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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.

18

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

20

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.

3  
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  
31

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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