PALM BEACH COUNTY **BOARD OF COUNTY COMMISSIONERS**

AGENDA ITEM SUMMARY

Meeting Date:	September 9, 2014	()Consent ()Ordinance	(X) Regular () Public Hearing							
Department Submitted E Submitted F										

<u>Administration</u>

I. EXECUTIVE BRIEF

Motion and Title: Staff recommends motion to: rescind direction to staff to prepare an ordinance authorizing hospitals in the County to place a lien on the proceeds of settlements or judgments in order to receive payment for services rendered to a patient.

Summary: On July 22, 2014, the Board of County Commissioners directed staff to prepare an ordinance that would assist local hospitals in the collection of bill payments through placement of liens on the proceeds of legal settlements or judgments in personal injury matters. Staff has subsequently met with all interested parties and reviewed all written correspondence and is now recommending that no further action be taken regarding preparation of such an ordinance. <u>Countywide</u> (TKF)

Background and Justification: After additional research on this subject and the convening of a series of meetings with hospital representatives, trial attorneys, and the Health Care District, staff has identified a number of concerns with proceeding with a County ordinance providing for hospital lien authority including the following:

- There is not agreement among the hospitals in the County as to the need for the ordinance.
- The Health Care District has determined that their ability to place liens is protected by current law.

Several additional concerns have been identified by trial attorneys and staff including possible negative financial impacts to injured parties and inequitable treatment of other providers of medical services. The concerns are not deemed to be reconcilable in a manner that would result in a favorable staff recommendation to proceed with a public hearing and eventual ordinance adoption. Staff remains of the opinion that regulations for this purpose should be adopted at the state level.

Attachments: None

Recommended b							
	Department Director	Date					
Approved by:	C L	8/29/14					
	Assistant County Administrator	Date					

II. FISCAL IMPACT ANALYSIS

Five Year Summary of Fiscal Impact: Α.

Fiscal	Years	2014	2015	2016	2017	2018
Capita	al Expenditures					
	ting Costs					
Extern	nal Revenues					
Progra	am Income (County	·)				
In-Kin	d Match (County)					
NET F	ISCAL IMPACT	0				
# ADD	ITIONAL FTE					
POSIT	IONS (Cumulative)					
ls Iten	n Included in Curre	nt Budget?	Yes	No		
Budge	et Account No.:	Fund A Program Co	.gency Or	g (Object	
В.	Recommended So There is no fiscal im	urces of Fun pact associat	ds/Summary ed with this it	r of Fisca em	al Impact	

C. **Department Fiscal Review:**

III. REVIEW COMMENTS

OFMB Fiscal and /or Contract Administrator Comments: Α.

OFMB 8/29

912114

Contract Administrator 9-2-14 Barlee

Legal Sufficiency: В.

0

Assistant County Attorney

C. Other Department Review:

Department Director