

By Representative Healey

1 A bill to be entitled
 2 An act relating to Palm Beach County; amending
 3 chapter 87-450, Laws of Florida, as amended,
 4 relating to the Palm Beach County Health Care
 5 Act; changing name of the Palm Beach County
 6 Health Care District to "Health Care District
 7 of Palm Beach County"; authorizing the District
 8 to implement school health programs; updating
 9 references to the County Public Health
 10 Department; authorizing establishment of and
 11 grant of powers to a District-owned hospital
 12 management board under certain conditions;
 13 providing for establishment of a Glades Area
 14 Rural Support Board; providing for membership
 15 and responsibilities; providing organization
 16 and recordkeeping requirements; providing an
 17 effective date.

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

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 21 Section 1. Section 2 of chapter 87-450, Laws of
 22 Florida, is amended to read:

23 Section 2. Name and boundaries.--The name of the
 24 Southwestern Palm Beach County Public Hospital Board,
 25 established by chapter 26107, Laws of Florida, 1949, is
 26 changed to the "~~Palm Beach County~~ Health Care District of Palm
 27 Beach County," in Palm Beach County, Florida. The district
 28 shall embrace and include all of the property of Palm Beach
 29 County, Florida, to wit:

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1 Beginning on the east boundary of Florida at a
2 point where the south boundary of township
3 forty-seven south, of range forty-three east,
4 produced easterly would intersect the same;
5 thence westerly on said township line to its
6 intersection with the axis or center line of
7 the Hillsborough State Drainage Canal as at
8 present located and constructed; thence
9 westerly along the center line of said canal to
10 its intersection with the section line dividing
11 sections twenty-six and thirty-five of township
12 forty-seven south, range forty-one east; thence
13 westerly on the section line dividing said
14 sections twenty-six and thirty-five and other
15 sections to the northwest corner of section
16 thirty-one, of township forty-seven south,
17 range forty-one east; thence south on the range
18 line dividing ranges forty and forty-one,
19 township forty-seven south, to the northeast
20 corner of section twenty-five of township
21 forty-seven south, range forty east, a distance
22 of one hundred six feet more or less; thence
23 due west on the north boundary of the sections
24 numbered from twenty-five to thirty, inclusive,
25 of townships forty-seven south, ranges
26 thirty-seven to forty east, inclusive, as the
27 same have been surveyed or may hereafter be
28 surveyed by the authority of the Board of
29 Trustees of the Internal Improvement Trust
30 Fund, to the northwest corner of section
31 thirty, township forty-seven south, range

1 thirty-seven east; thence continuing due west
2 to the range line between ranges thirty-four
3 and thirty-five east, and the east boundary of
4 Hendry County; thence north on said range line,
5 concurrent with the east boundary of Hendry
6 County, to the south shore of Lake Okeechobee;
7 thence continuing north on said range line to
8 the northeast corner of section thirty-six,
9 township forty south, range thirty-four east;
10 thence easterly parallel to and one mile north
11 from the township line dividing townships forty
12 and forty-one south to where the south boundary
13 of section twenty-six, township forty south,
14 range thirty-seven east intersects the normal
15 water level on the boundary of Lake Okeechobee;
16 thence east on the south boundary line of said
17 section twenty-six and other sections across
18 ranges thirty-seven, thirty-eight and
19 thirty-nine, forty, forty-one and forty-two
20 east, to the east line of section twenty-eight,
21 township forty south, range forty-two east;
22 thence north on said east section line to the
23 north line of said section twenty-eight; thence
24 east on the section line between sections
25 twenty-two and twenty-seven of township forty
26 south, range forty-two east, and other sections
27 to the waters of the Atlantic Ocean; thence
28 easterly to the eastern boundary of Florida;
29 thence southward along the coast, including the
30 waters of the Atlantic Ocean within the
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1 jurisdiction of the State of Florida, to the
2 place of beginning.

