

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	0				
Operating Costs	0				
External Revenues	0				
Program Income (County)					
In-Kind Match (County)	0				
Net Fiscal Impact	✱				
# Additional FTE Positions (Cumulative)	0				

Is Item Included in Current Budget: YES _____ NO _____

Budget Account No.: Fund _____ Agency _____ Org _____ Object _____

Reporting Category _____

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

III REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

* *time extension only.*
OFMB
JJ 10/3
SA 10/3/11
R 11/30/11

Dr. J. Jacobo
 Contract Administration
10/5/11

B. Legal Sufficiency:
[Signature]
 Assistant County Attorney
10/6/11

C. Other Department Review:

 Department Director

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

Agenda Item No. **3BB-1**

BAIV 6-0
T abs

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

R-2011-1091

Meeting Date: July 19, 2011 Consent Regular
 Ordinance Public Hearing

Department:
Submitted By: Palm Beach County Sheriff's Office
Submitted For: Palm Beach County Sheriff's Office

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: **A) Accept** on behalf of the Palm Beach County Sheriff's Office, a Recovery Act Edward Byrne Memorial Justice Assistance Grant in the amount of \$213,649, for the Region 7 Drug Enforcement Strike Force, for the period of April 1, 2011, through September 30, 2011; **B) Approve** a budget amendment of \$213,649 in the Sheriff's Grant Fund.

Summary: On June 1, 2011, the Palm Beach County Sheriff's Office (PBSO) received an award to implement the Region 7 Drug Enforcement Strike Force (RDESf). The RDESf will identify, investigate, apprehend, and prosecute those within the medical and pharmaceutical profession who facilitate the abuse of prescription drugs. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required. Countywide (GB)

Background and Justification: The Edward Byrne Memorial Discretionary Grants Program, administered by the Office of Justice Programs, Bureau of Justice Assistance, furthers the Department's mission by assisting state and local jurisdictions in improving the criminal justice system and assisting communities in preventing drug abuse and crime. The Department of Justice Office of Justice Programs Catalog of Federal Domestic Assistance (CFDA) Number for this program is 16.803 and the contract number is 2011-ARRC-PALM-1-W7-351.

Attachments:

- 1. Budget Amendment
- 2. Award Letter

RECOMMENDED BY: _____
DEPARTMENT DIRECTOR DATE

APPROVED BY: *pol* _____ *7/15/11*
ASSISTANT COUNTY ADMINISTRATOR DATE

Attachment # 1

II. FISCAL IMPACT ANALYSIS

A. Five Year Summary of Fiscal Impact:

Fiscal Years	2011	2012	2013	2014	2015
Capital Expenditures	0				
Operating Costs	\$213,649				
External Revenues	(\$213,649)				
Program Income (County)					
In-Kind Match (County)	0				
 Net Fiscal Impact	 0				
 # Additional FTE Positions (Cumulative)	 0				

Is Item Included in Current Budget: YES _____ NO X

Budget Account No.: Fund _____ Agency _____ Org _____ Object _____

Reporting Category _____

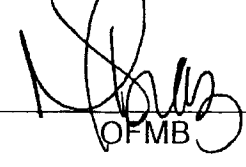

B. Recommended Sources of Funds / Summary of Fiscal Impact:

The Region 7 Drug Enforcement Strike Force is funded through a Recovery Act Edward Byrne Memorial Justice Assistance Grant. There is no match requirement associated with this award. No additional positions are needed and no additional County funds are required.

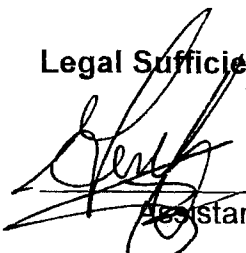
Region 7 Drug Enforcement Strike Force	<u>\$213,649</u>
Total Program Budget	<u>\$213,649</u>

III REVIEW COMMENTS

A. OFMB Fiscal and/or Contract Administration Comments:

<p> _____ OFMB</p> <p style="margin-left: 100px;">7/5/11 SN 7/1/11</p>	<p> _____ Contract Administration</p> <p style="margin-left: 100px;">7/11/11</p>
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B. Legal Sufficiency:



Assistant County Attorney

7/14/11

C. Other Department Review:

Department Director

Office of Criminal Justice Grants
 Florida Department of Law Enforcement
 2331 Phillips Road
 Tallahassee, Florida 32308

American Recovery Act - JAG Countywide

Grant Adjustment Notice

Subgrantee: Palm Beach County Board of Commissioners
Project Title: REGION 7 DRUG ENFORCEMENT STRIKE FORCE (RDESF)
Grant Number: 2011-ARRC-PALM-1-W7-351
Adjustment Number: 2

