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A bill to be entitled

An act relating to Sarasota County; providing legislative intent; amending, codifying, and reenacting all special acts relating to the Sarasota County Public Hospital District; providing District boundaries; providing for a governing board; providing powers, functions, and duties of the District and its governing board, including express power to sell and exchange real estate; repealing chapters 26468 (1949), 27888 (1951), 31262 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of Florida, except for the provisions approved in referendum on January 10, 1950, conferring ad valorem taxing authority; ratifying actions of the District and the governing board taken pursuant to chapter 69-1583, Laws of Florida; providing severability; providing for construction and effect; providing an effective date.

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

Section 1. Pursuant to section 189.429, Florida Statutes, this act constitutes the codification of all special acts relating to Sarasota County Public Hospital District. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the District including all current legislative authority granted to the District by its several legislative enactments, inclusive of authority conferred in referenda of Sarasota County electors,



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31 and any additional authority granted by this act. It is further
32 the intent of this act to preserve all District authority in
33 addition to any authority contained in general law as amended
34 from time to time.

35 Section 2. Chapters 26468 (1949), 27888 (1951), 31262
36 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893,
37 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047,
38 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-
39 526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of
40 Florida, are amended, codified, reenacted, and repealed as
41 herein provided.

42 Section 3. The Sarasota County Public Hospital District is
43 re-created, and the charter for such District is re-created and
44 reenacted to read:

45 Section 1. (1) The Sarasota County Public Hospital
46 District ("District"), an independent special district, is hereby
47 established with jurisdiction extending territorially throughout
48 all of Sarasota County, which territory is hereby known as the
49 Sarasota County Public Hospital District, and which shall be
50 governed by the Sarasota County Public Hospital Board ("Hospital
51 Board"), as a body corporate.

52 (2) For purposes of election of Hospital Board members, the
53 Hospital Board shall create three hospital board districts within
54 the Sarasota County Public Hospital District, the boundaries of
55 which shall be within the boundaries of Sarasota County, which
56 shall be designated as northern, central, and southern districts,
57 and which shall be as nearly equal in population as practicable.

58 The Hospital Board by resolution adopted from time to time, at
59 intervals of no more than 10 years, shall fix the boundaries of
60 the districts along the lines of precincts as they exist at the



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61 time such boundaries are fixed. A certified copy of the
62 resolution shall be furnished by the secretary of the Hospital
63 Board to the Sarasota County Supervisor of Elections at least 10
64 months prior to the next ensuing general election following
65 adoption of the resolution.

66 (3) The membership of the Hospital Board shall consist of
67 nine members, all of whom must be qualified electors of the
68 District. Commencing with the election of 1988, two such members
69 must reside in each of said hospital board districts. All
70 members shall be elected in a partisan election by the qualified
71 electors of the District. Two members who are residents of the
72 southern district shall be elected to district seats in 1986 and
73 every fourth year thereafter; two members who are residents of
74 the northern district shall be elected to district seats in 1986
75 and every fourth year thereafter; one member who is a resident of
76 the central district shall be elected to a district seat in 1986
77 and every fourth year thereafter; one member who is a resident of
78 the central district shall be elected to a district seat in 1988
79 and every fourth year thereafter; and three members shall be
80 elected to at-large seats in 1988 and every fourth year
81 thereafter. Candidates for the six district seats and the three
82 at-large seats shall be numerically or otherwise grouped for a
83 specific seat on primary or general election ballots as provided
84 in the Florida Election Code. Candidates for district seats
85 shall be placed in districts on primary and general election
86 ballots. In any year in which hospital board district seats are
87 to be filled, the hospital board district (northern, central, or
88 southern) shall be printed on the ballot beneath the name of the
89 office. The format of the ballot shall be in conformity with the
90 Florida Election Code. Four members who were elected for 4-year



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91 terms in the election of November 1982 and one member who was
92 elected for a 2-year term in the election of November 1984 shall
93 serve until the expiration of their terms of office, and five
94 members shall be elected for 4-year terms in 1986 and each fourth
95 year thereafter. Four members who were elected for 4-year terms
96 in the election of November 1984 shall serve until the expiration
97 of their terms of office, and four members shall be elected for
98 4-year terms in 1988 and each fourth year thereafter.