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4 Section 2. Section 3 of chapter 87-450, Laws of
5 Florida, as amended by chapters 91-344 and 96-509, Laws of
6 Florida, is amended to read:

7 Section 3. ~~Palm Beach County~~ Health Care District of
8 Palm Beach County; district board; powers.--The District Board
9 of the ~~Palm Beach County~~ Health Care District of Palm Beach
10 County is vested with the authority and responsibility to
11 provide for the comprehensive planning and delivery of
12 adequate health care facilities (including, but not limited
13 to, hospitals) and services for the citizens of Palm Beach
14 County, particularly medically needy citizens. For those
15 purposes, the district board shall have and may utilize the
16 following powers:

17 (1) To plan, set policy guidelines, fund, establish,
18 construct, lease, operate, and maintain such health care
19 facilities as shall be necessary for the use of the people of
20 said district, including the continued presence of at least
21 one hospital in the Glades area, subject and limited by the
22 future financial resources and constraints of the district;
23 provided, however, that hospitals may not be constructed by
24 the district, except that the district may construct a
25 hospital in the Glades area. Said health care facilities
26 shall be established, constructed, leased, owned, operated,
27 and maintained for the preservation of the public health, for
28 the public good, and for the use of the public of said
29 district. The locations of such health care facilities shall
30 be determined by said district board.

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1 (2) To provide services and facilities jointly with
2 other public or private health care providers, with
3 appropriate provision to reduce the costs of providing service
4 for all users thereof.

5 (3) To provide health care services to residents of
6 the district through the utilization of health care facilities
7 not owned and operated by the district. The provision of said
8 care is hereby found and declared to be a public purpose and
9 necessary for the preservation of the public health and
10 welfare of the residents of the district.

11 (4) To adopt an official seal and alter the same at
12 pleasure.

13 (5) To maintain an office at such place or places as
14 it may designate.

15 (6) To sue and be sued in its own name and to plead
16 and be impleaded, but with all sovereign immunity and
17 limitations provided by the State Constitution or general law.

18 (7) To acquire by purchase, lease, gift, or otherwise,
19 or to obtain options for the acquisition of, any property,
20 real or personal, improved or unimproved, as said district
21 board deems proper to carry out the purposes of this act.
22 However, the district shall not have the power of eminent
23 domain. To hold and dispose of all assets or property, real or
24 personal, improved or unimproved, upon such terms and for such
25 consideration, or for no consideration, as the district board
26 deems proper to carry out the purposes of this act.

27 (8) To plan and fund the construction, acquisition,
28 ownership, leasing, repair, maintenance, extension, expansion,
29 improvement, rehabilitation, renovation, furnishing, and
30 equipping of health care facilities and to pay all or any part
31 of the costs thereof from the proceeds of operating revenue,

1 bonds, lease-purchase financing, or other obligations of
2 indebtedness of the district or from any contribution, gift,
3 or donation or other funds of the district for such purpose.

4 (9) To make and execute agreements of lease,
5 contracts, deeds, mortgages, notes, and other instruments
6 necessary or convenient in the exercise of its powers and
7 functions under this act.

8 (10) To lease as lessor or lessee to or from any
9 person, firm, corporation, association, or body, public or
10 private, any facilities or property of any nature for the use
11 of the district to carry out any of the purposes authorized by
12 this act.

13 (11) To pledge or assign any money, rents, charges,
14 fees, or other revenues and any proceeds derived from sales of
15 property, insurance, or condemnation awards.

16 (12) To borrow money and issue bonds, certificates,
17 warrants, notes, or other evidence of indebtedness as
18 hereinafter provided; to levy such tax as may be authorized;
19 and to charge, collect, and enforce fees and other user
20 charges.

21 (13) To raise, by user charges or fees authorized by
22 resolution of the board, amounts of money which are necessary
23 for the conduct of the district activities and services and to
24 enforce their receipt and collection in the manner prescribed
25 by resolution not inconsistent with law.

26 (14) To employ administrators, physicians, attorneys,
27 accountants, financial experts, consulting engineers,
28 architects, surveyors, and such other employees and agents as
29 may be necessary in its judgment, and to fix their
30 compensation.

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1 (15) To acquire existing health care facilities and to
2 reimburse any health care facility for the cost of such
3 facilities in accordance with an agreement between the
4 district and the health care facility.

5 (16) To acquire existing health care facilities and to
6 refund, refinance, or satisfy outstanding obligations,
7 mortgages, or advances issued, made, or given by said health
8 care facility.

