

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

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3
4 **ORDINANCE 2024-632**

5 AN ORDINANCE, PURSUANT TO CHAPTER 170, *FLORIDA*
6 *STATUTES*, AND CHAPTERS 491 AND 715, *ORDINANCE*
7 *CODE*, ESTABLISHING THE 2024 SPECIAL ASSESSMENTS
8 FOR FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION
9 (“AHCA”) LICENSED HOSPITALS PURSUANT TO
10 ORDINANCE 2021-456-E; ESTABLISHING THE 2024
11 ASSESSMENT RATE; PROVIDING NOTICE OF PUBLIC
12 HEARINGS; APPROVING THE 2024 FINAL ASSESSMENT
13 ROLL; AUTHORIZING EXECUTION OF AGREEMENT AND
14 RECORDING; PROVIDING AN EFFECTIVE DATE.

15
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 non-federal share of the Direct Payment Program (DPP)
19 through the Local Provider Participation Fund (LPPF); and

20 **WHEREAS**, by and through Ordinance 2024-212-E, the City Council
21 authorized assessments on AHCA licensed hospitals for the purpose of
22 funding the non-federal share of the Low-Income Pool (LIP) program
23 through the LPPF; and

24 **WHEREAS**, the programs require an annual calculation of the
25 rate based on each year’s projected shortfall figure as provided by
26 AHCA and charity care costs as reported by the hospitals and the
27 Council must reauthorize the rate and assessment each year; and

28 **WHEREAS**, the initial year of the DPP program successfully
29 provided local facilities with needed federal funding to serve
30 Medicaid recipients such that renewal of the assessment is in the
31 best interest of the community; and

1 **WHEREAS**, the eleven impacted facilities have all agreed to and
2 requested that the DPP program be continued and the LIP program be
3 added; and

4 **WHEREAS**, the eleven impacted facilities have been involved in
5 the conversations about the anticipated rate and recognize that the
6 rate in the ordinance may change between filing of the Preliminary
7 Rate Ordinance legislation and the final public hearing for the
8 authorization of the Annual Rate Ordinance and still desire to
9 proceed; now therefore

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

11 **Section 1. Description of Programs.** The funds collected
12 pursuant to this annual assessment shall serve to provide the
13 nonfederal share of funding needed to offset the Medicaid shortfall
14 under the DPP and to reimburse charity costs under the LIP program,
15 an action which will allow the facilities to access additional federal
16 funding for their treatment of Medicaid patients and low income and
17 indigent patients.

18 **Section 2. Service Cost.** The estimated total cost to cover
19 the DPP and LIP programs through the special assessments is
20 \$79,273,512. This figure is calculated by AHCA and is typically
21 provided around late October or November each year. The impacted
22 parties and the City are aware that in the event that the AHCA
23 calculation is higher, the final assessment amount may change.

24 **Section 3. Assessment Rate.** Based on the estimated amount
25 needed to cover the funding shortfall and reimbursement for charity
26 care costs, each facility shall be assessed a uniform rate calculated
27 at a rate of .30%. Each hospital's assessment is calculated based on
28 the rate multiplied by the gross patient revenue.

29 **Section 4. Maximum Rate.** In light of the estimated figure
30 utilized for this determination and the impacted facilities'
31 agreement with the calculation and possible modifications, the

1 assessments shall not include a maximum rate.

2 **Section 5. Public Hearing Dates.** Pursuant to Sections
3 170.07 and 170.08, *Florida Statutes*, as well as Chapter 491 and
4 Section 715.206, *Ordinance Code*, the Council held public hearings on
5 August 27, 2024, and September 10, 2024, to hear testimony from
6 affected property owners as to the propriety and advisability of
7 funding the proposed improvements with special assessments on
8 property, including the preliminary roll.

9 **Section 6. Notice to Affected Owners.** The City reviewed
10 the 2024 Assessment Roll, updated the listings, and provided notice
11 of the two scheduled public hearings to each affected
12 facility/property owner individually via U.S. Mail and published the
13 same information in the Daily Record. A sample of the notices
14 required by Section 170.07, *Florida Statutes*, and Section 715.205,
15 *Ordinance Code*, is attached hereto as **Exhibit 1**.

16 **Section 7. Assessment Roll and Method of Collection.** The
17 Council hereby approves the 2024 Assessment Roll attached hereto as
18 **Exhibit 2**. The method of collection for 2024 shall be the alternative
19 method pursuant to Chapter 170, *Florida Statutes*.

20 **Section 8. Retaining All Rights Granted by Chapter 170,**
21 ***Florida Statutes*.** The City of Jacksonville hereby retains all rights
22 granted to municipalities by Chapter 170, *Florida Statutes*, for the
23 special assessments authorized herein, including priority of lien,
24 interest and foreclosure; provided, however, that any legal
25 proceeding to enforce payment of such special assessments shall
26 require City Council approval.

27 **Section 9. Authorization to Execute and Implement;**
28 **Record.** The Council hereby approves, and the Mayor, or her designee,
29 and the Corporation Secretary, are hereby authorized to execute, for
30 and on behalf of the City of Jacksonville, the AHCA Letters of
31 Agreement in substantially the form attached hereto as **Exhibit 3**,

1 (2023 letter), and to take, or cause to be taken, for and on behalf
2 of the City, such further action as is necessary to effectuate the
3 purpose of this Ordinance. In compliance with Section 170.08, *Florida*
4 *Statutes*, the Council authorizes the Department of Finance and
5 Administration to provide the Duval County Tax Collector with notice
6 of the liens for recording in the "Improvement Lien Book". The
7 Department of Finance and Administration shall promptly provide
8 notice of payment once received and cleared to the Duval County Tax
9 Collector to record the same or clear the lien pursuant to their
10 process.

11 **Section 10. Effective Date.** This Ordinance shall become
12 effective upon signature by the Mayor or upon becoming effective
13 without the Mayor's signature.

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15 Form Approved:

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17 /s/ Dylan Reingold

18 Office of General Counsel

19 Legislation Prepared By: Dylan Reingold

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