

**ORDER OF BUSINESS
BOARD OF COUNTY COMMISSIONERS
BOARD MEETING
PALM BEACH COUNTY, FLORIDA**

**JULY 2, 2025
EMERGENCY MEETING**

**TUESDAY
9:30 A.M.**

**COMMISSION
CHAMBERS**

- 1. CALL TO ORDER**
 - A. Roll Call
 - B. Invocation
 - C. Pledge of Allegiance

- 2. AGENDA APPROVAL**
 - A. Additions, Deletions, Substitutions
 - B. Adoption

- 3. PUBLIC HEARING (Pages 3 - 5)**

- 4. ADJOURNMENT (Page 6)**

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PUBLIC HEARINGS – 9:30 A.M.

A. ADMINISTRATION

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3A-1 Emergency Ordinance amending Palm Beach County Local Provider Participation Fund Ordinance, two (2) Indemnification Agreements, Fourth Amendment with the Health Care District of Palm Beach County exercising renewal option and Emergency Resolution establishing Non-ad valorem Special Assessments.

ADJOURNMENT (Page 6)

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3. PUBLIC HEARINGS – 9:30 A.M. (Four-fifths vote is required for approval)

A. ADMINISTRATION

1. Staff seeks motion to:

- A) **adopt** an Emergency Ordinance of the Board of County Commissioners of Palm Beach County, Florida, (BCC) amending “Section 2. Applicability” of the “Palm Beach County Local Provider Participation Fund Ordinance”, (R2021-024) (LPPF Ordinance), by adding three (3) additional nonpublic hospitals that will be subject to the special assessment; providing for repeal of laws in conflict; providing for severability; providing for inclusion in the code of laws and ordinances; providing for captions; and providing for an effective date, and **waive the notice requirements of section 125.66(2), Florida Statutes by a four-fifths vote of the membership of the BCC, declaring that an emergency exists and that the immediate enactment of this Ordinance is necessary;**
- B) **approve** two (2) indemnification agreements with: 1) Boynton Beach Florida Behavioral Health Hospital Company, LLC and 901 45th Street West Palm Beach Florida Behavioral Health Hospital Company, LLC; and 2) PAM Rehabilitative Hospital of Jupiter LLC;
- C) **approve** a Fourth Amendment to an Interlocal Agreement entered into on September 14, 2021, (R2021-1369), between the County and the Health Care District of Palm Beach County, (the District), exercising the fourth and final one (1)-year renewal option for the provision of administrative services to coordinate the special assessment authorized by the LPPF Ordinance with the Florida Agency for Health Care Administration (AHCA) at no cost to the County; and
- D) **adopt** an Emergency Resolution of the BCC establishing Non-ad valorem Special Assessments pursuant to the LPPF Ordinance, as amended, for FY 2025-26 for the purpose of benefitting assessed hospital properties through enhanced Medicaid payments, and **waive any and all notice requirements by a four-fifths vote of the membership of the BCC, declaring that an emergency exists and that the immediate enactment of this Resolution is necessary.**

3. PUBLIC HEARINGS – 9:30 A.M. (Four-fifths vote is required for approval)

A. ADMINISTRATION (cont'd.)

1. **SUMMARY:** On August 26, 2021, the BCC adopted the LPPF Ordinance (R2021-024), which provides for non-ad valorem special assessments to be imposed by the County on all nonpublic hospitals within Palm Beach County's jurisdiction (the Hospitals). The LPPF Ordinance requires the Hospitals to pay a uniform, non-ad valorem special assessment, set annually by resolution approved by the BCC. Funds collected by the County through the LPPF assessments are sent to AHCA by the District, through intergovernmental transfers, as the non-federal share of increased Medicaid managed care payments facilitated under Florida's hospital Directed Payment Program (DPP). Through the DPP, AHCA makes payments to Medicaid Managed Care Organizations (MCOs) in order to fund increased payments by MCOs to the local hospitals to fund services provided to Medicaid patients. Without these increased payments, it is estimated that local hospitals would incur over \$100 million in uncovered Medicaid costs annually, or .60 cents on each dollar of coverage rendered to a Medicaid patient. The LPPF program leverages federal dollars, which helps to close the gap related to the uncompensated portion of Medicaid reimbursements. An amendment to the LPPF Ordinance is necessary because three (3) new nonpublic hospitals have been licensed in Palm Beach County since adoption of the LPPF Ordinance and the 2024 Resolution establishing the special assessments. The new hospitals are entering into indemnification agreements with the County to protect the County from any and all liability as a result of, or in any way connected with, the enactment, application, or enforcement of the LPPF Ordinance or special assessment resolution. The District will continue to administer the LPPF Ordinance for FY 2025-26 pursuant to a Fourth Amendment to the Interlocal Agreement between the BCC and the District, which is also being presented to the BCC for approval. Historically, the annual Resolution establishing the special assessment rate to be imposed on the Hospitals has been presented to the BCC in September. This year, the Resolution is being presented in July due to the President of the United States' proposed One Big Beautiful Bill, which would freeze provider assessment rates where they are at the time of the Beautiful Bill's adoption. The Hospitals are asking the BCC to approve a proposed assessment rate that may need to be adjusted downward in September of 2025, once a more accurate assessment rate for 2025-26 is able to be calculated.

3. PUBLIC HEARINGS – 9:30 A.M. (Four-fifths vote is required for approval)

A. ADMINISTRATION (cont'd.)

1. **SUMMARY (cont'd.):** Due to the Hospitals' request that the BCC expedite adoption of the ordinance adding the three (3) new hospitals, and the Resolution setting the special assessment rate, an emergency meeting of the BCC has been called to consider adoption of the Emergency Ordinance amending the LPPF Ordinance. **A four-fifths vote is required for approval of the Emergency Ordinance pursuant to section 125.66(4), Florida Statutes (2024), in order to waive the notice requirements of section 125.66(2), and declare that an emergency exists and that the immediate enactment of this Emergency Ordinance and Emergency Resolution is necessary. No County funds are required. Countywide (HH)**

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4. ADJOURNMENT

"If a person decides to appeal any decision made by this Commission with respect to any matter considered at this meeting or hearing, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based."