

MEMORANDUM

Agenda Item No. 11(A)(18)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 6, 2024

FROM: Geri Bonzon-Keenan
County Attorney

SUBJECT: Resolution directing the County Mayor to evaluate the feasibility of implementing a medical benefits overlay program to supplement the County's current benefit plans; further directing the Mayor, if feasible, to negotiate and execute an agreement with Champion Health, Inc. for a pilot project which implements the "CHAMP Plan" in Miami-Dade County in accordance with Implementing Order 3-38; and requiring a report

The accompanying resolution was prepared and placed on the agenda at the request of Prime Sponsor Chairman Oliver G. Gilbert, III.



Geri Bonzon-Keenan
County Attorney

GBK/uw

MDC001



MEMORANDUM
(Revised)

TO: Honorable Chairman Oliver G. Gilbert, III
and Members, Board of County Commissioners

DATE: November 6, 2024

FROM: 
Gen Bonzon-Keenan
County Attorney

SUBJECT: Agenda Item No. 11(A)(18)

Please note any items checked.

- “3-Day Rule” for committees applicable if raised**
- 6 weeks required between first reading and public hearing**
- 4 weeks notification to municipal officials required prior to public hearing**
- Decreases revenues or increases expenditures without balancing budget**
- Budget required**
- Statement of fiscal impact required**
- Statement of social equity required**
- Ordinance creating a new board requires detailed County Mayor’s report for public hearing**
- No committee review**
- Applicable legislation requires more than a majority vote (i.e., 2/3’s present ____, 2/3 membership ____, 3/5’s ____, unanimous ____, majority plus one ____, CDMP 7 vote requirement per 2-116.1(3)(h) or (4)(c) ____, CDMP 2/3 vote requirement per 2-116.1(3) (h) or (4)(c) ____, CDMP 9 vote requirement per 2-116.1(4)(c) (2) ____) to approve**
- Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11(A)(18)
11-6-24

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MAYOR OR COUNTY MAYOR'S DESIGNEE TO EVALUATE THE FEASIBILITY OF IMPLEMENTING A MEDICAL BENEFITS OVERLAY PROGRAM TO SUPPLEMENT THE COUNTY'S CURRENT BENEFIT PLANS; FURTHER DIRECTING THE MAYOR, IF FEASIBLE, TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH CHAMPION HEALTH, INC. FOR A PILOT PROJECT WHICH IMPLEMENTS THE "CHAMP PLAN" IN MIAMI-DADE COUNTY IN ACCORDANCE WITH IMPLEMENTING ORDER 3-38; AND REQUIRING A REPORT

WHEREAS, the County currently provides an expansive self-funded group healthcare program for employees and eligible dependents, retirees, and Consolidated Omnibus Budget Reconciliation Act (COBRA) participants; and

WHEREAS, the County's healthcare program includes several different service plans, wellness and disease management programs, telemedicine capability, and virtual physical care programs; and

WHEREAS, the County also provides a Flexible Spending Account Plan in accordance with section 125 of the Internal Revenue Service (IRS) Code as well as integration of aforementioned benefits with the County's INFORMS Human Capital Management System; and

WHEREAS, Champion Health, Inc. is a corporation which advertises a "self-funded overlay program" designed to provide supplemental medical coverage to employees otherwise covered through a primary provider; and

WHEREAS, the "CHAMP Plan," as described by Champion Health, Inc., operates by taking a pre-tax deduction out of an enrolled employee's paycheck to help fund the plan, and then a post-tax benefit is received by the enrolled employee "after participation in a monthly healthcare activity that triggers a CPT code and explanation of benefits"; and

WHEREAS, according to Champion Health, Inc., a “lower adjusted gross income results in lower taxes, which raises an employee’s take-home pay after the CHAMP Plan post-tax benefit is added to [one’s] paycheck”; and

WHEREAS, according to Champion Health, Inc., enrollment in the CHAMP Plan is voluntary, and educational information regarding enrollment procedures will be provided at no cost to interested employees; and

WHEREAS, according to Champion Health, Inc., the CHAMP Plan will also provide cost savings to the County by redirecting claims that would otherwise be processed by the County’s primary health plan provider; and

WHEREAS, because this Board is supportive of measures designed to enhance the livelihood of County employees, the County Mayor or County’s Mayor designee should evaluate the feasibility and prudence of implementing the CHAMP Plan or a similar medical benefits overlay program; and

