

1 Introduced by the Council President at the request of the Mayor:
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4 **ORDINANCE 2023-551-E**

5 AN ORDINANCE, PURSUANT TO CHAPTER 170, *FLORIDA*
6 *STATUTES*, AND CHAPTERS 491 AND 715, *ORDINANCE*
7 *CODE*, ESTABLISHING THE 2023 SPECIAL ASSESSMENTS
8 FOR FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION
9 (“AHCA”) LICENSED HOSPITALS PURSUANT TO
10 ORDINANCE 2021-456-E; ESTABLISHING THE 2023
11 ASSESSMENT RATE; PROVIDING NOTICE OF PUBLIC
12 HEARINGS; APPROVING THE 2023 FINAL ASSESSMENT
13 ROLL; AUTHORIZING EXECUTION OF AGREEMENT AND
14 RECORDING; PROVIDING AN EFFECTIVE DATE.
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16 **WHEREAS**, by and through Ordinance 2021-456-E, the City Council
17 authorized assessments on AHCA licensed hospitals for the purpose of
18 funding the county portion of the Direct Payment Program (DPP) through
19 the Local Provider Participation Fund (LPPF); and

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

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

28 **WHEREAS**, the eleven impacted facilities have all agreed to and
29 requested that the program be continued; and

30 **WHEREAS**, the eleven impacted facilities have been involved in
31 the conversations about the anticipated rate and recognize that the

1 rate in the ordinance may change between filing of the Preliminary
2 Rate Ordinance legislation and the final public hearing for the
3 authorization of the Annual Rate Ordinance and still desire to
4 proceed; now therefore

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

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

11 **Section 2. Service Cost.** The estimated total cost to cover
12 the DPP through the special assessments is \$73,640,305.00. This
13 figure is calculated by AHCA and is typically provided around late
14 October or November each year. The impacted parties and the City are
15 aware that in the event that the AHCA calculation is higher, the
16 final assessment amount may change.

17 **Section 3. Assessment Rate.** Based on the estimated amount
18 needed to cover the funding shortfall, each facility shall be assessed
19 a uniform rate calculated at a rate of .30%. Each hospital's
20 assessment is calculated based on the rate multiplied by the gross
21 patient revenue.

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

26 **Section 5. Public Hearing Dates.** Pursuant to Sections
27 170.07 and 170.08, *Florida Statutes*, as well as Chapter 491 and
28 Section 715.206, *Ordinance Code*, the Council held public hearings on
29 September 12, 2023, and September 26, 2023, to hear testimony from
30 affected property owners as to the propriety and advisability of
31 funding the proposed improvements with special assessments on

1 property, including the preliminary roll.

2 **Section 6. Notice to Affected Owners.** The City reviewed
3 the 2023 Roll, updated the listings, and provided notice of the two
4 scheduled public hearings to each affected facility/property owner
5 individually via U.S. Mail and published the same information in the
6 Daily Record. A sample of the notices required by Section 170.07,
7 *Florida Statutes*, and Section 715.205, *Ordinance Code*, is attached
8 hereto as **Exhibit 1**.

9 **Section 7. Assessment Roll and Method of Collection.** The Council
10 hereby approves the 2023 Assessment Roll attached hereto as **Exhibit**
11 **2**. The method of collection for 2023 shall be the alternative method
12 pursuant to Chapter 170, *Florida Statutes*.

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;**
21 **Record.** The Council hereby approves, and the Mayor, or her designee,
22 and the Corporation Secretary, are hereby authorized to execute, for
23 and on behalf of the City of Jacksonville, the AHCA Letter of
24 Agreement in substantially the form attached hereto as **Exhibit 3**,
25 (2022 letter), and to take, or cause to be taken, for and on behalf
26 of the City, such further action as is necessary to effectuate the
27 purpose of this Ordinance. In compliance with Section 170.08, *Florida*
28 *Statutes*, the Council authorizes the Department of Finance and
29 Administration to provide the Duval County Tax Collector with notice
30 of the liens for recording in the "Improvement Lien Book". The
31 Department of Finance and Administration shall promptly provide

1 notice of payment once received and cleared to the Duval County Tax
2 Collector to record the same or clear the lien pursuant to their
3 process.

4 **Section 10. Effective Date.** This Ordinance shall become
5 effective upon signature by the Mayor or upon becoming effective
6 without the Mayor's signature.

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8 Form Approved:

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10 /s/ Mary E. Staffopoulos

11 Office of General Counsel

12 Legislation Prepared By: Trisha Bowles

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