

Bill No. HB 509, 1st Eng.

Amendment No.

	<u>Senate</u>	CHAMBER ACTION	<u>House</u>
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11 Senator Mitchell moved the following amendment:

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

14 On page 9, between lines 13 and 14,

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16 insert:

17 Section 6. Subsection (7) is added to section 212.055,
18 Florida Statutes, 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.

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1 (7) VOTER-APPROVED INDIGENT CARE SURTAX.--
2 (a) The governing body in each county that has a
3 population of less than 800,000 residents may levy an indigent
4 care surtax pursuant to an ordinance conditioned to take
5 effect only upon approval by a majority vote of the electors
6 of the county voting in a referendum. The surtax may be levied
7 at a rate not to exceed 0.5 percent, except that if a publicly
8 supported medical school is located in the county, the rate
9 shall not exceed 1 percent.

10 (b) A statement that includes a brief and general
11 description of the purposes to be funded by the surtax and
12 that conforms to the requirements of s. 101.161 shall be
13 placed on the ballot by the governing body of the county. The
14 following questions shall be placed on the ballot:

15
16 FOR THE. . . .CENTS TAX
17 AGAINST THE. . . .CENTS TAX
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19 (c) The ordinance adopted by the governing body
20 providing for the imposition of the surtax must set forth a
21 plan for providing health care services to qualified
22 residents, as defined in paragraph (d). The plan and
23 subsequent amendments to it shall fund a broad range of health
24 care services for indigent persons and the medically poor,
25 including, but not limited to, primary care and preventive
26 care, as well as hospital care. It shall emphasize a
27 continuity of care in the most cost-effective setting, taking
28 into consideration a high quality of care and geographic
29 access. Where consistent with these objectives, it shall
30 include, without limitation, services rendered by physicians,
31 clinics, community hospitals, mental health centers, and

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1 alternative delivery sites, as well as at least one regional
2 referral hospital where appropriate. It shall provide that
3 agreements negotiated between the county and providers shall
4 include reimbursement methodologies that take into account the
5 cost of services rendered to eligible patients, recognize
6 hospitals that render a disproportionate share of indigent
7 care, provide other incentives to promote the delivery of
8 charity care, and require cost containment, including, but not
9 limited to, case management. The plan must also include
10 innovative health care programs that provide cost-effective
11 alternatives to traditional methods of service delivery and
12 funding.

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

15 1. Qualified as indigent persons as certified by the
16 authorizing county;

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

27 3. Participating in innovative, cost-effective
28 programs approved by the authorizing county.

29 (e) Moneys collected pursuant to this subsection
30 remain the property of the state and shall be distributed by
31 the Department of Revenue on a regular and periodic basis to

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1 the clerk of the circuit court as ex officio custodian of the
2 funds of the authorizing county. The clerk of the circuit
3 court shall:

4 1. Maintain the moneys in an indigent health care
5 trust fund.

6 2. Invest any funds held on deposit in the trust fund
7 pursuant to general law.

8 3. Disburse the funds, including any interest earned,
9 to any provider of health care services, as provided in
10 paragraphs (c) and (d), upon directive from the authorizing
11 county.

12 (f) Notwithstanding any other provision of this
13 section, a county may not levy local option sales surtaxes
14 authorized in this subsection and subsections (2) and (3) in
15 excess of a combined rate of 1 percent or, if a publicly
16 supported medical school is located in the county, in excess
17 of a combined rate of 1.5 percent.

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19 (Redesignate subsequent sections.)

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21
22 ===== T I T L E A M E N D M E N T =====

23 And the title is amended as follows:

24 On page 1, line 21, after the semicolon,

25
26 insert:

27 amending s. 212.055, F.S.; authorizing certain
28 counties to levy a voter-approved indigent care
29 discretionary sales surtax; providing for the
30 surtax to be conditioned upon approval by a
31 majority vote of the electors; limiting the

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1 rate of the surtax; providing requirements for
2 the ordinance adopted by the governing body of
3 the county which imposes the surtax; providing
4 for proceeds of the surtax to be used to
5 provide health care services to qualified
6 residents; defining "qualified residents";
7 providing for the administration of proceeds
8 collected pursuant to the surtax; limiting the
9 total amount of certain local option sales
10 surtaxes that may be imposed by a county;

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