

By the Committees on Community Affairs, Health Care
Licensing & Regulation and Representatives Lacasa, Rubio and
Sorensen

1 A bill to be entitled
2 An act relating to the county public hospital
3 surtax; amending s. 212.055, F.S.; revising
4 provisions that require the counties authorized
5 to levy the surtax to annually appropriate a
6 specified minimum amount for operation,
7 administration, and maintenance of the county
8 public general hospital; providing procedure
9 for disbursement of funds by certain counties;
10 requiring a public health authority or agency
11 in such counties to adopt and implement a
12 health care plan for indigent health care
13 services; specifying provisions of the plan;
14 providing an effective date.

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

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18 Section 1. Paragraph (d) of subsection (5) of section
19 212.055, Florida Statutes, is amended, paragraph (e) is
20 redesignated as paragraph (f), and a new paragraph (e) is
21 added to said subsection, to read:

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

1 be expended; and such other requirements as the Legislature
2 may provide. Taxable transactions and administrative
3 procedures shall be as provided in s. 212.054.

4 (5) COUNTY PUBLIC HOSPITAL SURTAX.--Any county as
5 defined in s. 125.011(1) may levy the surtax authorized in
6 this subsection pursuant to an ordinance either approved by
7 extraordinary vote of the county commission or conditioned to
8 take effect only upon approval by a majority vote of the
9 electors of the county voting in a referendum. In a county as
10 defined in s. 125.011(1), for the purposes of this subsection,
11 "county public general hospital" means a general hospital as
12 defined in s. 395.002 which is owned, operated, maintained, or
13 governed by the county or its agency, authority, or public
14 health trust.

15 (d) As provided in subparagraphs 1. and 2., the county
16 must ~~shall~~ continue to contribute each year an amount equal to
17 at least 80 percent of that percentage of the total county
18 budget appropriated for the operation, administration, and
19 maintenance of the county public general hospital from the
20 county's general revenues in the fiscal year of the county
21 ending September 30, 1991, as follows:

22 1. Sixty-five percent of such amount must be promptly
23 and irrevocably remitted to the public health trust, agency,
24 or authority responsible for the county public general
25 hospital, to be used solely for the purpose of operating and
26 maintaining such hospital.

27 2. Thirty-five percent of such amount must be promptly
28 and irrevocably remitted to a public health authority or
29 agency that is wholly independent from the public health
30 trust, agency, or authority responsible for the county public
31 general hospital, to be used solely for the purpose of funding

1 the plan for indigent health care services provided for in
2 paragraph (e).

3 (e) A public health authority shall be chartered by
4 the county commission upon this act becoming law. The
5 authority shall adopt and implement a health care plan for
6 indigent health care services. Until such time as the
7 authority is created, the funds provided for in subparagraph
8 (d)2. shall be placed in a restricted account set aside from
9 other county funds and not disbursed by the county for any
10 other purpose.

11 1. The plan shall divide the county into a minimum of
12 four and maximum of six service areas, with no more than one
13 participant hospital per service area. The county public
14 general hospital shall be designated as the provider for one
15 of the service areas. Services shall be provided through
16 participants' primary acute care facility.

17 2. The plan and subsequent amendments to it shall fund
18 a broad range of health care services for both indigent
19 persons and the medically poor, including, but not limited to,
20 primary care, preventive care, hospital emergency room care,
21 and hospital care. Where consistent with these objectives, the
22 plan shall include, without limitation, services rendered by
23 physicians, clinics, community hospitals, mental health
24 centers, and alternative delivery sites, as well as at least
25 one regional referral hospital per service area. The plan
26 shall provide that agreements negotiated between the authority
27 and providers will include reimbursement methodologies that
28 take into account the cost of services rendered to eligible
29 patients, recognize hospitals that render a disproportionate
30 share of indigent care, provide other incentives to promote
31 the delivery of charity care to draw down federal funds where

1 appropriate, and require cost containment, including, but not
2 limited to, case management. In no event shall such
3 reimbursement rates exceed the Medicaid rate. The plan must
4 also provide that any hospitals owned and operated by
5 government entities on or after the effective date of this act
6 must, as a condition of receiving funds under this subsection,
7 afford public access equal to that provided under s. 286.011
8 as to any meeting of the governing board the subject of which
9 is budgeting resources for the retention of charity care, as
10 that term is defined in the rules of the Agency for Health
11 Care Administration. The plan shall also include innovative
12 health care programs that provide cost-effective alternatives
13 to traditional methods of service and delivery funding.

14 2. The plan's benefits shall be made available to all
15 county residents currently eligible to receive health care
16 services as indigents or medically poor as defined in
17 paragraph (4)(d).

18 3. Eligible residents who participate in the health
19 care plan shall receive coverage for a period of 12 months or
20 the period extending from the time of enrollment to the end of
21 the current fiscal year, per enrollment period, whichever is
22 less.

23 Section 2. This act shall take effect July 1, 2000.
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