

PROPOSED

RESOLUTION NO.

1 A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD
2 COUNTY, FLORIDA, URGING THE STATE OF FLORIDA TO RESTORE PRIOR
3 ELIGIBILITY CRITERIA AND BENEFITS UNDER THE STATE'S AIDS DRUG
4 ASSISTANCE PROGRAM; URGING THE FLORIDA LEGISLATURE TO APPROPRIATE
5 ADDITIONAL FUNDING TO RESTORE ELIGIBILITY CRITERIA AND PROGRAM
6 BENEFITS TO PRIOR LEVELS; URGING THE UNITED STATES CONGRESS TO
7 INCREASE RYAN WHITE HIV/AIDS PROGRAM FUNDING FOR
8 STATE-ADMINISTERED AIDS DRUG ASSISTANCE PROGRAMS; PROVIDING FOR
9 TRANSMITTAL OF THIS RESOLUTION; AND PROVIDING FOR SEVERABILITY AND
10 AN EFFECTIVE DATE.

11 (Sponsored by Commissioner Hazelle P. Rogers)

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13 WHEREAS, Acquired Immunodeficiency Syndrome ("AIDS") is caused by the
14 Human Immunodeficiency Virus ("HIV"), which attacks the body's immune system and
15 increases vulnerability to infections and disease;

16 WHEREAS, it is estimated that more than 700,000 people in the United States
17 have died from AIDS-related causes since the disease was first identified in 1981, over
18 1.1 million people are living with HIV nationwide, and 22,524 people with HIV live in
19 Broward County;

20 WHEREAS, HIV and AIDS remain a major public health issue, with Florida having
21 one of the highest incidence rates in the country;

22 WHEREAS, modern antiretroviral therapy medications suppress viral load to
23 undetectable levels, prevent transmission, and allow immune system recovery;

24 WHEREAS, taking these medications consistently and as prescribed is essential
25 for the virus to remain suppressed and treatment to be effective, as discontinuing the
26 medications results in the viral load increasing;

27 WHEREAS, these medications are generally expensive and unaffordable without
28 insurance or other financial assistance;

29 WHEREAS, the federal Ryan White HIV/AIDS Program provides funding to
30 support treatment and other services to persons with HIV;

31 WHEREAS, individual states administer the AIDS Drug Assistance Program
32 (“ADAP”) authorized under Part B of the Ryan White HIV/AIDS Treatment Extension Act
33 of 2009, and provide medications approved by the United States Food and Drug
34 Administration to low-income people with HIV who have limited or no health insurance;

35 WHEREAS, the Florida Department of Health (“FDOH”) administers Florida’s
36 ADAP, including setting financial eligibility criteria, benefits, and covered medications;

37 WHEREAS, under Florida’s ADAP, FDOH provides direct access to HIV
38 medications to eligible individuals and, in certain instances, assists with covering the
39 costs of their insurance, copays, and deductibles;

40 WHEREAS, it is estimated that Florida’s ADAP served 32,248 eligible individuals
41 in 2024;

42 WHEREAS, under the previous eligibility criteria for Florida’s ADAP, an individual’s
43 income could not exceed 400 percent of the federal poverty level, which equates to
44 approximately \$63,840 for a single person;

45 WHEREAS, in January 2026, FDOH announced that it intended to change one of
46 the eligibility criteria for direct access to HIV medications to 130 percent of the federal
47 poverty level, or about \$20,748, for a single person;

48 WHEREAS, FDOH issued an emergency rule on February 24, 2026, reducing the
49 eligibility threshold for ADAP to 130 percent of the federal poverty level and discontinuing
50 ADAP-funded insurance premium assistance effective March 3, 2026;

51 WHEREAS, FDOH simultaneously removed the most commonly prescribed
52 antiretroviral drug, Biktarvy, from the ADAP formulary;

53 WHEREAS, FDOH's changes to ADAP threaten to immediately disrupt treatment
54 and the health and well-being of an estimated 12,000 Floridians who depend on
55 uninterrupted HIV treatment;

56 WHEREAS, FDOH stated the reason for these changes is to address a
57 \$120 million funding shortfall due to rising health care costs and lack of additional grant
58 funding under the Ryan White HIV/AIDS Program; and

59 WHEREAS, it is the desire of the Board of County Commissioners of Broward
60 County, Florida ("Board") that these vulnerable individuals be protected, NOW,
61 THEREFORE,

62 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
63 BROWARD COUNTY, FLORIDA:

64 Section 1. The Board urges the State of Florida, through FDOH, to restore the
65 previous ADAP eligibility criteria and benefits and urges the Florida Legislature to
66 appropriate additional funding for ADAP to maintain those eligibility criteria and benefits
67 at their previous levels.

68 Section 2. The Board urges the United States Congress to appropriate
69 additional funding to the Ryan White HIV/AIDS Program to be allocated to
70 state-administered ADAPs, given rising health insurance costs.

71 Section 3. The Board directs the Clerk of the Board to transmit a certified copy
72 of this Resolution to the Governor, the Surgeon General/Secretary of the Florida
73 Department of Health, the Director of the Florida Department of Health's ADAP Office,
74 the Senate President, the House Speaker, and the Chair and all other Members of the
75 Broward State Legislative Delegation.

76 Section 4. The Board hereby directs the Clerk of the Board to transmit certified
77 copies of this Resolution to the members of the Florida Congressional Delegation.

78 Section 5. The Board directs the County Administrator and the County's state
79 and federal lobbyists to advocate for actions described in Sections 1 and 2 above.

80 Section 6. Severability.

81 If any portion of this Resolution is determined by any court to be invalid, the invalid
82 portion will be stricken, and such striking will not affect the validity of the remainder of this
83 Resolution. If any court determines that this Resolution, in whole or in part, cannot be
84 legally applied to any individual, group, entity, property, or circumstance, such
85 determination will not affect the applicability of this Resolution to any other individual,
86 group, entity, property, or circumstance.

