

Bill No. CS for SB 1078

Amendment No. ____

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11	Senators Lee, Grant, Hargrett and Sebesta moved the following		
12	amendment:		
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14	Senate Amendment (with title amendment)		
15	On page 9, between lines 13 and 14,		
16			
17	insert:		
18	(4) INDIGENT CARE <u>AND TRAUMA CENTER</u> SURTAX.--		
19	(a) The governing body in each county the government		
20	of which is not consolidated with that of one or more		
21	municipalities, which has a population of at least 800,000		
22	residents and is not authorized to levy a surtax under		
23	subsection (5) or subsection (6), may levy, pursuant to an		
24	ordinance either approved by an extraordinary vote of the		
25	governing body or conditioned to take effect only upon		
26	approval by a majority vote of the electors of the county		
27	voting in a referendum, a discretionary sales surtax at a rate		
28	that may not exceed 0.5 percent.		
29	(b) If the ordinance is conditioned on a referendum, a		
30	statement that includes a brief and general description of the		
31	purposes to be funded by the surtax and that conforms to the		

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1 requirements of s. 101.161 shall be placed on the ballot by
2 the governing body of the county. The following questions
3 shall be placed on the ballot:

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5 FOR THE. . . .CENTS TAX
6 AGAINST THE. . . .CENTS TAX

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8 (c) The ordinance adopted by the governing body
9 providing for the imposition of the surtax shall set forth a
10 plan for providing health care services to qualified
11 residents, as defined in paragraph (d). Such plan and
12 subsequent amendments to it shall fund a broad range of health
13 care services for both indigent persons and the medically
14 poor, including, but not limited to, primary care and
15 preventive care as well as hospital care. The plan must also
16 address the services to be provided by the Level I trauma
17 center.It shall emphasize a continuity of care in the most
18 cost-effective setting, taking into consideration both a high
19 quality of care and geographic access. Where consistent with
20 these objectives, it shall include, without limitation,
21 services rendered by physicians, clinics, community hospitals,
22 mental health centers, and alternative delivery sites, as well
23 as at least one regional referral hospital where appropriate.
24 It shall provide that agreements negotiated between the county
25 and providers, including hospitals with a Level I trauma
26 center,will include reimbursement methodologies that take
27 into account the cost of services rendered to eligible
28 patients, recognize hospitals that render a disproportionate
29 share of indigent care, provide other incentives to promote
30 the delivery of charity care, promote the advancement of
31 technology in medical services, recognize the level of

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1 responsiveness to medical needs in trauma cases,and require
2 cost containment including, but not limited to, case
3 management. It must also provide that any hospitals that are
4 owned and operated by government entities on May 21, 1991,
5 must, as a condition of receiving funds under this subsection,
6 afford public access equal to that provided under s. 286.011
7 as to meetings of the governing board, the subject of which is
8 budgeting resources for the rendition of charity care as that
9 term is defined in the Florida Hospital Uniform Reporting
10 System (FHURS) manual referenced in s. 408.07. The plan shall
11 also include innovative health care programs that provide
12 cost-effective alternatives to traditional methods of service
13 delivery and funding.

14 (d) For the purpose of this subsection, the term
15 "qualified resident" means residents of the authorizing county
16 who are:

17 1. Qualified as indigent persons as certified by the
18 authorizing county;

19 2. Certified by the authorizing county as meeting the
20 definition of the medically poor, defined as persons having
21 insufficient income, resources, and assets to provide the
22 needed medical care without using resources required to meet
23 basic needs for shelter, food, clothing, and personal
24 expenses; or not being eligible for any other state or federal
25 program, or having medical needs that are not covered by any
26 such program; or having insufficient third-party insurance
27 coverage. In all cases, the authorizing county is intended to
28 serve as the payor of last resort; or

29 3. Participating in innovative, cost-effective
30 programs approved by the authorizing county.

31 (e) Moneys collected pursuant to this subsection

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1 remain the property of the state and shall be distributed by
2 the Department of Revenue on a regular and periodic basis to
3 the clerk of the circuit court as ex officio custodian of the
4 funds of the authorizing county. The clerk of the circuit
5 court shall:

- 6 1. Maintain the moneys in an indigent health care
7 trust fund;
- 8 2. Invest any funds held on deposit in the trust fund
9 pursuant to general law; and
- 10 3. Disburse the funds, including any interest earned,
11 to any provider of health care services, as provided in
12 paragraphs (c) and (d), upon directive from the authorizing
13 county. However, if a county has a population of at least
14 800,000 residents and has levied the surtax authorized in this
15 subsection, notwithstanding any directive from the authorizing
16 county, on October 1 of each calendar year, the clerk of the
17 court shall issue a check in the amount of \$6.5 million to a
18 hospital in its jurisdiction that has a Level I trauma center
19 or shall issue a check in the amount of \$3.5 million to a
20 hospital in its jurisdiction that has a Level I trauma center
21 if that county enacts and implements a hospital lien law in
22 accordance with chapter 98-499, Laws of Florida. The issuance
23 of the checks on October 1 of each year is provided in
24 recognition of the Level I trauma center status and shall be
25 in addition to the base contract amount received during fiscal
26 year 1999-2000 and any additional amount negotiated to the
27 base contract. If the hospital receiving funds for its Level I
28 trauma center status requests such funds to be used to
29 generate federal matching funds under Medicaid, the clerk of
30 the court shall instead issue a check to the Agency for Health
31 Care Administration to accomplish that purpose to the extent

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1 that it is allowed through the General Appropriations Act.

2 (f) Notwithstanding any other provision of this
3 section, a county shall not levy local option sales surtaxes
4 authorized in this subsection and subsections (2) and (3) in
5 excess of a combined rate of 1 percent.

6 (g) This subsection expires October 1, 2005.

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9 ===== T I T L E A M E N D M E N T =====

10 And the title is amended as follows:

11 On page 1, lines 2-21, delete those lines

12

13 and insert:

14 An act relating to local option taxes; amending
15 s. 125.901, F.S.; authorizing the appointment
16 of an alternate delegate member for a county
17 governing body to a council on children's
18 services; amending ss. 125.0104, 212.0305,
19 F.S.; providing that a county that elects to
20 assume responsibility for audit and enforcement
21 with respect to the local option tourist
22 development tax, area of critical state concern
23 tourist impact tax, or convention development
24 taxes may use certified public accountants in
25 administering its duties; providing for
26 application of confidentiality and penalty
27 provisions to such agents; amending s. 213.053,
28 F.S.; providing for information sharing;
29 amending s. 212.055, F.S.; providing a
30 distribution of proceeds from the Local
31 Government Infrastructure Surtax to be used

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1 solely for county detention facilities under
2 certain circumstances; providing definitions;
3 expanding the authorized use of the indigent
4 care surtax to include trauma centers; renaming
5 the surtax; requiring the plan set out in the
6 ordinance to include additional provisions
7 concerning Level I trauma centers; providing
8 requirements for annual disbursements to
9 hospitals on October 1 to be in recognition of
10 the Level I trauma center status and to be in
11 addition to a base contract amount, plus any
12 negotiated additions to indigent care funding;
13 authorizing funds received to be used to
14 generate federal matching funds under certain
15 conditions and authorizing payment by the clerk
16 of the court;

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