

By Representative Lawson

1 A bill to be entitled
 2 An act relating to discretionary sales
 3 surtaxes; amending s. 212.055, F.S.; reducing
 4 the minimum population requirement applicable
 5 to counties authorized to impose the indigent
 6 care surtax; deleting an obsolete reference;
 7 providing an effective date.

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

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 11 Section 1. Paragraph (a) of subsection (4) of section
 12 212.055, Florida Statutes, is amended to read:

13 212.055 Discretionary sales surtaxes; legislative
 14 intent; authorization and use of proceeds.--It is the
 15 legislative intent that any authorization for imposition of a
 16 discretionary sales surtax shall be published in the Florida
 17 Statutes as a subsection of this section, irrespective of the
 18 duration of the levy. Each enactment shall specify the types
 19 of counties authorized to levy; the rate or rates which may be
 20 imposed; the maximum length of time the surtax may be imposed,
 21 if any; the procedure which must be followed to secure voter
 22 approval, if required; the purpose for which the proceeds may
 23 be expended; and such other requirements as the Legislature
 24 may provide. Taxable transactions and administrative
 25 procedures shall be as provided in s. 212.054.

26 (4) INDIGENT CARE SURTAX.--

27 (a) The governing body in each county the government
 28 of which is not consolidated with that of one or more
 29 municipalities, which has a population of at least 190,000
 30 ~~800,000~~ residents and is not authorized to levy a surtax under
 31 subsection (5) ~~or subsection (6)~~, may levy, pursuant to an

1 ordinance either approved by an extraordinary vote of the
2 governing body or conditioned to take effect only upon
3 approval by a majority vote of the electors of the county
4 voting in a referendum, a discretionary sales surtax at a rate
5 that may not exceed 0.5 percent.

6 (b) If the ordinance is conditioned on a referendum, a
7 statement that includes a brief and general description of the
8 purposes to be funded by the surtax and that conforms to the
9 requirements of s. 101.161 shall be placed on the ballot by
10 the governing body of the county. The following questions
11 shall be placed on the ballot:

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

1 providers will include reimbursement methodologies that take
2 into account the cost of services rendered to eligible
3 patients, recognize hospitals that render a disproportionate
4 share of indigent care, provide other incentives to promote
5 the delivery of charity care, and require cost containment
6 including, but not limited to, case management. It must also
7 provide that any hospitals that are owned and operated by
8 government entities on May 21, 1991, must, as a condition of
9 receiving funds under this subsection, afford public access
10 equal to that provided under s. 286.011 as to meetings of the
11 governing board, the subject of which is budgeting resources
12 for the rendition of charity care as that term is defined in
13 the Florida Hospital Uniform Reporting System (FHURS) manual
14 referenced in s. 408.07. The plan shall also include
15 innovative health care programs that provide cost-effective
16 alternatives to traditional methods of service delivery and
17 funding.

18 (d) For the purpose of this subsection, the term
19 "qualified resident" means residents of the authorizing county
20 who are:

21 1. Qualified as indigent persons as certified by the
22 authorizing county;

23 2. Certified by the authorizing county as meeting the
24 definition of the medically poor, defined as persons having
25 insufficient income, resources, and assets to provide the
26 needed medical care without using resources required to meet
27 basic needs for shelter, food, clothing, and personal
28 expenses; or not being eligible for any other state or federal
29 program, or having medical needs that are not covered by any
30 such program; or having insufficient third-party insurance

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1 coverage. In all cases, the authorizing county is intended to
2 serve as the payor of last resort; or

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

5 (e) Moneys collected pursuant to this subsection
6 remain the property of the state and shall be distributed by
7 the Department of Revenue on a regular and periodic basis to
8 the clerk of the circuit court as ex officio custodian of the
9 funds of the authorizing county. The clerk of the circuit
10 court shall:

11 1. Maintain the moneys in an indigent health care
12 trust fund;

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

15 3. Disburse the funds, including any interest earned,
16 to any provider of health care services, as provided in
17 paragraphs (c) and (d), upon directive from the authorizing
18 county.

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

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

24 Section 2. This act shall take effect upon becoming a
25 law.

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28 HOUSE SUMMARY

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30 Reduces the minimum population requirement applicable to
31 counties authorized to impose the indigent care
discretionary sales surtax from 800,000 to 190,000.