

*Board of County Commissioners*

# **Local Provider Participation (LPPF) Fund Ordinance Modification**

**July 1, 2025**



# Presentation Outline

- **Introduction**
- **Proposed Ordinance Change**
- **Summary**



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# Introduction

- Local Provider Participation Fund Ordinance was approved by the BCC on August 21, 2021.
- Authorizes a non-ad valorem special assessment to be imposed against private for-profit and not-for-profit hospital properties located within Orange County.
- Provides that proceeds be used only to benefit assessed hospital properties through enhanced Medicaid reimbursements for healthcare services provided to Medicaid-eligible population.



# Introduction

- Assessment does not financially impact the County or the County's residents.
- All hospitals must participate.
- Ordinance requires each hospital to sign an indemnification agreement.
- 27 jurisdictions have an LPPF Fund including Hillsborough, Palm Beach, Broward, and Miami-Dade counties.



# Introduction

- Participating Hospitals
  - Advent Health Orlando
  - Aspire Health Partners
  - Nemours Children's Hospital
  - HCA UCF Lake Nona
  - Orlando Health Central
  - Orlando Health
  - Select Specialty Hospital Orlando
  - Central Florida Behavioral Health
  - University Behavioral Center



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# Proposed Ordinance Change

- During the previous rate resolution assessment hearing in 2024, a new Hospital, HCA Lake Nona, was added to the assessment roll.
- Due to HCA corporate policy, HCA was unable to execute the Hold Harmless and Indemnification form.
- After Risk and CAO review, HCA signed a Waiver and Release, which was accepted by the Board.
- Staff was to come back before next LPPF public hearing to propose an ordinance change to allow the County to accept other forms in lieu of the Hold Harmless and Indemnification form.





# Proposed Ordinance Change

- Staff proposes changing ordinance to allow the County to accept different types of form agreements in lieu of Hold Harmless and Indemnification agreements.
- Change doesn't materially affect counties liability in this process.
- Other counties with HCA hospitals have accepted different agreement forms, like a Waiver and Release of Claims form.



# Proposed Ordinance Change

- Sec. 25-345. – Hold harmless and indemnification.
  - Accordingly, the Hospitals that are the subject of this Ordinance shall execute a Hold Harmless and Indemnification in substantially the form attached hereto as Exhibit "A" and incorporated by this reference, ~~and~~ which form may not be modified or replaced except in the sole discretion of the County, prior to the adoption of any Assessment Resolution whereby the Hospitals indemnify and hold harmless the County and its officers, employees and agents from any and all claims including the costs and fees associated with the defense of such claims, that may arise in the event that the objectives and procedures of this Ordinance are challenged by any person, entity, or governmental agency.



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# Summary

- All hospitals must participate to have an LPPF.
- LPPF allows hospitals to receive a higher Medicaid reimbursement rate.
- Ordinance change doesn't materially affect counties' liability.
- No cost to County.



# Summary

- Action Requested:

Approve Amendment to Section 25-345  
Of Chapter 25, ARTICLE XI. - Local  
Provider Participation Fund, Orange  
County Code

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