

1 Introduced by the Council President at the request of the Mayor:

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4 **ORDINANCE 2022-643**

5 AN ORDINANCE, PURSUANT TO CHAPTER 170, *FLORIDA*
6 *STATUTES*, AND CHAPTERS 491 AND 715, *ORDINANCE*
7 *CODE* ESTABLISHING THE 2022 SPECIAL ASSESSMENTS
8 FOR FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION
9 (“AHCA”) LICENSED HOSPITALS PURSUANT TO
10 ORDINANCE 2021-456-E; ESTABLISHING THE 2022
11 ASSESSMENT RATE; PROVIDING NOTICE OF PUBLIC
12 HEARINGS; APPROVING THE 2022 FINAL ASSESSMENT
13 ROLL; PROVIDING AN EFFECTIVE DATE.

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15 WHEREAS, by and through Ordinance 2021-456-E, the City Council
16 authorized assessments on AHCA licensed hospitals for the purpose of
17 funding the county portion of the Directed Payment Program (DPP)
18 through the Local Provider Participation Fund (LPPF).

19 WHEREAS, the program requires an annual calculation of the rate
20 based on each year’s projected shortfall figure provided by AHCA, and
21 the Council must reauthorize the rate and assessment each year.

22 WHEREAS, the initial year of the program successfully provided
23 local facilities with needed federal funding to serve Medicaid
24 recipients such that renewal of the assessment is in the best interest
25 of the community;

26 WHEREAS, the eleven impacted facilities have all agreed to and
27 requested that the program be continued;

28 WHEREAS, the eleven impacted facilities have all been involved
29 in the conversations about the anticipated rate and recognize that
30 the rate in the ordinance may change between filing of the Preliminary
31 Rate Ordinance legislation and the final public hearing for the

1 authorization of the Annual Rate Ordinance and still desire to
2 proceed;

3 **BE IT ORDAINED** by the Council of the City of Jacksonville:

4 **Section 1. Description of Programs.** The funds collected
5 pursuant to this annual assessment shall serve to provide the
6 nonfederal share of funding needed to offset the Medicaid shortfall
7 under the DPP, an action which will allow the facilities to access
8 additional federal funding for their treatment of Medicaid patients.

9 **Section 2. Service Cost.** The estimated total cost to
10 cover the DPP through the LPPF assessments is \$44,741,737.00. This
11 figure is calculated by AHCA and is typically provided on or around
12 late October or November each year. The impacted parties and the City
13 are aware that in the event that the AHCA calculation is higher, the
14 final assessment amount may change.

15 **Section 3. Assessment Rate.** Based on the estimated amount
16 needed to cover the funding shortfall, each facility shall be assessed
17 a uniform rate calculated at a rate of .21%. Each hospital's
18 assessment is calculated based on the rate multiplied by the gross
19 patient revenue.

20 **Section 4. Maximum Rate.** In light of the estimated figure
21 utilized for this determination and the impacted facilities'
22 agreement with the calculation and possible modifications, the
23 assessments shall not include a maximum rate.

24 **Section 5. Public Hearing Dates.** Pursuant to Sections
25 170.07 and 170.08, *Florida Statutes*, as well as Chapter 491 and
26 Section 715.206, *Ordinance Code*, the Council held public hearings on
27 September 13, 2022, and September 27, 2022, to hear testimony from
28 affected property owners as to the propriety and advisability of
29 funding the proposed improvements with special assessments on
30 property, including the preliminary roll.

31 **Section 6. Notice to Affected Owners.** The City reviewed the

1 2021 Roll, updated the listings, and provided notice of the two
2 scheduled public hearings to each affected facility individually via
3 U.S. Mail and published the same information in the Daily Record.
4 Proof of mailing the notices required by Section 170.07, *Florida*
5 *Statutes*, and Section 715.205, *Ordinance Code*, is **attached here** to
6 as **Exhibit 1**.

7 **Section 7. Assessment Roll and Method of Collection.** The Council
8 hereby approves the 2022 Assessment Roll **attached hereto** as **Exhibit**
9 **2**. The method of collection for 2022 shall be the alternative method
10 pursuant to Chapter 170, *Florida Statutes*. Pursuant to Section
11 170.08, *Florida Statutes*, the 2022 Assessment Roll shall be recorded
12 in the City of Jacksonville Improvement Lien Book.

13 **Section 8. Retaining All Rights Granted by Chapter 170,**
14 ***Florida Statutes*.** The City of Jacksonville hereby retains all rights
15 granted to municipalities by Chapter 170, *Florida Statutes*, for the
16 special assessments authorized herein, including priority of lien,
17 interest and foreclosure; provided, however, that any legal
18 proceeding to enforce payment of such special assessments shall
19 require City Council approval.

20 **Section 9. Authorization to Execute and Implement.** The
21 Council hereby approves, and the Mayor, or his designee, and the
22 Corporation Secretary, are hereby authorized to execute, for and on
23 behalf of the City of Jacksonville, the AHCA Letter of Agreement in
24 substantially the form attached hereto as **Exhibit 3**, (2021 letter),
25 and to take, or cause to be taken, for and on behalf of the City,
26 such further action as is necessary to effectuate the purpose of this
27 Ordinance.

28 **Section 10. Effective Date.** This Ordinance shall become
29 effective upon signature by the Mayor or upon becoming effective
30 without the Mayor's signature.

1 Form Approved:

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3 /s/ Trisha Bowles

4 Office of General Counsel

5 Legislation Prepared By: Trisha Bowles

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