



Broward County

Legislation Text

File #: 24-346, Version: 1

Broward County Commission Regular Meeting

Director's Name: Rebecca MacDougall

Department: Medical Examiner and Trauma Services

Information

Requested Action

MOTION TO AUTHORIZE County Administrator or designee to approve and execute a Memorandum of Understanding (MOU) with the Florida Department of Highway Safety and Motor Vehicles (DHSMV) and any related documents necessary to permit County's access to DHSMV data at no cost to County and for a term of six years, subject to review and approval as to legal sufficiency by the Office of the County Attorney; and authorize the County Administrator to take all necessary administrative and budgetary actions to implement the MOU.

Why Action is Necessary

Board approval is required to authorize execution of the agreement and any other necessary documents.

What Action Accomplishes

Allows the County Administrator or the County Administrator's designee to execute documents required to effectuate the agreement to maintain access to DHSMV data for confirming the identification of the deceased which are under the medical examiner's jurisdiction.

Goal Related Icon(s)

- ☐ County Commission
- ☐ Go Green
- ☐ MAP Broward

Previous Action Taken

None.

Summary Explanation/Background

THE OFFICE OF MEDICAL EXAMINER AND TRAUMA SERVICES RECOMMEND APPROVAL OF THE ABOVE MOTION.

Approval of this item permits the County Administrator or the County Administrator's designee to execute a Memorandum of Understanding (MOU) between Broward County and the Florida Department of Highway Safety and Motor Vehicles (DHSMV) to permit access to DHSMV data for identification purposes, along with any related documents required by DHSMV, subject to review for legal sufficiency by the Office of the County Attorney.

The County previously entered into a similar agreement with DHSMV on May 28, 2018, as authorized

by the Board of February 27, 2018 (Item No. 7). The current MOU expires on May 29, 2024. On February 20, 2024 the Board approved an MOU with DHSMV; however, the document provided by DHSMV and approved by the Board was an incorrect form and the updated form was not yet available.

Based upon review of the prior forms, the following disclosures are expected to continue to apply to the updated form (when available):

- The agreement is on DHSMV's MOU form and does not include the County's standard terms and conditions, including County indemnification and sovereign immunity.
- Data provided by DHSMV includes Personally Identifiable Information, which must be held secure in accordance with Florida Statutes, Chapter 119; Code of Federal Regulations, §1110; and Florida Administrative Code, Rule 60GG-2.
- The County must defend, hold harmless, and indemnify DHSMV from any claim arising from the County's negligent, improper, or unauthorized access, use, or dissemination of information provided by DHSMV.

This item was submitted after the agenda deadline and cannot be deferred to a subsequent agenda because the forms were just updated by DHSMV and DHSMV require six to eight weeks processing time prior to the expiration of the current agreement.

Source of Additional Information

Rebecca MacDougall, Director, Office of Medical Examiner and Trauma Services, (954) 357-5209

Fiscal Impact

Fiscal Impact/Cost Summary

No fiscal impact.