99 (4) If a vacancy occurs on the Hospital Board due to a
100 member's death, resignation, removal from office for neglect of
101 duty, removal of residence from the territorial limits of the
102 county, or removal of residence from the territorial limits of
103 the district in the case of a district seat holder, the remainder
104 of the Hospital Board shall appoint a temporary member to fill
105 the vacancy until the next ensuing general election, at which
106 time a new member must be elected for the remainder of the term
107 of the member whose membership has been so vacated. To be
108 eligible for appointment to such Hospital Board, a person must be
109 a qualified elector of the territory covered by this act, and if
110 the vacancy occurs in a hospital board district seat, such person
111 must also be a resident of that district in which the vacancy
112 occurs.

113 (5) The term of office of a Hospital Board member begins on
114 the Tuesday 2 weeks following the day of general election in
115 which the member is elected. The term of office of a member's
116 immediate predecessor expires contemporaneously with the
117 commencement of the term of such newly elected member.

118 (6) Each Hospital Board member shall attend not less than
119 75 percent of the regular meetings of the Hospital Board during
120 each year of such board member's term. For purposes of this



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121 subsection, the year of a board member's term commences on the
122 date, followed by the yearly anniversary of the date, upon which
123 the board member takes office. The failure of any Hospital Board
124 member to meet this attendance requirement without being excused
125 by the chair of the Hospital Board constitutes neglect of duty.
126 By resolution specifying facts sufficient to advise a Hospital
127 Board member as to the basis for his or her suspension or removal
128 and after providing the Hospital Board member with reasonable
129 notice and an informal opportunity for him or her to be heard,
130 the Hospital Board may suspend or remove from office any Hospital
131 Board member for neglect of duty. If a vacancy occurs on the
132 Hospital Board due to removal from office pursuant to this
133 subsection, the remainder of the Hospital Board shall fill the
134 vacancy in the manner set forth in subsection (4).

135 Section 2. The members of said Hospital Board shall receive
136 no salary as board members but shall be reimbursed for the amount
137 of actual expenses incurred by them in the performance of their
138 duties. Reimbursement for mileage shall include mileage from
139 members' places of residence to Hospital Board facilities and
140 return and for vicinity mileage incurred in the performance of
141 their duties and shall be computed as provided in section
142 112.061, Florida Statutes. The travel expenses, subsistence, and
143 lodging expenses of a member may not exceed those prescribed by
144 section 112.061, Florida Statutes, unless actual reasonable
145 expenses in excess of those prescribed by section 112.061,
146 Florida Statutes, are specifically authorized prior to the
147 incurring of such expenses, by action of the Hospital Board taken
148 at a regular monthly meeting at which the question of such
149 expenses appears as a separate item on the agenda.

150 Section 3. The Hospital Board shall select a meeting place



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151 and a place for its principal office, and the board meetings
152 shall be held at least once a month. The Hospital Board may
153 elect one of its members to serve as secretary, one to serve as
154 assistant secretary, one to serve as treasurer, and two to serve
155 as assistant treasurers; or it may appoint persons not members of
156 the Hospital Board to serve in those capacities. There shall be
157 a chair of the board, a first vice chair, and a second vice
158 chair. The Hospital Board is authorized to establish and
159 maintain a refund account in a commercial bank of its choosing
160 and may designate the president, executive vice president, vice
161 presidents, business office manager, or controller of the
162 Hospital Board, or any of them, as the sole authorized
163 signatories for such refund account. The president appointed by
164 the Hospital Board, the chair, the first vice chair, the second
165 vice chair, the treasurer, and the assistant treasurers shall be
166 empowered to issue, without a cosignature, warrants for payment
167 of salaries and wages of employees of the Hospital Board. All
168 other vouchers and warrants shall be issued by either the
169 treasurer or assistant treasurer and shall be signed by the
170 chair, and in the event of the absence of the chair, by the first
171 vice chair, and in the event of the absence of the chair and the
172 first vice chair, by the second vice chair. The Hospital Board
173 is authorized to issue its checks, warrants, and vouchers bearing
174 facsimile signatures which are affixed by check-signing machines
175 and devices of the officers and employees of the Hospital Board
176 who are authorized to sign on its behalf. Said treasurer and
177 assistant treasurers shall give bonds, in amounts to be
178 designated by a majority vote of said Hospital Board, of the
179 faithful performance of their duties, by some reputable bonding
180 company authorized to do business in the State of Florida. The



