



OFFICE OF THE COUNTY ATTORNEY

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MEMORANDUM

DATE: September 16, 2020

TO: Renee Isrel, Chief Administrative Officer, Public Safety Department
James Crutchfield, EMS Chief, Public Safety Department

THROUGH: Mitchell O. Palmer, County Attorney *Approved by M. Palmer 9-16-20*

FROM: Alexandria C. Nicodemi, Assistant County Attorney *Approved by A. Nicodemi 9-16-20*

RE: **Public Emergency Medical Transportation LOA Year 2020-2021; CAO Matter No. 2020-0413**

This memorandum is in response to the above referenced Request for Legal Services in which you asked this office to review the Agency for Health Care Administration's ("AHCA") Public Emergency Medical Transportation Letter of Agreement for Year 2020-2021 ("Agreement"). Per your request, I have reviewed the Agreement and my comments are as follows:

1. Manatee County Emergency Medical Services wishes to participate in Year 2 of the Florida Medicaid Managed Care Supplemental Payment Program ("Program") by entering into this Agreement with AHCA. This Agreement follows an established form agreement by AHCA. In our experience and per the County's Consultant, Alissa Narode with Public Consulting Group, the State is reluctant to make substantive changes to its form documents. As such, my suggested changes and comments are limited to identifying legal issues that could present legal challenges for the County moving forward.
2. In the introductory clause of the Agreement, please add "Manatee County, a political subdivision of the State of Florida," in order to correctly identify the County as a party to the Agreement.
3. By participating in Year 2 of this Program and executing this Agreement, AHCA is imposing detailed obligations on the County. Staff should carefully review the terms

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and obligations to assure that the County is positioned to fully perform its obligations under this Program in a timely fashion.

4. Additionally, I have drafted Resolution No. R-20-145 for consideration by the Board of County Commissioners. This Resolution authorizes the County to expend the funds necessary for the Public Safety Department to participate in the Program with AHCA, approve the form Agreement for the intergovernmental transfers, and designates the authority for the Director of the Public Safety Department to execute the form Agreement with AHCA.

I find that the Resolution and the Agreement are in legally sufficient form for consideration by the Board of County Commissioners. I express no opinion as to the business judgment of entering into the Agreement. This concludes my response to your Request for Legal Services. If you have any further questions, comments, or concerns, please feel free to contact me.

Copies to: Cheri Coryea, County Administrator
John Osborne, Deputy County Administrator
Karen Stewart, Deputy County Administrator
Jacob Saur, Director, Public Safety Department
Mary Allred, Sr. Billing Specialist, Public Safety Department
Lisa Crabtree, Sr. Administrative Specialist, Public Safety Department