9 (17) To mortgage any health care facility and the site
10 thereof.

11 (18) To cooperate with, or contract with, other
12 governmental agencies or private individuals or entities as
13 may be necessary, convenient, incidental, or proper in
14 connection with any of the powers, duties, or purposes
15 authorized by this act.

16 (19) To assess and impose upon lands in the district
17 ad valorem taxes as provided by this act.

18 (20) To annually determine and approve a district
19 budget and millage in accordance with chapter 200, Florida
20 Statutes.

21 (21) To promulgate and adopt policies and rules for
22 the operation of the district.

23 (22) The district is hereby authorized and empowered,
24 in its absolute discretion, to establish or become a part of
25 one or more qualified self-insurance trust funds for the
26 purpose of protecting district assets and operations, as well
27 as related health care entities and individuals comprising the
28 health care delivery system established at the direction or
29 under the authority of the district. The protection from
30 liability losses includes, without limitation, professional
31 medical malpractice, comprehensive general liability,

1 directors and officers' liability, workers' compensation
2 liability, medical and health services, life, property, and
3 such other liability exposures as may be permitted by Florida
4 law. These self-insurance trust funds may be established for
5 the benefit of the officers, directors, employees, and
6 approved agents of the district as well as such other legal
7 entities or individuals as the district may determine, by
8 board resolution, are carrying out the health care purposes
9 and mandates of the district during the period those entities
10 or individuals are acting within the scope of the authority
11 and duties devolving upon them through an agreement with or
12 direct mandate from the district.

13 (23) The district shall have the authority to provide
14 for reimbursement to hospitals, physicians, or other health
15 care providers or facilities.

16 (24) The district is hereby restricted from
17 reimbursing any health care providers or facilities, including
18 hospitals and physicians, for their bad debts arising from
19 those patients who are not eligible for reimbursement under
20 district guidelines. The district, however, shall continue to
21 reimburse such health care providers for the medical care of
22 medically needy patients, to the extent of the district's
23 limited financial resources, taking into account funds
24 available from other sources, including other governmental
25 funding sources.

26 (25) To establish criteria for the provision of health
27 care pursuant to this act.

28 (26) To do all things necessary to carry out the
29 purposes of this act.

30 (27) The ~~Palm Beach County~~ Health Care District of
31 Palm Beach County shall be exempt from the payment of any

1 fees, taxes, or increment revenue to community redevelopment
2 agencies established pursuant to part III of chapter 163,
3 Florida Statutes.

4 (28) Notwithstanding the prohibition against extra
5 compensation set forth in s. 215.425, Florida Statutes, to
6 provide for an extra compensation program, including a lump
7 sum bonus payment program, to reward outstanding employees
8 whose performances exceed standards, if the program provides
9 that a bonus payment may not be included in an employee's
10 regular base rate of pay and may not be carried forward in
11 subsequent years.

12 (29) The district's authority shall include the
13 ability to plan, set policy, and fund from its revenue sources
14 the establishment and implementation of cooperative agreements
15 with other government authorities and public and private
16 entities within and outside of Palm Beach County which promote
17 the efficiencies of local and regional trauma agencies, rural
18 health networks, and cooperative health care delivery systems;
19 provided that any such agreements with entities outside of
20 Palm Beach County ensure that the costs associated with any
21 trauma services are the responsibility of such entity.

22 (30) To establish, and appoint members to, such
23 boards, committees, or advisory bodies as the district board
24 deems appropriate.

25 (31) The Health Care District of Palm Beach County is
26 authorized to plan, coordinate, supervise, manage, and take
27 such other action as appropriate to implement the school
28 health programs as established by the District.

29 (32)~~(31)~~ All of the foregoing powers are hereby found
30 and declared to be a public purpose and necessary for the
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1 preservation of the public health, for the public good, and
2 for the welfare of the residents of the district.