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181 said Hospital Board is authorized to pay to the treasurer,
182 assistant treasurers, secretary, and assistant secretary a salary
183 and expenses commensurate with the work done and in keeping with
184 the salary paid for like work by other businesses in the
185 community from time to time.

186 Section 4. The said Sarasota County Public Hospital Board,
187 as the governing body of the District, is hereby declared to be a
188 body corporate and it shall adopt a common seal.

189 Section 5. The duties of the secretary duly elected by said
190 Hospital Board shall be to keep full and correct minutes of all
191 proceedings and minutes of the Hospital Board. The duties of the
192 treasurer duly elected by said Hospital Board shall be to keep a
193 separate account of all expenditures and disbursements by said
194 Hospital Board and an account of all receipts.

195 Section 6. The said Hospital Board shall make and adopt
196 such bylaws, rules, and regulations for its guidance and for the
197 governance of any hospitals that may be established, as may be
198 deemed expedient for the economic and equitable conduct thereof,
199 and shall have exclusive control of the expenditures of all
200 moneys collected or paid to the secretary of the Hospital Board,
201 and shall have power to purchase a site or sites, and to
202 construct any hospital building or buildings necessary, and shall
203 have full supervision, care, and custody of all properties
204 belonging to said Sarasota County Public Hospital Board, or
205 leased to it, or set apart to it for its purposes. Said Hospital
206 Board shall also have the right to buy at a reasonable price any
207 buildings or hospitals which may be now in use and suitable for
208 the purposes of said Board.

209 Section 7. All moneys and receipts for such hospital or
210 hospitals and other health care services, if any, shall be



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211 deposited in a bank or banks designated by said Hospital Board
 212 and placed to the credit of said Hospital Board. Such moneys may
 213 be paid out in the same manner as provided in section 3, without
 214 an order from said Hospital Board, for general operating expenses
 215 including, but not limited to, such categories of expense as
 216 drugs, food, fuel, linens, supplies, laundry, medicines,
 217 salaries, wages, utilities, and items of equipment; for capital
 218 expenses for land, buildings, and equipment; and for other valid
 219 corporate purposes. The Hospital Board is empowered to adopt
 220 resolutions or to adopt provisions in its bylaws from time to
 221 time which establish a procedure which requires the approval and
 222 order of the Hospital Board for the payment of any of the
 223 foregoing designated categories of expense which exceed a dollar
 224 amount or which meet any other expense criteria as established in
 225 such Hospital Board resolutions or bylaws. When such items
 226 requiring board approval have been approved by the Hospital Board
 227 in regular session and a voucher issued, a warrant may be drawn
 228 for same.

229 Section 8. A majority of said Hospital Board shall
 230 constitute a quorum for the transaction of its business, and said
 231 Hospital Board shall be and is hereby authorized and empowered:

232 (1) To appoint a suitable president, fix his or her
 233 compensation, remove any such appointee, and authorize the
 234 president to do all things reasonable and necessary to direct the
 235 operations and activities of facilities owned or operated by the
 236 Hospital Board.

