

By Senators Burt and Bankhead

16-2045-98

See HB

1 A bill to be entitled
2 An act relating to Volusia County; creating the
3 Volusia County Health Care District; providing
4 taxing authority; specifying use for taxes
5 collected; providing for a board of directors;
6 reducing millage rates for certain existing
7 special taxing districts; prohibiting the sale
8 or lease of certain hospital facilities;
9 allowing certain exceptions to the West Volusia
10 Hospital Authority in regard to leases with
11 Memorial Health Systems; repealing the tax
12 levying and collecting authority of certain
13 specified special taxing districts; providing
14 for a study; requiring a study report by a
15 specified date; requiring the Auditor General
16 to contract for a financial-related audit for
17 each of the hospital districts in Volusia
18 County for specified periods; providing for a
19 report to the Volusia County Legislative
20 Delegation; providing for the appointment of
21 specified persons to assist the Auditor
22 General; providing contents of the audit;
23 providing a referendum; providing an effective
24 date.

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26 Be It Enacted by the Legislature of the State of Florida:

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28 Section 1. (1) There is created an independent
29 special taxing district to be known as the Volusia County
30 Health Care District, consisting of all of the territory of
31 Volusia County. The district shall be governed by a board of

1 directors composed of five members to be appointed by the
2 Volusia County Council to 4-year terms from a list of nine
3 persons nominated by the Volusia County Legislative
4 Delegation. Each member of the delegation shall nominate one
5 individual who resides within Volusia County.

6 (2) Effective January 1, 2000, the Volusia County
7 Health Care District may levy ad valorem taxes at a rate not
8 to exceed 2.1 mills for the purpose of funding health care
9 services for needy persons; and, on that date, notwithstanding
10 any other law, the taxing authority of each of the following
11 special districts is revoked:

12 (a) The West Volusia Hospital Authority, as created by
13 chapter 57-2085, Laws of Florida, as amended;

14 (b) The Southeast Volusia Hospital District, as
15 created by chapter 65-2362, Laws of Florida, as amended; and

16 (c) The Halifax Hospital Medical Center, as created by
17 chapter 79-577, Laws of Florida, as amended.

18 Section 2. Reduction of millage caps.--For the next
19 fiscal year immediately following the date on which this bill
20 becomes a law, the ad valorem millage rate that may be imposed
21 by the specified special taxing districts shall not exceed:

22 (1) 2.1 mills for the Halifax Hospital Medical Center;

23 (2) 2.1 mills for the Southeast Volusia Hospital
24 District; and

25 (3) 1.8 mills for the West Volusia Hospital Authority.

26 Section 3. Sale or lease of hospitals prohibited.--The
27 Halifax Hospital Medical Center, the Southeast Volusia
28 Hospital District, and the West Volusia Hospital Authority are
29 prohibited from selling or leasing their hospital facilities
30 without legislative approval. Any lease contract currently in
31 effect that expires prior to October 1, 1999, shall not be

1 renewed and any negotiation for the sale of a hospital
2 facility shall cease. This section shall not be construed to
3 abrogate any existing lease contract currently in effect. West
4 Volusia Hospital Authority will retain the right to make any
5 necessary alterations or corrections in existing leases which
6 remain in effect after October 1, 1999, to comply with the
7 laws of the State of Florida or decisions of state or federal
8 courts.

9 Section 4. Contract for plan to implement the Volusia
10 County Health Care District.--

11 (1)(a) The Volusia County Legislative Delegation shall
12 contract for a comprehensive review of issues pertaining to
13 the provision of health care to the needy and design of a plan
14 to implement the Volusia County Health Care District.

15 Notwithstanding any other provision of law to the contrary,
16 the delegation shall determine, by agreement of its members,
17 the procedure by which it will select a vendor to design the
18 plan. A report, with draft legislation, shall be submitted to
19 the delegation by January 15, 1999. The plan shall consider
20 the recommendations of the local task forces in determining
21 how a single tax district should be implemented.

22 (b) The delegation is authorized to commit up to
23 \$250,000 for payment of such a study. The health-related
24 special taxing districts of Volusia County shall be parties to
25 the contract between the delegation and the vendor, but only
26 for the limited purpose of agreeing to pay for the design of
27 the plan on a pro rata basis up to an aggregate total of
28 \$250,000. The vendor shall bill its costs in the following
29 manner: the Southeast Volusia Hospital District, 18 percent of
30 the contract amount; the West Volusia Hospital Authority, 27

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1 percent of the contract amount; and the Halifax Hospital
2 Medical Center, 55 percent of the contract amount.

3 (2) The report shall provide recommendations relating
4 to:

5 (a) The powers and duties of the Volusia County Health
6 Care District.

7 (b) The composition, powers, and duties of the
8 district's governing body.

9 (c) Whether participation on the district board shall
10 be by appointment or election and if by appointment, who shall
11 appoint and how to ensure countywide representation, or if by
12 election, should the election be nonpartisan or partisan and
13 how to ensure countywide representation.

14 (d) Retention of the existing governing bodies of the
15 existing special taxing district hospitals as the governing
16 bodies of the hospitals once the special district taxing
17 powers and duties are transferred to the Volusia County Health
18 Care District and delineating the new, narrower powers and
19 duties of the hospital governing bodies.

20 (e) Any other issues the delegation deems appropriate
21 and germane.

22 (f) How all health care providers will be able to
23 access dollars for indigent health care services.

24 (g) The financial impact to established incremental
25 taxing districts on a city-by-city basis.

26 (h) Any negative effect on health care delivery
27 especially to existing clinics and cooperative programs.

28 Section 5. The Auditor General shall contract with an
29 independent public accountant to perform a financial-related
30 audit for each of the hospital districts in Volusia County and
31 report his or her findings to the Volusia County Legislative

1 Delegation on December 31, 1998, and on December 31, 1999. The
2 report submitted on December 31, 1998, shall be for the fiscal
3 year ending in 1997, and the report submitted on December 31,
4 1999, shall be for the fiscal year ending in 1998. The
5 governing board for each hospital district shall appoint two
6 individuals, one of whom is the chief financial officer, to
7 assist the Auditor General in his or her effort. The audit
8 shall detail all income from each district's tax assessment,
9 the direct expenditures for indigent care from the tax fund,
10 and all other expenditures from the tax fund. The number of
11 indigent clients served shall also be included in the
12 information requested by the delegation, in addition to the
13 types of services provided, the service delivery location, the
14 average dollar expenditure per indigent patient, and any other
15 information related to the use of each district's tax
16 assessment that the Auditor General deems appropriate.

17 Section 6. This act shall take effect upon becoming a
18 law, except that, section 1 of this act shall take effect only
19 upon express approval by a majority vote of those qualified
20 electors of Volusia County voting in a referendum election to
21 be called and held by the Volusia County Council in the month
22 of November 1999. There shall be at least 30 days' notice of
23 the election as provided in s. 100.342, Florida Statutes. The
24 cost of the referendum election shall be paid for by Volusia
25 County, but, if section 1 of this act is approved by vote of
26 the electors, the Volusia County Health Care District shall
27 reimburse the county for the costs of the referendum election.
28 At the referendum election, the following question shall
29 appear on the ballot:

30 "Do you favor both the creation of a countywide
31 independent special taxing district having authority to levy

1 ad valorem taxes not exceeding 2.1 mills to fund health care
2 services for needy persons and the concurrent revocation of
3 the present taxing authority of the West Volusia Hospital
4 Authority, the Southeast Volusia Hospital District, and the
5 Halifax Hospital District?"

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