3 Section 3. Section 4 of chapter 87-450, Laws of
4 Florida, as amended by chapters 92-340 and 96-509, Laws of
5 Florida, is amended to read:

6 Section 4. District board; membership; rules of
7 procedures.--

8 (1) The ~~Palm Beach County~~ Health Care District of Palm
9 Beach County shall be governed by a district board which shall
10 be composed of seven members. The appointing authority shall
11 consider the diverse geographic areas of Palm Beach County in
12 selecting individuals to serve on the district board, at least
13 one of whom, but not more than two of whom, shall reside in
14 the Glades area, that area of Palm Beach County lying west of
15 the line between Range 39 East and Range 40 East. The
16 membership of the district board of commissioners shall
17 include three members appointed by the Governor, three members
18 appointed by the Board of County Commissioners of Palm Beach
19 County, and one member from the Palm Beach County Public
20 Health Department Unit, as provided below:

21 (a) The Governor shall appoint three members to serve
22 on the ~~Palm Beach County~~ Health Care District Board of Palm
23 Beach County.

24 (b) The Board of County Commissioners of Palm Beach
25 County shall appoint three members to the district board,
26 other than themselves, one of whom must be an elected official
27 at the time of the appointment.

28 (c) The district board member from the Palm Beach
29 County Public Health Department Unit shall be the director of
30 the Palm Beach County Public Health Department Unit.

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1 (2) Any vacancies on the district board for whatever
2 cause shall be filled in the same manner as set forth in this
3 act for an initial appointment.

4 (3) Health care district board members shall receive
5 no compensation for services as such; but, while acting for
6 the district, they shall receive their actual expenses,
7 including subsistence, lodging, travel, and other expenses in
8 the amount actually incurred, as approved by the district
9 board.

10 (4) Each member of the ~~Palm Beach County~~ Health Care
11 District Board of Palm Beach County shall serve for a term of
12 4 years or until a successor is appointed.

13 (5) Each appointment to the district board shall be
14 made on or before August 30 of the year in which the term of
15 office is to commence. The term of office of a ~~Palm Beach~~
16 ~~County~~ Health Care District Board of Palm Beach County
17 Commissioner shall be construed to commence on October 1 of
18 the year of appointment and to terminate September 30 of the
19 year of the end of his or her term.

20 (6) No member of the district board may serve more
21 than two consecutive 4-year terms, with the exception of the
22 director of the Palm Beach County Public Health Department
23 Unit.

24 (7) The members of the District Board of the ~~Palm~~
25 ~~Beach County~~ Health Care District of Palm Beach County shall
26 elect among themselves a chairman, vice-chairman, and
27 secretary. The chairman shall preside at all meetings of the
28 ~~Palm Beach County~~ Health Care District Board of Palm Beach
29 County, except that the vice-chairman may preside in his or
30 her absence. The chairman, vice-chairman, and secretary shall
31 each have an official vote in all matters considered by the

1 ~~Palm Beach County~~ Health Care District Board of Palm Beach
2 County. The district board is authorized to adopt bylaws
3 providing for the orderly governance and operation of the
4 district affairs.

5 (8) The ~~Palm Beach County~~ Health Care District Board
6 of Palm Beach County shall meet regularly as determined by the
7 bylaws of the ~~Palm Beach County~~ Health Care District Board of
8 Palm Beach County.

9 (9) Each district board member shall give bond to the
10 Governor for the faithful performance of his or her duties in
11 the sum of \$5,000 with a surety company qualified to do
12 business in the state, as surety, which bond shall be approved
13 and kept by the Clerk of the Circuit Court of Palm Beach
14 County, Florida. The premiums on said bonds shall be paid as
15 part of the expenses of the district board.

16 (10) Four district board members shall constitute a
17 quorum, and a vote of at least three of said district board
18 members shall be necessary to complete the transaction of any
19 business of the district. The district commissioners shall
20 cause true and accurate minutes and records to be kept of all
21 business transacted by them, shall keep full, true, and
22 complete books of account and minutes, which minutes, records,
23 and books of account shall at all reasonable times be open and
24 subject to public inspection, and any person desiring to do so
25 may make or procure a copy of said minutes, records, or books
26 of account, or such portion thereof as such person may desire,
27 at a reasonable cost determined by the district board.