237 (2) To acquire by purchase, gift, or otherwise real and
 238 personal property necessary or useful for the construction,
 239 operation, and maintenance of hospital buildings and other
 240 buildings necessary, in the opinion of the Hospital Board, for



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241 health care purposes; to sell or exchange real estate or any
242 interest in real estate; and to construct hospitals, health
243 facilities which may include outpatient health facilities and
244 medical offices, and buildings and accessories incidental thereto
245 on such real estate, and, if such construction occurs within the
246 Memorial Hospital Core as defined by the Comprehensive Plan of
247 the City of Sarasota, to do so without regard to municipal and
248 county zoning ordinances, laws, and regulations.

249 (3) To adopt from time to time resolutions requesting the
250 Board of County Commissioners of Sarasota County to call
251 elections in the District for the purpose of submitting to the
252 qualified electors in the District the question of issuing bonds
253 of the District for the purpose of acquiring a site or sites, the
254 construction thereon of a hospital or hospitals and buildings
255 incidental thereto, and to improve buildings or buildings and the
256 furnishings and equipping of any such hospital or hospitals and
257 buildings. Said Hospital Board may adopt such resolutions on its
258 own initiative and shall adopt such resolutions upon the filing
259 with it of a petition signed by not less than 5 percent of the
260 qualified electors of the District requesting the Hospital Board
261 to adopt such resolutions. Upon the adoption of such resolution
262 by the Hospital Board, it shall be the duty of the Board of
263 County Commissioners of Sarasota County to forthwith adopt a
264 resolution or resolutions which order an election to be held in
265 such county and provide for the date of such elections and the
266 publication of notices thereof, all in the form and manner
267 provided by law.

268 (4) To issue negotiable coupon bonds of the District, from
269 time to time, if approved by a majority of the votes cast in an
270 election by the qualified electors of the District, bearing



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271 interest at such rate or rates not exceeding 6 percent per annum,
272 maturing at such time or times not exceeding 30 years from the
273 date thereof, and redeemable at such times and at such price or
274 prices, all as said Hospital Board may determine by resolution,
275 and to sell such bonds at public or private sale and for such
276 price, not less than 95 percent of the par value thereof, as said
277 county Hospital Board may by resolution determine.

278 (5) To supervise, operate, and maintain all properties
279 belonging to it.

280 (6) To enter into contracts or leases with any individual,
281 corporation, public body, board of commissioners, the State of
282 Florida, Sarasota County, or any municipality, or agency or
283 instrumentality of said state, county, or municipality, with
284 respect to the use of any of the property belonging to the
285 Hospital Board by any thereof.

286 (7) To borrow money from any person, firm, association,
287 corporation, or governmental agency necessary for the purpose of
288 purchasing property, constructing buildings, equipping the
289 hospital or hospitals or other health facilities owned or
290 operated by the Hospital Board, and maintaining said hospital or
291 hospitals or other health facilities, from time to time as may be
292 necessary in properly carrying out the spirit and purpose of this
293 act, and as evidence thereof to make, execute, and deliver
294 promissory notes or other evidences of other indebtedness; and,
295 to the extent permitted by the Florida Constitution and general
296 laws, to secure the payment of same by mortgages, liens, and
297 other kinds of security upon any property owned or held by the
298 Hospital Board.

299 (8) To certify to the Board of County Commissioners of
300 Sarasota County the amount of the principal and interest upon



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301 bonds issued by the Hospital Board and falling due in which any
302 such principal or interest may be payable and the amount
303 necessary to be raised in the District for the purposes of
304 providing a fund sufficient in the opinion of the Hospital Board
305 to pay the cost of operating and maintaining properties of the
306 Hospital Board in each year. In the event bonds shall be issued
307 under the provisions of this act, it shall be the duty of the
308 Hospital Board to certify such facts in writing to the Board of
309 County Commissioners within 30 days after the delivery of such
310 bonds and on or before the expiration of each 12-month period
311 thereafter, and it shall be the duty of the Board of County
312 Commissioners to levy upon all taxable property in the District
313 and collect a tax sufficient to provide funds for the payment of
314 the principal and the interest upon such bonds as such principal
315 and the interest upon such bonds fall due and a tax, not to
316 exceed 2 mills on assessed valuation of property in the District,
317 to provide funds for the operation, maintenance, and repair of
318 and for the making of alterations and additions to any hospitals
319 established by the Hospital Board under the provisions of this
320 act. The proceeds of all such taxes shall be paid over to the
321 secretary and treasurer of the District as such taxes are
322 received.

