

By the Committee on Comprehensive Planning, Local and Military Affairs; and Senator Mitchell

316-1911-02

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A bill to be entitled  
An act relating to health care; amending s.  
212.055, F.S.; allowing small counties having a  
specified population to levy an indigent care  
surtax; providing procedures; providing uses of  
the surtax; providing a maximum tax rate;  
providing an effective date.

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

Section 1. Subsection (7) of section 212.055, Florida Statutes, is amended to read:

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

(7) VOTER-APPROVED INDIGENT CARE SURTAX.--

(a) The governing body in each county that has a population of less than 800,000 residents may levy an indigent care surtax pursuant to an ordinance conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum. The surtax may be levied

1 at a rate not to exceed 0.5 percent, except that if a publicly  
2 supported medical school is located in the county, the rate  
3 shall not exceed 1 percent.

4 (b) A statement that includes a brief and general  
5 description of the purposes to be funded by the surtax and  
6 that conforms to the requirements of s. 101.161 shall be  
7 placed on the ballot by the governing body of the county. The  
8 following questions shall be placed on the ballot:

9  
10 FOR THE. . . .CENTS TAX  
11 AGAINST THE. . . .CENTS TAX  
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13 (c) Notwithstanding paragraph (a), the governing body  
14 in each county that has a population of fewer than 30,000  
15 residents may levy an indigent care surtax conditioned to take  
16 effect only upon approval by a majority vote of the electors  
17 of the county voting in a referendum. In addition to the uses  
18 otherwise set out in this subsection, a county that has a  
19 population of fewer than 30,000 residents may use the services  
20 of the Division of Bond Finance of the State Board of  
21 Administration pursuant to the State Bond Act to issue bonds  
22 under this subsection. A jurisdiction may not issue bonds  
23 under this subsection more frequently than once per year. Any  
24 county that has a population of fewer than 30,000 residents at  
25 the time the bonds authorized in this subsection are issued  
26 retains the authority granted under this subsection throughout  
27 the term of the bonds, including the term of any refinancing  
28 bonds, regardless of any subsequent increase in population  
29 which results in the county's having 30,000 or more residents.  
30 The rate of the surtax levied under this paragraph may not  
31 exceed 1 percent.

1           ~~(d)(e)~~ The ordinance adopted by the governing body  
2 providing for the imposition of the surtax must set forth a  
3 plan for providing health care services to qualified  
4 residents, as defined in paragraph~~(e)~~~~(d)~~. The plan and  
5 subsequent amendments to it shall fund a broad range of health  
6 care services for indigent persons and the medically poor,  
7 including, but not limited to, primary care and preventive  
8 care, as well as hospital care. It shall emphasize a  
9 continuity of care in the most cost-effective setting, taking  
10 into consideration a high quality of care and geographic  
11 access. Where consistent with these objectives, it shall  
12 include, without limitation, services rendered by physicians,  
13 clinics, community hospitals, mental health centers, and  
14 alternative delivery sites, as well as at least one regional  
15 referral hospital where appropriate. It shall provide that  
16 agreements negotiated between the county and providers shall  
17 include reimbursement methodologies that take into account the  
18 cost of services rendered to eligible patients, recognize  
19 hospitals that render a disproportionate share of indigent  
20 care, provide other incentives to promote the delivery of  
21 charity care, and require cost containment, including, but not  
22 limited to, case management. The plan must also include  
23 innovative health care programs that provide cost-effective  
24 alternatives to traditional methods of service delivery and  
25 funding. In addition to the services otherwise authorized  
26 under this subsection, in counties having a population of  
27 fewer than 30,000 residents the plan for providing health care  
28 services to qualified residents may, by an extraordinary vote  
29 of the county commission, provide that some or all of the  
30 surtax revenues and any interest accrued thereon must be  
31 expended for the purpose of servicing bond indebtedness

1 incurred to finance, plan, construct, or reconstruct a public  
2 hospital in the county and for any land acquisition, land  
3 improvement, design, or engineering costs related thereto, if  
4 the county commission has determined that a currently existing  
5 public hospital would, more likely than not, otherwise cease  
6 to operate.

7 (e)~~(d)~~ As used in ~~For the purpose of~~ this subsection,  
8 the term "qualified residents" means residents of the  
9 authorizing county who are:

10 1. Qualified as indigent persons as certified by the  
11 authorizing county;

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

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

24 (f)~~(e)~~ Moneys collected pursuant to this subsection  
25 remain the property of the state and shall be distributed by  
26 the Department of Revenue on a regular and periodic basis to  
27 the clerk of the circuit court as ex officio custodian of the  
28 funds of the authorizing county. The clerk of the circuit  
29 court shall:

30 1. Maintain the moneys in an indigent health care  
31 trust fund.