28 (11) Qualifications of commissioners.--A commissioner
29 or the spouse of a commissioner may not, at the time of
30 appointment or for 1 year prior to appointment or during the
31 term of office of the commissioner:

1 (a) Have any financial interest, other than ownership
2 of shares in a mutual fund, pension plan, or profit-sharing
3 plan, in any entity which, either directly or indirectly,
4 receives funds from the ~~Palm Beach County~~ Health Care District
5 of Palm Beach County.

6 (b) Be employed, retained by, or engaged in any
7 activity with any entity which, either directly or indirectly,
8 receives funds from the ~~Palm Beach County~~ Health Care District
9 of Palm Beach County, except for the Director of the Palm
10 Beach County Public Health Department Unit.

11 (c) Serve on the board of directors or board of
12 trustees of any entity, which either directly or indirectly
13 receives funds from the ~~Palm Beach County~~ Health Care District
14 of Palm Beach County.

15 Section 4. Section 9A is added to chapter 87-450, Laws
16 of Florida, as amended, to read:

17 Section 9A. Glades Rural Area Support Board.--

18 (1) The Health Care District of Palm Beach County, in
19 the exercise of its powers relative to the planning and
20 delivery of adequate health care facilities and services for
21 the citizens of Palm Beach County, particularly medically
22 needy citizens, and as otherwise stated in section 3, may
23 establish a Glades Rural Area Support Board ("Glades Support
24 Board") and may delegate certain authority to the Glades
25 Support Board for the planning of support for the provision of
26 health care in the Glades area, that area of Palm Beach County
27 lying West of the line between Range 39 East and Range 40
28 East, all subject to the policies and procedures established
29 by the district board. The role, function, and operation of
30 the Glades Support Board shall be retroactive to the date of
31 the inception of the creation of the Glades Management

1 Advisory Board described in section 10. Among the powers that
2 the district board may delegate to the Glades Support Board is
3 some or all of the district board's authority to provide for
4 tax support and reimbursement to hospitals, physicians, and/or
5 such other health care providers or facilities for the medical
6 care of medically needy patients. If so requested by the
7 district board, the Glades Support Board shall recommend to
8 the district board amounts of reimbursement appropriate for
9 hospitals, physicians, and such other health care providers or
10 facilities which provide health care to eligible medically
11 needy patients in the Glades area. The district board may
12 amend, rescind, modify, or suspend any or all of the delegated
13 powers of the Glades Support Board at any time or from time to
14 time, in the discretion of the district board.

15 (2) Membership of the Glades Support Board shall
16 consist of the seven members of the district board, described
17 in section 4, and such board shall be subject to the same
18 membership and rules as specified in section 4. Service on the
19 Glades Support Board shall not be a disqualification from
20 district board service under section 4. The district board
21 shall include indemnification of all Glades Support Board
22 members and authorized agents as part of its indemnification
23 powers under section 5.

24 (3) The district board, in its sole discretion, may
25 grant such powers to the Glades Support Board as the district
26 board deems necessary or convenient, in its sole discretion
27 from time to time, including any or all of the following
28 powers, all of which are subject to the policies, procedures,
29 and guidelines as established and, as may be amended,
30 suspended, modified, or rescinded from time to time, by the
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1 district board, and which are subject to the approval of the
2 district board:

3 (a) To make recommendations to the district board
4 regarding tax support and reimbursement to hospitals,
5 physicians, and/or such other health care providers or
6 facilities which provide health care for medically needy
7 patients in the Glades area, subject to and corresponding with
8 all powers and restrictions of the district.

9 (b) To distribute funds received from the district
10 board as tax support and reimbursement to hospitals,
11 physicians, and/or such other health care providers or
12 facilities which provide health care for medically needy
13 patients in the Glades area, subject to and corresponding with
14 all powers and restrictions of the district.

15 (c) To make and execute contracts and other
16 instruments.

17 (d) To cooperate and contract with any governmental
18 agency or instrumentality, federal, state, municipal, or
19 county.

20 (e) To adopt and amend rules and regulations for
21 carrying out the powers specified herein, provided said rules
22 and regulations comply with rules and regulations adopted by
23 the district board.

