



Broward County

Legislation Details (With Text)

File #: 20-117 **Version:** 1

Status: Agenda Ready

In control: Human Services - Community Partnerships Division

On agenda: 3/10/2020 **Final action:** 3/10/2020

Title: MOTION TO APPROVE Letter of Agreement (“LOA”) between the State of Florida Department of Health (“DOH”) and Broward County, to establish the parties’ duties related to the Broward County Board of County Commissioners’ (“Commission”) authorization and approval of a sterile needle and syringe exchange program (“Exchange”) in accordance with Section 381.0038(4), Florida Statutes; and authorize the Mayor and Clerk to execute same.

Sponsors:

Indexes: Established Commission Goals

Code sections:

Attachments: 1. Exhibit 1 - Agreement Summary, 2. Exhibit 2 - Letter of Agreement

Date	Ver.	Action By	Action	Result
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Broward County Commission Regular Meeting

Director's Name: Mandy Wells (Acting Director)

Department: Human Services

Division: Community Partnerships

Information

Requested Action

MOTION TO APPROVE Letter of Agreement (“LOA”) between the State of Florida Department of Health (“DOH”) and Broward County, to establish the parties’ duties related to the Broward County Board of County Commissioners’ (“Commission”) authorization and approval of a sterile needle and syringe exchange program (“Exchange”) in accordance with Section 381.0038(4), Florida Statutes; and authorize the Mayor and Clerk to execute same.

Why Action is Necessary

Section 381.0038(4)(a)(2), Florida Statutes, requires counties enter into a LOA with DOH prior to establishment of a sterile needle and syringe exchange program. Additionally, Commission approval is required for agreements with external agencies.

What Action Accomplishes

Approval of a LOA for the program to operate in accordance with the Florida Statutes.

Is this Action Goal Related

Yes

Previous Action Taken

None.

Summary Explanation/Background

THE HUMAN SERVICES DEPARTMENT AND THE COMMUNITY PARTNERSHIPS DIVISION RECOMMEND APPROVAL OF THE ABOVE MOTION.

This action supports the Commission value of “approaching human services collaboratively and compassionately with special emphasis on the most vulnerable,” and the goal to “collaborate with public and private partners to find creative, equitable, and responsible solutions to systemic community problems, especially permanent, supportive housing for persons experiencing or at risk of, homelessness.” The LOA defines the roles and responsibilities of both the DOH and Broward County for the Broward County Safe Syringe Exchange Program (“Exchange”).

On June 27, 2019, the Florida Governor signed the Infectious Disease Elimination Act (“IDEA”) which allows county commissions to authorize sterile needle and syringe exchange programs for intravenous drug users.

On October 24, 2019, the Broward County Human Services Department (“HSD”) convened a meeting with local stakeholders to establish the Broward County IDEA Syringe Exchange Stakeholders Group (“Group”). Current Group members include representatives from the local health department, public hospitals, the United Way of Broward County, Inc., Broward Behavioral Health Coalition, Inc., and HSD staff. The Group provides ongoing advice, consultation and recommendations for the Exchange, including identifying an entity to operate the Exchange.

On December 3, 2019 (Item No. 72), the Commission authorized the Exchange, via Broward County Code of Ordinances, Section 15-13, to prevent the transmission of HIV, AIDS, viral hepatitis, or other blood-borne diseases among intravenous drug users and their sexual partners and offspring.

The Office of the County Attorney has reviewed and approved the LOA for legal sufficiency. The LOA is in DOH’s format, thus DOH will sign last. The LOA is effective upon the date of the last signature and it continues until either party terminates or until the statute or ordinance authorizing the exchange program expires or is revoked.

Source of Additional Information

Darrell Cunningham, Director, Community Partnerships Division, (954) 357-6398

Fiscal Impact

Fiscal Impact/Cost Summary

There is no fiscal impact to this item. In accordance with state law, state, county, or municipal funds may not be used to operate an exchange program. Exchange program must be funded through grants and donations from private resources and funds.