

PROPOSED

RESOLUTION NO. 2017-

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, URGING PRESIDENT DONALD J. TRUMP TO DECLARE THE OPIOID CRISIS A NATIONAL EMERGENCY UNDER THE ROBERT T. STAFFORD DISASTER RELIEF AND EMERGENCY ASSISTANCE ACT; DIRECTING THE COUNTY ADMINISTRATOR TO SEND A COPY OF THIS RESOLUTION TO THE PRESIDENT OF THE UNITED STATES, SENATOR MARCO RUBIO, SENATOR BILL NELSON, AND THE GOVERNOR OF THE STATE OF FLORIDA; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, Broward County, the State of Florida, and the United States are facing an opioid addiction epidemic that has evolved into an increasingly alarming national crisis; and

WHEREAS, the Centers for Disease Control reports that overdose deaths involving opioids quadrupled between 1999 and 2015, including more than 183,000 deaths caused by prescription opioid overdose between 1999 and 2015, and today more than 90 Americans die each day from an opioid overdose, with nearly half of such deaths involving a prescription opioid; and

WHEREAS, additionally, according to the Florida Medical Examiners Commission, opioids were responsible for nearly 3,900 deaths in the State of Florida in 2015, and were either the cause of death or present in the decedent in 5,725 deaths in the State of Florida in 2016, a thirty-five percent (35%) increase from 2015; and

WHEREAS, from 2015 through June of 2017, at least 1,136 people in Broward County have died from overdoses involving heroin, prescription opioids, or clandestine opiate analogues, and the Broward County Medical Examiner has estimated that the number opioid overdose deaths will likely exceed 1,000 for the year 2017; and

1 WHEREAS, on May 3, 2017, via Executive Order 17-146, Governor Rick Scott
2 directed the State Surgeon General to declare a Public Health Emergency across the
3 state in response to the opioid epidemic in Florida; and

4 WHEREAS, on October 26, 2017, President Donald J. Trump directed the
5 Department of Health and Human Services Secretary to declare the opioid crisis a public
6 health emergency under the Public Health Service Act, which would authorize access to
7 the Public Health Emergency Fund to combat the opioid crisis; and

8 WHEREAS, at the time of President Trump's declaration of an emergency under
9 the Public Health Service Act, the Public Health Emergency Fund held approximately
10 \$57,000.00; and

11 WHEREAS, although the Public Health Service Act unlocks resources and tools
12 to fight the opioid epidemic, it does not offer substantial funding that would be available if
13 a national emergency were declared; and

14 WHEREAS, public health emergency declarations terminate upon a declaration
15 that the public health emergency no longer exists or 90 days after issuance, unless
16 renewed; and

17 WHEREAS, a national emergency declaration under the Robert T. Stafford
18 Disaster Relief and Emergency Assistance Act would authorize access to the Federal
19 Emergency Management Agency's Disaster Relief Fund, which receives an annual
20 appropriation of approximately \$6 billion, and would therefore provide the critical
21 allocation of federal funding to combat the opioid epidemic; and

22 WHEREAS, a national emergency declaration would authorize the allocation of
23 increased funding and resources, which could be used to mobilize and coordinate state
24

1 and federal agencies in their efforts to address the immense obstacles and reduce the
2 unfathomable casualties caused by opioid addiction; and

3 WHEREAS, because the opioid crisis and its repercussions will detrimentally affect
4 the country for many years to come, and because substantial federal funding is necessary
5 to comprehensively address the vast social and economic damages caused by the opioid
6 crisis, declaring the opioid crisis a national emergency would be more appropriate than
7 the current public health emergency declaration; and

8 WHEREAS, as such, the current opioid crisis public health emergency declaration
9 should be allowed to expire on January 24, 2018, and, thereafter, a national emergency
10 be declared for said crisis; and

11 WHEREAS, alternatively, the opioid crisis could be immediately declared a
12 national emergency; and

13 WHEREAS, although declaring a national emergency and public health
14 emergency for the same matter, simultaneously, would be an exceptional act, reducing
15 and eliminating the immense public health and safety, social, and financial costs
16 attributed to the opioid crisis require extraordinary measures; and

17 WHEREAS, substantial resources are necessary to address and implement steps
18 to fight the opioid crisis, as well as confront the extraordinary burden and devastating
19 impact that opioid addiction has on our community and the entire country, NOW,

20 THEREFORE,

21

22 BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF
23 BROWARD COUNTY, FLORIDA:

24

1 Section 1. The Board hereby urges President Donald J. Trump to declare the
2 opioid crisis a national emergency under the Robert T. Stafford Disaster Relief and
3 Emergency Assistance Act.

4
5 Section 2. The Board further expresses its support for efforts aimed at providing
6 local and state law enforcement officials with the tools needed to combat the opioid
7 epidemic.

8
9 Section 3. The Board hereby directs the Broward County Administrator to send
10 a copy of this Resolution to the President of the United States, Senator Marco Rubio,
11 Senator Bill Nelson, and the Governor of the State of Florida.

12
13 Section 4. SEVERABILITY.

14 If any portion of this Resolution is determined by any Court to be invalid, the invalid
15 portion shall be stricken, and such striking shall not affect the validity of the remainder of
16 this Resolution. If any Court determines that this Resolution, or any portion hereof, cannot
17 be legally applied to any individual(s), group(s), entity(ies), property(ies), or
18 circumstance(s), such determination shall not affect the applicability hereof to any other
19 individual, group, entity, property, or circumstance.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

Section 5. EFFECTIVE DATE.

This Resolution shall become effective upon adoption.

ADOPTED this day of , 2017.

Approved as to form and legal sufficiency:
Andrew J. Meyers, County Attorney

PROPOSED

By /s/ René D. Harrod 12/07/17
René D. Harrod (Date)
Deputy County Attorney

RH/ab
12/07/17
OpioidEpidemic.docx
251001