



Interoffice Memorandum

AGENDA ITEM

October 10, 2019

TO: Mayor Jerry L. Demings
-AND-
Board of County Commissioners

THRU: Yolanda G. Martinez, EdPhD., PhD., Director
Health Services Department

A handwritten signature in black ink, appearing to read "Yolanda G. Martinez", written over the name in the "THRU" field.

FROM: John Goodrich, Deputy Director
Health Services Department

SUBJECT: 340b Drug Discount Program
Consent Agenda – October 22, 2019

In 1992, the federal government created the 340b Drug Discount Program, which allows eligible covered entities to purchase outpatient pharmaceuticals at significantly reduced prices. The savings allows these covered entities to stretch scarce federal resources as far as possible in order to reach additional eligible patients and provide comprehensive services. Eligible covered entities include Ryan White programs, qualifying hospitals, Federal grantees from the Health Resources and Services Administration, the Centers for Disease Control and Prevention, the Department of Health and Human Services Office of Population Affairs, and the Indian Health Service.

Florida Hospital, Orlando Health, and Orlando Health Central qualify for the 340b Drug Discount Program based on the number of low-income patients they serve in the community. Each hospital is also required to enter into an agreement with a state or local government to provide healthcare to non-Medicaid/Medicare low-income patients while participating in the 340b program. All three hospitals have requested to renew their agreements with Orange County for the 340b program and have committed to providing between \$160 million and \$320 million per year in healthcare services to eligible low-income patients.

We are requesting approval of these amendments to extend the term for over a year with the hospitals to ensure their participation in this program and ensure Florida Hospital, Orlando Health, and Orlando Health Central hospitals provide healthcare to eligible low-income patients. We are also requesting authorization for the Mayor or designee to exercise renewal options allowed by the agreement, as needed. There is no cost to the county.

ACTION REQUESTED: Approval and execution of (1) Amendment No. 1 Agreement related to the 340b Drug Discount Program by and between Orange County, Florida and Adventist Health System/Sunbelt, Inc. d/b/a AdventHealth Orlando (f/k/a Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital); and (2) Amendment No. 1 Agreement related to the 340b Drug Discount Program by and between Orange County, Florida, Orlando Health, Inc., and Orlando Health Central, Inc.; and (3) authorization for the Mayor or designee to exercise renewal options allowed by the agreement, as needed.

**AMENDMENT NO. 1
AGREEMENT RELATED TO
THE 340B DRUG DISCOUNT PROGRAM**

THIS FIRST AMENDMENT (“Amendment”) is entered into by and between **Orange County, Florida**, on behalf of its Health Services Department (the “County”), and **Adventist Health System / Sunbelt, Inc. d/b/a AdventHealth Orlando (f/k/a Adventist Health System/Sunbelt, Inc. d/b/a Florida Hospital)** (the “Hospital”). The County and Hospital may be referred to individually as “party” or collectively as “parties.” The purpose of this Amendment is to renew the terms of the Agreement entered into by the parties related to the 340B Drug Discount Program and approved by the Orange County Board of County Commissioners on October 30, 2018 (the “Agreement”) for an additional one-year period.

Section 1. **Consent to Renew.** Pursuant to Section 8, Subsection a, on Page 3 of the Agreement, the parties hereby agree to renew the terms of the Agreement for an additional one-year period beginning October 1, 2019 through September 30, 2020 (“First Renewal Period”).

Section 2. **Counterparts.** This Amendment may be executed in one or more counterpart copies. Each counterpart copy shall constitute an agreement and all of the counterpart copies shall constitute one fully executed agreement.

Section 3. **Effective Date; Conflicts; Full Force.** This Amendment is hereby made a part of the Agreement and shall be effective on October 1, 2019 (the “Effective Date”). All provisions in the Agreement, any attachments to the Agreement, or any previous amendments that are in conflict with this Amendment are hereby changed to conform to this Amendment. Except as expressly modified in this Amendment, the Agreement remains intact, unchanged, and in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS HEREOF, the parties have executed this **three (3) page** Amendment on the dates set forth below.



ORANGE COUNTY, FLORIDA

By: Orange County Board of County Commissioners

By: Bryan W. Brooks
for Jerry L. Demings
Orange County Mayor

Date: 22 Oct 19

ATTEST: Phil Diamond, CPA, Orange County Comptroller
As Clerk of the Board of County Commissioners

By: Jennifer Kennedy
for Deputy Clerk

Date: OCT 22 2019

ADVENTIST HEALTH SYSTEMS/SUNBELT, INC. D/B/A ADVENTHEALTH ORLANDO

Daniel Myers
Signature
Daniel Myers
Printed Name

9/16/2019
Date
Senior VP - Finance
Official Title

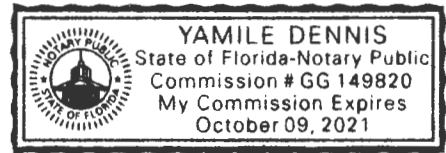
STATE OF FLORIDA)

COUNTY OF Orange)

The foregoing instrument was acknowledged before me on this 16 day of September 2019, by Daniel Myers, in his or her official capacity as the Senior Vice President, Finance of AdventHealth Orlando.

Yamile Dennis
Signature Notary Public
Print, Type/Stamp Name of Notary

- Personally Known
- Produced Identification
Type of Identification Produced: _____



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[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS HEREOF, the parties have executed this four (4) page Amendment on the dates set forth below.



ORANGE COUNTY, FLORIDA

By: Orange County Board of County Commissioners

By: *Jerry L. Demings*

for Jerry L. Demings
for Orange County Mayor

Date: 22 Oct 19

ATTEST: Phil Diamond, CPA, Orange County Comptroller
As Clerk of the Board of County Commissioners

By: *Jennifer Keimich*
for Deputy Clerk

Date: OCT 22 2019

ORLANDO HEALTH, INC.

Signature

BERNADETTE SPONG

Printed Name

Bernadette Spong

Date

CFO

Official Title

STATE OF FLORIDA)

COUNTY OF ORANGE)

The foregoing instrument was acknowledged before me on this 11TH day of SEPTEMBER 2019, by BERNADETTE SPONG, in his or her official capacity as the CHIEF FINANCIAL OFFICER of Orlando Health, Inc.

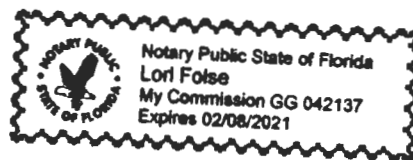
Lori Folse

Signature Notary Public

Print, Type/Stamp Name of Notary

Personally Known

Produced Identification
Type of Identification Produced: _____



ORLANDO HEALTH CENTRAL, INC.

Michael Mueller
Signature

SEPT 6, 2019
Date

MICHAEL MUELLER
Printed Name

Chief Financial Officer
Official Title

STATE OF FLORIDA)

COUNTY OF Orange)

The foregoing instrument was acknowledged before me on this 6 day of September 2019, by Michael Mueller, in his or her official capacity as the Chief Financial Officer of Orlando Health Central, Inc.

Lois Ann Beeman
Signature Notary Public
Print, Type/Stamp Name of Notary
Lois Ann Beeman

- Personally Known
- Produced Identification
Type of Identification Produced: N/A