WHEREAS, Miami-Dade County Implementing Order 3-38 authorizes the County Mayor to enter into pilot projects and product demonstration agreements with prospective County vendors for the purpose of testing and evaluating technology, products, and services; and

WHEREAS, such agreements must: (1) be for a period not to exceed 12 months from the initiation of the pilot project or demonstration; (2) be provided at no cost to the County with the exception of any ordinary cost for County employees or consultants to review such technology; (3) not contain any exclusive dealing, in-kind or advertising commitments by the County; (4) provide for indemnification of the County; (5) provide for County ownership of any data generated during the testing and observation period; and (6) be terminable at will by the County; and

WHEREAS, Miami-Dade County is committed to better understanding, evaluating and implementing innovative technology, emerging products, and efficient services; and

WHEREAS, vendors frequently offer potentially innovative processes, products and services at no charge to the County on a trial basis; and

WHEREAS, if the adoption of the CHAMP Plan or a similar medical benefits overlay program would be beneficial to the County and its employees, this Board would like to pursue such ends,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board:

Section 1. Incorporates and adopts the foregoing recitals.

Section 2. Directs the County Mayor or County Mayor's designee to evaluate the feasibility of implementing a medical benefits overlay program to supplement the County's current benefit plans offerings. The evaluation must specifically explore the "CHAMP Plan" offered by Champion Health, Inc., and any potential impacts of implementing such an overlay plan Countywide on both a short-term basis as a pilot project and long-term basis through a competitive procurement. The evaluation must also analyze whether the implementation of the "CHAMP Plan" as a pilot project comports with the requirements for such agreements in Implementing Order 3-38, including the requirements that the County must be indemnified and that the project be terminable at will by the County.

Section 3. Directs the County Mayor or County Mayor's designee, if the administration's evaluation determines that it is feasible to implement a medical benefits overlay program pursuant to the directive in Section 2, to negotiate and, if successful, execute an agreement with Champion Health, Inc. for a pilot project to implement the "CHAMP Plan" within 120 days of the effective date of this resolution. The terms of the agreement must be in accordance with the County's requirements for pilot projects and product demonstration agreements provided for in Implementing Order 3-38 and, accordingly, such agreement may not serve as a basis for any non-

competitive purchase other than a bid waiver or sole source purchase and may not serve as the sole basis of the public interest justification of any bid waiver. Such agreement must include provisions that the “CHAMP Plan” be offered to County employees on a voluntary, opt-in basis, with educational information regarding enrollment and operation of the “CHAMP Plan” provided to interested employees at no cost. Any such agreement must also seek to minimize the County’s administrative implementation costs. Further, the County Mayor or County Mayor’s designee must, where necessary, obtain the written consent of the applicable collective bargaining agents before providing such a benefit to bargaining unit employees. Finally, and as provided in Implementing Order 3-38, each pilot project or product demonstration agreement is subject to review and approval by the County Attorney’s Office for legal sufficiency prior to execution.

Section 4. Directs the County Mayor or County Mayor’s designee, within 60 days of the conclusion of the “CHAMP Plan” pilot program, to provide a written report detailing the results of the pilot program, including the number of employees that participated and any cost savings to the County, and to place the completed report on an agenda of this Board without committee review pursuant to Rule 5.06(j) of the Board’s Rules of Procedure.

Section 5. Directs the County Mayor or County Mayor’s designee, if a determination is made that it is not feasible to create the pilot program, to detail the reasons for such finding in a report within 120 days of the effective date of this resolution, and to place the completed report on an agenda of this Board without committee review pursuant to Rule 5.06(j) of the Board’s Rules of Procedure.

The Prime Sponsor of the foregoing resolution is Chairman Oliver G. Gilbert, III. It was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Oliver G. Gilbert, III, Chairman
Anthony Rodríguez, Vice Chairman

Marleine Bastien
Kevin Marino Cabrera
Roberto J. Gonzalez
Danielle Cohen Higgins
Kionne L. McGhee
Micky Steinberg

Juan Carlos Bermudez
Sen. René García
Keon Hardemon
Eileen Higgins
Raquel A. Regalado

The Chairperson thereupon declared this resolution duly passed and adopted this 6th day of November, 2024. This resolution shall become effective upon the earlier of (1) 10 days after the date of its adoption unless vetoed by the County Mayor, and if vetoed, shall become effective only upon an override by this Board, or (2) approval by the County Mayor of this resolution and the filing of this approval with the Clerk of the Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

JUAN FERNANDEZ-BARQUIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Javier Zapata
Marlon Moffett
Eduardo Gonzalez