24 (4) The Glades Support Board shall only convene at the
25 call of the chair of the Glades Support Board. The chair,
26 vice-chair, and secretary of the Glades Support Board shall be
27 the chair, vice-chair, and secretary of the district board.
28 The chair shall preside at all meetings of the Glades Support
29 Board, except that the vice-chair may preside in the absence
30 of the chair. The chair, vice-chair, and secretary shall each
31 have an official vote in all matters considered by the Glades

1 Support Board. The Glades Support Board is authorized to adopt
2 bylaws providing for its orderly governance and operation, if
3 necessary.

4 (5) The Glades Support Board shall cause true and
5 accurate minutes and records to be kept of all business
6 transacted by it, shall keep full, true, and complete books of
7 accounts and minutes, which minutes, records, and books of
8 accounts shall at all reasonable times be open and subject to
9 public inspection, and any person desiring to do so may make
10 or procure a copy of said minutes, records, or books of
11 accounts, or such portion thereof as such person may desire,
12 at a reasonable cost determined by the Glades Support Board.

13 Section 5. Section 10 of chapter 87-450, Laws of
14 Florida, as amended by chapter 96-509, Laws of Florida, is
15 amended to read:

16 Section 10. District-owned hospital management board;
17 creation; purpose; powers.--

18 (1) If, prior to November 8, 1988, the Board of
19 Hospital Commissioners for the pre-existing special tax
20 districts (Southeastern, Northwestern, and Southwestern Palm
21 Beach County Hospital Districts) lawfully reorganized one or
22 more of those districts pursuant to the authority of s.
23 155.40, Florida Statutes, the operation of those hospitals
24 shall be conducted pursuant to those reorganization documents.
25 The district's interest shall be subject to the agreements and
26 obligations lawfully approved and entered into by that
27 pre-existing independent special tax district provided that
28 said reorganization documents shall not financially commit the
29 district to fund the reorganized hospital district.

30 (2) At such time that the Health Care District of Palm
31 Beach County owns an acute-care hospital in the Glades area,

1 the district board, in the exercise of its powers relative to
2 the ownership and operation of hospitals in the Glades area,
3 shall establish a management board and may ~~shall~~ delegate
4 certain authority to the management board. Among the powers
5 that the district board may delegate to the management board
6 is some, or all, of the district's authority as the "governing
7 body," as that term is used under Florida and federal statutes
8 and regulations, affecting the day-to-day operation of
9 district-owned general acute care and specialty hospitals in
10 the Glades area, including the authority to appoint,
11 reappoint, and discipline the medical staff. Such management
12 board may be delegated some, or all, of the responsibility for
13 the operation, planning, and administration of district-owned
14 hospitals in the Glades area, that area of Palm Beach County
15 lying West of the line between Range 39 East and Range 40
16 East, subject to policies and procedures established by the
17 district board. The district board may rescind or modify any
18 or all of the delegated powers of the management board at any
19 time, or from time-to-time, in the discretion of the district
20 board.

21 (3) If a management board is appointed, the management
22 board shall consist of eight individuals, five of whom shall
23 constitute a quorum. All members of the management board
24 must:

- 25 (a) Reside in the Glades area;
26 (b) Own real property in the Glades area;
27 (c) Be employed in the Glades area; or
28 (d) Be employed by a business located in the Glades
29 area.

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1 A majority of the members of the management board must reside
2 in the Glades area. Initial members shall be appointed for
3 staggered terms of 2, 3 and 4 years. Thereafter, they shall
4 be appointed for 4-year terms. Of the eight-member management
5 board, five of the members shall be appointed by the health
6 care district board, one member shall be appointed by the City
7 Council of South Bay, one member shall be appointed by the
8 City Council of Belle Glade, and one member shall be appointed
9 by the City Council of Pahokee. At least three of the five
10 individuals appointed by the health care district board shall
11 reside in the Glades area. One of the initial 2-year
12 appointments shall be made by the City Council of South Bay
13 and one of these initial appointments shall be made by the
14 health care district board. One of the initial 3-year
15 appointments shall be made by the City Council of Pahokee and
16 two of these initial appointments shall be made by the health
17 care district board. One of the initial 4-year appointments
18 shall be made by the City Council of Belle Glade and two of
19 these initial appointments shall be made by the health care
20 district board.