Nature of Adjustment: ChgEndDate/RevBudNarr

To Subgrantee:

Pursuant to your request of 08/26/2011 the following adjustment is approved subject to conditions as may be set forth below:

Electronically Signed By:

Date 09/01/2011

Clayton H Wilder

 Authorized Official
 Clayton H. Wilder
 Administrator

The following revised budget is approved:

Budget Category	Current Approved Budget	Difference	New Approved Budget
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Contractual Services	\$178,500.00	\$0.00	\$178,500.00
Expenses	\$35,149.00	\$0.00	\$35,149.00
Operating Capital	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
Total Project Costs	\$213,649.00	\$0.00	\$213,649.00
	Federal	Match	Total Funds
New Approved Budget	\$213,649.00	\$0.00	\$213,649.00

OCJG Adjustment Memo:

The grant period is extended through December 31, 2011.

The revised budget narrative reflecting line item changes in the Contractual Services category is approved.

NOTE: Retain this grant Adjustment Notice as part of official project records.

Application Ref	2010-ARRC-386
Contract	2011-ARRC-PALM-1-W7-351

Attachment # 2

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Adjustment Justification

We are requesting a no-cost three months extension through December 31, 2011. We are also requesting to modify the budget to include overtime reimbursement for participating agencies in the Region 7 RDESF.

By electronically submitting this adjustment, I hereby certify that I have reviewed the changes and find them necessary for program activities. I am the signing authority or have been delegated as such by the appropriate official. Information regarding the signing authority is available for review.

Electronically Signed By:

Date 08/26/2011

Janet Cid

Authorized Official or Designated Representative

Application Ref # 2010-ARRC-386

Contract 2011-ARRC-PALM-1-W7-351

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Section 2: Project Overview

General Project Information

Project Title: REGION 7 DRUG ENFORCEMENT STRIKE FORCE (RDESF)
Subgrant Recipient: Palm Beach County Board of Commissioners
Implementing Agency: Palm Beach County Sheriff's Office
Project Start Date: 4/1/2011 **End Date:** 12/31/2011

Problem Identification

Abuse of prescription drugs presents a clear and immediate threat to Florida's citizens, as well as those throughout the United States; and demands immediate action to protect the public. Prescription drug overdose has been declared a public health epidemic by the United States Centers for Disease Control and Prevention.

- * Between January 2010 and July 2010, 98 of the nation's top 100 Oxycodone purchasing physicians were in the State of Florida. (Source: Drug Enforcement Administration, ARCOS)
- * In 2010, 45 of the top 100 Oxycodone pharmacy purchasers in Florida are from Broward and Hillsborough Counties - 24%/Hillsborough; 21% Broward (Source: Drug Enforcement Administration, ARCOS)
- * Prescription drug abuse results in an average of 7 deaths in the State of Florida each day. (Source: Drug Enforcement Administration, ARCOS)
- * During the first six months of 2010, 1,268 people died as a result of prescription drug overdose. Total deaths with Oxycodone present and/or with other drugs 1,117 (Source: 2010 Interim Medical Examiner Report)
- * Investigations across the state have shown that some physicians dispense medically unjustifiable amounts of controlled substances, many of which are re-sold illegally to drug abusers.

Project Summary (Scope of Work)

To assist local agencies in addressing the problem of illegal pill mill operations in this State, a multi-agency strike force will be established in each of FDLE's seven regions to identify, investigate, apprehend, and prosecute those within the medical and pharmaceutical profession who facilitate the abuse of prescription drugs. Each Strike force will be co-commanded by a Sheriff and Police Chief within the FDLE regional jurisdiction. Strike Forces will be supported by assets from multiple state law enforcement and regulatory agencies, federal and local law enforcement, regional fusion centers, and the FDLE Office of Statewide intelligence.

Operational Objectives of the RDESFs include:

1. Target doctors, clinics, or other healthcare facilities that prescribe or dispense federal and/or state regulated controlled substances II-V, without a medical necessity and outside the scope of a legitimate medical practice in violation of federal and/or state

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

laws.

2. Pursue doctors and other healthcare officials who engage in fraud against private insurance companies and federal/state public benefit programs.
3. Seize and forfeit assets of those who benefit from involvement in illegal enterprises (pill mills).
4. Seek restitution of investigative expenses.

Using statistical data and intelligence each RDESf will develop a multi-agency operational plan and identify a list of doctor and facilities operating as pain management clinics that are operating in violation of federal and/or state law, or who are in violation of regulatory licensing, zoning, or other state or local ordinances. . Strike force participants will evaluate and triage targets, identifying those for which regulatory and/or administrative sanctions will result in shutting down the illegal operation faster and/or more permanently than law enforcement action. Those targeted for criminal investigation and law enforcement action will be appropriately assigned among strike force members.

