

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senators Saunders and Silver

316-1785-00

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, present paragraph (e)  
20   of that subsection is redesignated as paragraph (f), and a new  
21   paragraph (e) is added to that 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 health authority shall be chartered by the  
4 county commission upon this act becoming law. The authority  
5 shall adopt and implement a health care plan for indigent  
6 health care services. Until such time as the authority is  
7 created, the funds provided for in subparagraph 2. of  
8 paragraph (d) shall be placed in a restricted account set  
9 aside from other county funds and not disbursed by the county  
10 for any 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 general  
14 hospital shall be designated as the provider for one of the  
15 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 zone. 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 3. 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 4. 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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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN  
COMMITTEE SUBSTITUTE FOR  
SB 802

Requires Miami-Dade County to establish a health authority to provide indigent health care services upon the CS becoming law.

Provides that the funds allocated for the authority must be placed in a restricted account until the authority is created.

Requires the plan for indigent health care services must divide the county into 4-6 service areas and that the county general hospital is designated as the provider for one of the service areas. In addition, requires that one regional referral hospital be located per service zone.