5, 2022

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution urging hospital
providers countywide to
immediately reinstate policies at
their facilities that will ensure
patients are allowed to receive
in-person visitors of their
choosing

Resolution No. R-345-22

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Senator René García.



Geri Bonzon-Keenan
County Attorney

GBK/gh



MEMORANDUM

(Revised)

TO: Honorable Chairman Jose "Pepe" Diaz
and Members, Board of County Commissioners

DATE: April 5, 2022

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Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(19)

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 _____

Agenda Item No. 11(A)(19)
4-5-22

RESOLUTION NO. _____ R-345-22

RESOLUTION URGING HOSPITAL PROVIDERS
COUNTYWIDE TO IMMEDIATELY REINSTATE POLICIES
AT THEIR FACILITIES THAT WILL ENSURE PATIENTS ARE
ALLOWED TO RECEIVE IN-PERSON VISITORS OF THEIR
CHOOSING

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

WHEREAS, in March 2020, the World Health Organization declared COVID-19 a pandemic, and the United States government, the State of Florida, and Miami-Dade County declared states of emergency in response to the virus; and

WHEREAS, at that time, businesses in Miami-Dade County began instituting precautionary measures at their establishments in an effort to slow the initial spread of COVID-19, including social distancing and other limitations on in-person gatherings; and

WHEREAS, on March 15, 2020, the Florida Department of Emergency Management (“DEM”) issued DEM Order No. 20-006, which required certain health care facilities statewide to prohibit entry to visiting members of the public, except in limited circumstances; and

WHEREAS, this emergency order was extended and modified until March 22, 2021, when DEM Order No. 21-001 rescinded the prior emergency orders prohibiting visitation and instead required affected facilities to maintain visitation and infection control policies in accordance with state and federal law, as well as to monitor guidance from the United States Centers for Medicare & Medicaid Services and the Centers for Disease Control and Prevention; and

WHEREAS, it is understood that at the start of the pandemic, hospitals statewide began implementing policies that prohibited or significantly restricted in-person visitation; and

WHEREAS, as a result, many patients, including those not infected with COVID-19, were unable to have physical contact with caregivers, spouses, children, parents, and other close family members during their admission or treatment; and

WHEREAS, this Board recognizes that these visitation policies were intended to protect the health of patients, some of whom were at increased risk of developing severe infection from COVID-19; and

WHEREAS, this Board also believes that preventing visitation has had unintended consequences for patients and their families, including negative impacts on their physical, mental, and emotional well-being; and

WHEREAS, it has been two years since emergency measures began in Miami-Dade County in response to COVID-19; and

WHEREAS, it is the understanding of this Board that some hospitals in Miami-Dade County may still be prohibiting or significantly limiting patient visitation, with restrictions varying by hospital; and

WHEREAS, the rationale for restricting public visitation at hospitals was stronger at the onset of the pandemic, when the resources available to prevent transmission and mitigate against the effects of COVID-19 were limited; and

WHEREAS, public knowledge about the virus has since increased, as have the tools available to mitigate infection risk, such as personal protective equipment and safe and effective vaccines; and

WHEREAS, this Board recognizes that hospitals countywide have dedicated tremendous effort to maintaining safe environments for their patients over the course of the COVID-19 pandemic; and

WHEREAS, while hospitals' efforts to keep patients safe during the COVID-19 pandemic are of vital importance, this Board believes that it is both feasible and appropriate for providers to maintain safety and infection control protocols at their facilities that still allow patients to have physical contact with family, friends, and caregivers while undergoing treatment; and

WHEREAS, during its 2022 legislative session, the Florida Legislature passed Senate Bill ("SB") 988, which, among other things:

- Requires that hospitals and certain other healthcare providers maintain visitation policies and procedures that allow patients and residents to have in-person visitors;
- Requires providers to allow visitation by patient-designated "essential caregivers" for at least two hours daily;
- Allows providers to suspend the in-person visitation of those individuals who violate the provider's policies and procedures, including infection control protocols; and
- Requires that providers' visitation policies and procedures be made easily accessible on their websites; and

WHEREAS, accordingly, it is the desire of this Board that hospital providers countywide immediately resume practices at their facilities that allow patients to receive visitors of their choosing during their treatment or hospitalization,

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

Section 1. Approves the foregoing recitals which are incorporated herein by reference.

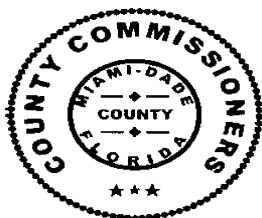
Section 2. Urges hospital providers countywide to immediately reinstate policies at their facilities that will ensure patients maintain the right to receive in-person visitors of their choosing.

Section 3. Directs the Clerk of the Board to transmit certified copies of this resolution to the Florida Hospital Association Members located in Miami-Dade County.

The Prime Sponsor of the foregoing resolution is Senator René García. It was offered by Commissioner **Rebeca Sosa**, who moved its adoption. The motion was seconded by Commissioner **Oliver G. Gilbert, III** and upon being put to a vote, the vote was as follows:

	Jose “Pepe” Diaz, Chairman	aye
	Oliver G. Gilbert, III, Vice-Chairman	aye
Sen. René García	aye	Keon Hardemon aye
Sally A. Heyman	aye	Danielle Cohen Higgins aye
Eileen Higgins	aye	Joe A. Martinez aye
Kionne L. McGhee	aye	Jean Monestime aye
Raquel A. Regalado	aye	Rebeca Sosa aye
Sen. Javier D. Souto	aye	

The Chairperson thereupon declared this resolution duly passed and adopted this 5th day of April, 2022. 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

Basia Pruna

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.

A handwritten signature in black ink, appearing to read "KMM", is written over a horizontal line.

Kevin Marker