Investigative targets will be pursued using intelligence, surveillance, undercover agents, informants, arrest of drug abusers at target sites, and other investigative techniques to identify and apprehend doctors and other healthcare officials who engage in illegal prescription or dispensing of pharmaceutical drugs. Strike force members will also pursue administrative and regulatory sanctions against healthcare professionals and facilities to put illegal operations out of business in Florida and seek restitution for insurance fraud and fraud against the Medicaid system.

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Section 2: Project Overview

Section Questions:

Question: Does the Subgrantee receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: Yes

Question: Does the Implementing Agency receive a single grant in the amount of \$500,000 or more from the U.S. Department of Justice?

Answer: Yes

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Section 4: Financial

General Financial Info:

Note: All financial remittances will be sent to the Chief Financial Officer of the Subgrantee Organization.

Financial Reporting Frequency for this Subgrant: Monthly

Is the subgrantee a state agency?: No

FLAIR / Vendor Number: 596000785

Budget:

Budget Category	Federal	Match	Total
Salaries and Benefits	\$0.00	\$0.00	\$0.00
Contractual Services	\$178,500.00	\$0.00	\$178,500.00
Expenses	\$35,149.00	\$0.00	\$35,149.00
Operating Capital Outlay	\$0.00	\$0.00	\$0.00
Indirect Costs	\$0.00	\$0.00	\$0.00
-- Totals --	\$213,649.00	\$0.00	\$213,649.00
Percentage	100.0	0.0	100.0

Project Generated Income:

Will the project earn project generated income (PGI) ? Yes

PGI Reporting Frequency : Quarterly

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Section 4: Financial (cont.)

Budget Narrative:

I. CONTRACTUAL SERVICES

Participating law enforcement agencies throughout the South Florida Region will submit requests for reimbursement to PBSO as the fiduciary agent for the following expenses related to operations approved by the South Region 7 RDESFB Board:

A. Medical Experts/Witness Fees= \$300 x 100 hours= \$30,000

These fees are necessary in order to develop probable cause for doctors who are criminally dispensing medications without medical necessity, and to prosecute these cases successfully. Due to the complexity of these types of cases, certified medical experts are able to affirm whether "unscrupulous" doctors are non-compliant with standard of care.

B. Contractual Expenses for participating agencies:

1. Overtime @ \$50/hour avg x 1200 hours= \$60,000

2. Travel to meetings, trainings, and investigations = \$28,500

a) Airfare= \$400 avg airfare x 30 trips= \$12,000

b) Hotel/Lodging= \$200/night x 2 nights x 30 trips= \$12,000

c) Food/Per Diem= \$50/day x 3 days x 30 trips= \$4,500

(Participating law enforcement agencies will follow their local travel policies)

3. Payments to Confidential Informants= \$20,000

4. Purchase of Contraband/Prescriptions= \$20,000

5. Wiretaps/Pen Registers= \$20,000

Contractual Services Sub-Total= \$178,500

II. EXPENSES

The Palm Beach County Sheriff's Office as the sub-grantee will be eligible to incur the following expenses for operations approved by the South Region 7 RDESFB Board:

1. Travel to meetings, trainings, and investigations = \$9,500

a) Airfare= \$400 avg airfare x 10 trips= \$4,000

b) Hotel/Lodging= \$200/night x 2 nights x 10 trips= \$4,000

c) Food/Per Diem= \$50/day x 3 days x 10 trips= \$1,500

2. Payments to Confidential Informants= \$10,000

3. Purchase of Contraband/Prescriptions = \$5,649

4. Wiretaps/Pen Registers= \$10,000

Expenses Sub-Total= \$35,149

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Budget Narrative (Continued):

PROJECT TOTAL= \$213,649

Application for Funding Assistance

Florida Department of Law Enforcement
American Recovery Act - JAG Countywide

Section 4: Financial

Section Questions:

Question: If salaries and benefits are included in the budget as actual costs for staff in the implementing agency, is there a net personnel increase, or a continued net personnel increase from the previous Byrne program?

Answer: N/A

Question: If benefits are to be included, are they reflected in the budget narrative?

Answer: N/A

Question: If indirect cost is included in the budget, indicate the basis for the plan (e.g. percent of salaries and benefits), and provide documentation of the appropriate approval of this plan.

Answer: N/A

Question: If the budget includes services based on unit costs, provide a definition and cost for each service as part of the budget narrative for contractual services. Include the basis for the unit costs and how recently the basis was established or updated.

Answer: N/A

Question: Indicate the Operating Capital Outlay threshold established by the subgrantee or implementing agency, if it is the sheriff's office.

Answer: \$1000