21 (4) The district board may ~~shall~~ grant any or all of
22 the following powers to the management board appointed by the
23 district board, all of which are: Subject to policies,
24 procedures, and guidelines as established, and as may be
25 amended, supplemented, modified, or rescinded from time to
26 time, by the district board; and Which are subject to the
27 approval of the district board.

28 (a) To prepare the annual budget and service delivery
29 plan for district-owned hospitals and to submit such budget
30 and plan to the district board for consideration by the
31 district board.

- 1 (b) To make and execute contracts and other
2 instruments.
- 3 (c) To acquire, by purchase or otherwise, and to hold
4 title to any property, real or personal, useful to the
5 purposes of the management board and to the district.
- 6 (d) To lease, either as lessee or lessor, or rent for
7 any number of years and upon any terms and conditions real
8 property.
- 9 (e) To establish rates and charges for those using the
10 facilities of, or receiving care or assistance from, the
11 management board and to collect money pursuant thereto.
- 12 (f) To accept gifts of money, services, or real or
13 personal property.
- 14 (g) To appoint, remove, or suspend employees of the
15 district-owned hospitals.
- 16 (h) To cooperate and contract with any governmental
17 agency or instrumentality, federal, state, municipal, or
18 county.
- 19 (i) To adopt and amend rules and regulations for the
20 management and use of any district-owned hospitals, provided
21 said rules and regulations comply with rules and regulations
22 adopted by the district board.
- 23 (j) To appoint the staff of physicians to practice in
24 any designated district-owned hospitals and to approve the
25 bylaws and rules to be adopted by the medical staff of any
26 designated district-owned hospitals. Such governing
27 regulations are to be in accordance with the standards of the
28 Joint Commission on the Accreditation of Hospitals which
29 provide, among other things, for the method of appointing
30 additional staff members and for the discipline or removal of
31 staff members.

1 (k) The management board members shall cause true and
2 accurate minutes and records to be kept of all business
3 transacted by them, shall keep full, true, and complete books
4 of accounts and minutes, which minutes, records, and books of
5 accounts shall at all reasonable times be open and subject to
6 public inspection, and any person desiring to do so may make
7 or procure a copy of said minutes, records, and books of
8 accounts, or such portion thereof as such person may desire,
9 at a reasonable cost determined by the management board.

10 (1) The members of the management board shall elect
11 among themselves a chair, vice chair, and secretary. The
12 chair shall preside at all meetings of the management board,
13 except that the vice chair may preside in the absence of the
14 chair. The chair, vice chair, and secretary shall each have
15 an official vote in all matters considered by the management
16 board. The management board is authorized to adopt bylaws
17 providing for its orderly governance and operation.

18 Section 6. Section 11 of chapter 87-450, Laws of
19 Florida, is amended to read:

20 Section 11. Repeal of existing districts and transfer
21 of their assets and liabilities.--

22 (1) Aside from the expansion of its boundaries and
23 change of its name set forth in section 2 of this act, the
24 Southwestern Palm Beach County Public Hospital Board created
25 by chapter 26107, Laws of Florida, 1949, shall be abolished
26 and said chapter, as amended, is hereby repealed, and all of
27 the functions, rights, responsibilities, obligations, assets,
28 and liabilities of said hospital board shall be transferred to
29 and become the property and responsibility of the ~~Palm Beach~~
30 County Health Care District of Palm Beach County; said repeal,
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1 abolition, and transfer to take place 1 year after the
2 effective date of this act.

3 (2) The Northwestern Palm Beach County Public Hospital
4 Board created by chapter 26106, Laws of Florida, 1949, shall
5 be abolished and said chapter, as amended, is hereby repealed,
6 and all of the functions, rights, responsibilities,
7 obligations, assets, and liabilities of said hospital board
8 shall be transferred to and become the property and
9 responsibility of the ~~Palm Beach County~~ Health Care District
10 of Palm Beach County; said repeal, abolition, and transfer to
11 take place 1 year after the effective date of this act.

