

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282
Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
1		.	
2		.	
3		.	
4		.	

5			
6			
7			
8			
9			

11 Senator Lee moved the following amendment:

12

13 **Senate Amendment (with title amendment)**

14 On page 87, between lines 20 and 21,

15

16 insert:

17 Section 59. Subsection (4) of section 212.055, Florida
18 Statutes, is amended to read:

19 212.055 Discretionary sales surtaxes; legislative
20 intent; authorization and use of proceeds.--It is the
21 legislative intent that any authorization for imposition of a
22 discretionary sales surtax shall be published in the Florida
23 Statutes as a subsection of this section, irrespective of the
24 duration of the levy. Each enactment shall specify the types
25 of counties authorized to levy; the rate or rates which may be
26 imposed; the maximum length of time the surtax may be imposed,
27 if any; the procedure which must be followed to secure voter
28 approval, if required; the purpose for which the proceeds may
29 be expended; and such other requirements as the Legislature
30 may provide. Taxable transactions and administrative
31 procedures shall be as provided in s. 212.054.

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282
Amendment No. ____

1 (4) INDIGENT CARE AND TRAUMA CENTER SURTAX.--

2 (a) The governing body in each county the government
3 of which is not consolidated with that of one or more
4 municipalities, which has a population of at least 800,000
5 residents and is not authorized to levy a surtax under
6 subsection (5) or subsection (6), may levy, pursuant to an
7 ordinance either approved by an extraordinary vote of the
8 governing body or conditioned to take effect only upon
9 approval by a majority vote of the electors of the county
10 voting in a referendum, a discretionary sales surtax at a rate
11 that may not exceed 0.5 percent.

12 (b) If the ordinance is conditioned on a referendum, a
13 statement that includes a brief and general description of the
14 purposes to be funded by the surtax and that conforms to the
15 requirements of s. 101.161 shall be placed on the ballot by
16 the governing body of the county. The following questions
17 shall be placed on the ballot:

18
19 FOR THE. . . .CENTS TAX
20 AGAINST THE. . . .CENTS TAX
21

22 (c) The ordinance adopted by the governing body
23 providing for the imposition of the surtax shall set forth a
24 plan for providing health care services to qualified
25 residents, as defined in paragraph (d). Such plan and
26 subsequent amendments to it shall fund a broad range of health
27 care services for both indigent persons and the medically
28 poor, including, but not limited to, primary care and
29 preventive care as well as hospital care. The plan must also
30 address the services to be provided by the Level I trauma
31 center.It shall emphasize a continuity of care in the most

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282
Amendment No. ____

1 cost-effective setting, taking into consideration both a high
2 quality of care and geographic access. Where consistent with
3 these objectives, it shall include, without limitation,
4 services rendered by physicians, clinics, community hospitals,
5 mental health centers, and alternative delivery sites, as well
6 as at least one regional referral hospital where appropriate.
7 It shall provide that agreements negotiated between the county
8 and providers, including hospitals with a Level I trauma
9 center, will include reimbursement methodologies that take
10 into account the cost of services rendered to eligible
11 patients, recognize hospitals that render a disproportionate
12 share of indigent care, provide other incentives to promote
13 the delivery of charity care, promote the advancement of
14 technology in medical services, recognize the level of
15 responsiveness to medical needs in trauma cases, and require
16 cost containment including, but not limited to, case
17 management. It must also provide that any hospitals that are
18 owned and operated by government entities on May 21, 1991,
19 must, as a condition of receiving funds under this subsection,
20 afford public access equal to that provided under s. 286.011
21 as to meetings of the governing board, the subject of which is
22 budgeting resources for the rendition of charity care as that
23 term is defined in the Florida Hospital Uniform Reporting
24 System (FHURS) manual referenced in s. 408.07. The plan shall
25 also include innovative health care programs that provide
26 cost-effective alternatives to traditional methods of service
27 delivery and funding.

28 (d) For the purpose of this subsection, the term
29 "qualified resident" means residents of the authorizing county
30 who are:

31 1. Qualified as indigent persons as certified by the

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282
Amendment No. ____

1 authorizing county;

2 2. Certified by the authorizing county as meeting the
3 definition of the medically poor, defined as persons having
4 insufficient income, resources, and assets to provide the
5 needed medical care without using resources required to meet
6 basic needs for shelter, food, clothing, and personal
7 expenses; or not being eligible for any other state or federal
8 program, or having medical needs that are not covered by any
9 such program; or having insufficient third-party insurance
10 coverage. In all cases, the authorizing county is intended to
11 serve as the payor of last resort; or

12 3. Participating in innovative, cost-effective
13 programs approved by the authorizing county.

14 (e) Moneys collected pursuant to this subsection
15 remain the property of the state and shall be distributed by
16 the Department of Revenue on a regular and periodic basis to
17 the clerk of the circuit court as ex officio custodian of the
18 funds of the authorizing county. The clerk of the circuit
19 court shall:

20 1. Maintain the moneys in an indigent health care
21 trust fund;

22 2. Invest any funds held on deposit in the trust fund
23 pursuant to general law; and

24 3. Disburse the funds, including any interest earned,
25 to any provider of health care services, as provided in
26 paragraphs (c) and (d), upon directive from the authorizing
27 county. However, if a county has a population of at least
28 800,000 residents and has levied the surtax authorized in this
29 subsection, notwithstanding any directive from the authorizing
30 county, on October 1 of each calendar year, the clerk of the
31 court shall issue a check in the amount of \$6.5 million to a

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282
Amendment No. ____

1 hospital in its jurisdiction that has a Level I trauma center
2 or shall issue a check in the amount of \$3.5 million to a
3 hospital in its jurisdiction that has a Level I trauma center
4 if that county enacts and implements a hospital lien law in
5 accordance with chapter 98-499, Laws of Florida. The issuance
6 of the checks on October 1 of each year is provided in
7 recognition of the Level I trauma center status and shall be
8 in addition to the base contract amount received during fiscal
9 year 1999-2000 and any additional amount negotiated to the
10 base contract. If the hospital receiving funds for its Level I
11 trauma center status requests such funds to be used to
12 generate federal matching funds under Medicaid, the clerk of
13 the court shall instead issue a check to the Agency for Health
14 Care Administration to accomplish that purpose to the extent
15 that it is allowed through the General Appropriations Act.

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

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

21
22 (Redesignate subsequent sections.)

23
24
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 On page 7, line 21, after the semicolon,
28
29 insert:
30 amending s. 212.055, F.S.; expanding the
31 authorized use of the indigent care surtax to

Bill No. CS for CS for CS for SB 2154, CS for SB 1900 & SB 282

Amendment No. ____

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

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31