

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date: July 13, 2010

<input type="checkbox"/>	Consent	<input checked="" type="checkbox"/>	Regular
<input type="checkbox"/>	Ordinance	<input type="checkbox"/>	Public Hearing

Department
Submitted By: Risk Management

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to adopt: A Resolution granting the delegation of authority to the County Administrator, or his designee, to execute any necessary documents associated with the application, registration and reporting requirements under the provisions of the Patient Protection and Affordable Care Act's Early Retiree Reinsurance Program Application (45 CFR Part 149), and in other guidance issued by the U.S. Department of Health & Human Services (HHS) regarding the program.

Summary: The Early Retiree Reinsurance Program was established by Section 1102 of the Patient Protection and Affordable Care Act (the Affordable Care Act). Congress has appropriated funding of \$5 billion for this temporary program, which ends no later than January 1, 2014. The program provides reimbursement to participating employment-based health plans for a portion of the cost of health benefits for early retirees and their spouses (aged 55 – 64). Applications will be subject to approval by HHS. It is anticipated that the reimbursements to the County's self-insured health plan, if the County is accepted into the program, could range from \$200,000 - \$350,000. The delegation from the County Administrator to the Director of Risk Management will be requested for the purpose of submitting the application within the brief timeframe that is available under the program. The Application must be submitted and approved before reimbursements under the program can be received. Countywide (TKF)

Background and Justification: On March 23, 2010, the Patient Protection and Affordable Care Act (the Affordable Care Act) (Pub. L. 111-148) was signed into law. Included in this health insurance reform law is a provision that establishes the temporary Early Retiree Reinsurance Program. The Early Retiree Reinsurance Program will provide reimbursement to participating health plan sponsors for a portion of the costs of providing health coverage to early retirees, eligible spouses, surviving spouses, and dependents. Section 1102(a)(2)(B) of the Affordable Care Act defines "employment-based plan" to include a group benefits plan (whether self-funded or fully insured) providing health benefits that is maintained by private employers, State or local governments, and other employers as defined. Section 1102(a)(1) requires the Secretary of HHS to establish the program within 90 days of enactment of the law, or June 21, 2010. The final Program Application was released by the HHS on June 29, 2010. By law, the program will expire on January 1, 2014. Funding for the program is limited to \$5 billion, and reimbursement will be provided on a first come, first served basis.

Attachments:

1. Resolution

Recommended by: Nancy L. Bolam 7/16/10
 Department Director Date

Approved by: Balaram 7/8/10
 Assistant County Administrator Date

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact

Fiscal Years	2010	2011	2012	2013	2014
Capital Expenditures	_____	_____	_____	_____	_____
Operating Costs	_____	_____	_____	_____	_____
External Revenues	_____	_____	_____	_____	_____
Program Income (County)	_____	_____	_____	_____	_____
In-Kind Match (County)	_____	_____	_____	_____	_____
NET FISCAL IMPACT	\$0*	\$0			

ADDITIONAL FTE POSITIONS (Cumulative) 0 0 _____

Is Item Included In Current Budget? Yes _____ No _____

Budget Account No.: Fund _____ Agency _____ Org. _____ Object _____
 Reporting Category n/a

B. Recommended Sources of Funds/Summary of Fiscal Impact:

Any reimbursements from this program will be credited to the Health Insurance Fund

C. Departmental Fiscal Review:

Gary K. Walker

III. REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Dev. and Control Comments:

* If application is approved, potential revenue of \$200,000 - \$350,000 could be realized.

[Signature] 7/7/10
 OFMB

[Signature] 7/7/10
 Contract Administration

B. Legal Sufficiency:

[Signature] 7/8/10
 Assistant County Attorney

C. Other Department Review:

 Department Director

This summary is not to be used as a basis for payment.

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DELEGATING ITS AUTHORITY TO THE COUNTY ADMINISTRATOR OR HIS DESIGNEE FOR THE EXECUTION OF ANY NECESSARY DOCUMENTS ASSOCIATED WITH THE APPLICATION, REGISTRATION AND REPORTING REQUIREMENTS UNDER THE PROVISIONS OF THE PATIENT PROTECTION AND AFFORDABLE CARE ACT'S EARLY RETIREE REINSURANCE PROGRAM APPLICATION (45 CFR PART 149), AND IN OTHER GUIDANCE ISSUED BY THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) REGARDING THE PROGRAM.

WHEREAS, On March 23, 2010, the Patient Protection and Affordable Care Act (the Affordable Care Act) (Pub. L. 111-148) was signed into law, AND

WHEREAS, Within the Affordable Care Act is a provision that establishes the temporary Early Retiree Reinsurance Program which will provide reimbursements to participating health plan sponsors for a portion of the costs of providing health coverage to early retirees, eligible spouses, surviving spouses and dependents, AND

WHEREAS, The Palm Beach County Board of County Commissioners is a health plan sponsor as defined within the Early Retiree Reinsurance Program, AND

WHEREAS, The Board of County Commissioners wishes to delegate its authority to execute any necessary documents associated with the application, registration and reporting requirements under the provisions of the Affordable Care Act's Early Retiree Reinsurance Program to the County Administrator or his designee.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT:

The County Administrator or his designee is authorized to execute documents in connection with and necessary for the application, registration and reporting requirements under the provisions of the Patient Protection and Affordable Care Act's Early Retiree Reinsurance Program.

The foregoing Resolution was offered by Commissioner _____ who moved its adoption. The motion was seconded by Commissioner _____ and being put to a vote, the vote was as follows:

- Commissioner Burt Aaronson, Vice Chairman
- Commissioner Karen T. Marcus, Vice Chair
- Commissioner John F. Koons
- Commissioner Shelley Vana
- Commissioner Steven L. Abrams
- Commissioner Jess R. Santamaria
- Commissioner Priscilla A. Taylor

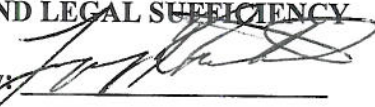
The Chairperson thereupon declared the Resolution duly passed and adopted this _____ day of _____, 2010.

PALM BEACH COUNTY, FLORIDA, BY ITS BOARD OF COUNTY COMMISSIONERS

SHARON R. BOCK, CLERK & COMPTROLLER

By: _____ Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

By:  _____