12 (3) The Southeastern Palm Beach County Hospital
13 District created by chapter 29387, Laws of Florida, 1953,
14 shall be abolished and said chapter, as amended, is hereby
15 repealed, and all of the functions, rights, responsibilities,
16 obligations, assets, and liabilities of said hospital board
17 shall be transferred to and become the property and
18 responsibility of the ~~Palm Beach County~~ Health Care District
19 of Palm Beach County; said repeal, abolition, and transfer to
20 take place 1 year after the effective date of this act.

21 (4) The Palm Beach County Hospital District created by
22 chapter 83-489, Laws of Florida, shall be abolished and said
23 chapter is hereby repealed, and all of the functions, rights,
24 responsibilities, obligations, assets, and liabilities of said
25 hospital board shall be transferred to and become the property
26 and responsibility of the ~~Palm Beach County~~ Health Care
27 District of Palm Beach County; said repeal, abolition, and
28 transfer to take place 1 year after the effective date of this
29 act.

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1 Section 7. Section 18 of chapter 87-450, Laws of
2 Florida, as created by chapter 93-382, Laws of Florida, is
3 renumbered as section 16 and amended to read:

4 Section ~~16.18~~. Lien on behalf of ~~Palm Beach County~~
5 Health Care District of Palm Beach County when other parties
6 are liable.--

7 (1) The ~~Palm Beach County~~ Health Care District of Palm
8 Beach County shall be entitled to a lien, as determined by
9 this section, for payments made by the district for health
10 care services provided to ill or injured persons, upon any
11 proceeds of judgments, settlements, or settlement agreements
12 concerning the liability of tortfeasors or other third parties
13 causing or contributing to said illness or injuries thus
14 necessitating such health care services. For purposes of this
15 section, any such ill or injured persons or their legal
16 representatives may be referred to as "claimant."

17 (2) Upon suit being filed by the claimant against any
18 tortfeasor or other third party, the claimant shall send the
19 district, if the district made any payments on claimant's
20 behalf, a copy of the complaint by certified or registered
21 mail as notification of such suit. Within 60 days after
22 receipt of the claimant's notification, the district may file
23 in the suit a Notice of Payments Made for Health Care
24 Services. Such notice must specify the amount the district
25 paid, and it shall constitute a lien upon any recovery to the
26 extent allowed by this section. If suit has not been filed, a
27 claimant shall send the district notification by certified or
28 registered mail of claimant's intent to claim damages from the
29 tortfeasor or other third party. Within 60 days after receipt
30 of the claimant's notification, the district may send to the
31 claimant by certified or registered mail a Notice of Payments

1 Made for Health Care Services. Such notice must specify the
2 amount the district paid, and it shall constitute a lien upon
3 any recovery to the extent allowed by this section. If the
4 district made any payments on claimant's behalf and becomes
5 aware of a suit or claim for damages prior to being notified
6 by the claimant in accordance with this subsection, it may
7 file or send its Notice of Payments Made for Health Care
8 Services at that time. Such notice must specify the amount
9 paid by the district, and it shall constitute a lien upon any
10 recovery to the extent allowed by this section. The notice of
11 payments made may be amended by the district to reflect
12 amounts paid by the district subsequent to the filing of said
13 notice.

14 (3) The amount of the lien created by this section
15 shall be the entire amount paid by the district pursuant to
16 the Notice of Payments Made for Health Care Services, as
17 amended, less the district's pro rata share of reasonable
18 attorney's fees, costs and expenses of litigation for the
19 claimant's attorney; provided, however, that the amount of the
20 lien created by this section shall in no event be greater than
21 two-thirds of the amount remaining from the proceeds of the
22 judgment, settlement or settlement agreement after the
23 deduction of attorney's fees and other reasonable costs and
24 expenses of litigation.

25 (4) No release or satisfaction of any judgment,
26 settlement, or settlement agreement shall be valid against
27 such lien unless the district joins therein or executes a
28 release of such lien.

29 (5) The district, when claiming a lien under this
30 section, shall cooperate with the claimant by producing such
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1 information as is reasonably necessary to prove the amount
2 paid by the district for health care services provided.

3 (6) The lien created by this act shall not preempt the
4 lien rights of any hospital in Palm Beach County created by
5 ordinance, special act or general law. This act shall not
6 affect any subrogation rights of the district.

7 Section 8. This act shall take effect upon becoming a
8 law.

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