323 (9) To certify to the Board of County Commissioners of
324 Sarasota County, on or before the 15th day of each month
325 commencing with the month of November 1959, a list of all the
326 medically indigent persons who have been hospitalized in any of
327 the hospitals which are operated by the Hospital Board during the
328 preceding month, together with the itemized charges for the
329 hospital services and care for each of said medically indigent
330 persons which have been rendered in such preceding month by the



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331 said hospital. The Board of County Commissioners of Sarasota
332 County shall, within 45 days after the receipt of such certified
333 list of medically indigent patients with the hospital charges,
334 make remittance to the treasurer of the Hospital Board of the sum
335 total of the amount shown on the certified list to be the amount
336 owing to the Hospital Board for the hospital services and care
337 rendered to the medically indigent persons during the month
338 embraced in said certification.

339 The Hospital Board shall give written notice to the Welfare
340 Department of Sarasota County of the proposed admission of each
341 medically indigent person to hospitals operated by said Hospital
342 Board, prior to the actual admission of each such medically
343 indigent person, provided, however, that notice to said Welfare
344 Department prior to the admission of a medically indigent person
345 shall not be required in emergency cases.

346 The said Board of County Commissioners shall in like manner
347 reimburse any other hospital in Sarasota County, approved by the
348 State Board of Health, for hospital services rendered to
349 medically indigent persons as herein defined, upon like
350 certification by such hospital and at such rates as shall not
351 exceed those prescribed for such patients by hospitals owned and
352 operated by said Hospital Board.

353 The term "medically indigent person," as used in this act,
354 shall be deemed to mean an inhabitant of Sarasota County who is
355 ill or injured and who requires treatment in a hospital as
356 prescribed and ordered by a physician and who is unable to
357 provide himself or herself with such necessary hospital services.

358 (10) To expend hospital funds and withhold employees' wages
359 in order to make payment (including any amount paid for insurance
360 and annuities, or into a fund, to provide for any such payment)



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361 to or on behalf of an employee of the Hospital Board or any of
362 his or her dependents under any plan or system established by the
363 Hospital Board, when such payment is on account of (a)
364 retirement; (b) sickness or accident disability; (c) medical or
365 hospitalization expenses in connection with sickness or accident
366 disability; or (d) death.

367 (11) To expend funds and provide facilities and personnel
368 to conduct formal and informal courses of instruction,
369 demonstration, and education through hospitals under its
370 jurisdiction relating to hospital procedures, services, and care
371 and the operation and care of apparatus and equipment utilized in
372 connection with usual hospital functions, and to authorize the
373 participation in such courses with private or other governmental
374 agencies; and to award scholarship grants and make scholarship
375 loans to qualified students of nursing, X-ray technology, and
376 other hospital-related fields of study in consideration for the
377 promises of such students to enter the employment of said
378 Hospital Board and to meet other conditions and requirements to
379 be established by said Hospital Board from time to time.

380 (12) To provide hospital and other health care services
381 within the confines of facilities which are owned or operated by
382 the Board. Additionally, the Hospital Board is authorized to
383 provide hospital and other health care services within the
384 boundaries of the Hospital District but outside of facilities
385 which are owned or operated by the Board, provided that the
386 Hospital Board shall adopt a resolution or resolutions from time
387 to time defining the type and scope of hospital and other health
388 care services which the Hospital Board employees, agents, and
389 staff are authorized to render outside of the facilities of the
390 Board.



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391 (13) To participate, to the extent permitted by the
392 constitution and laws of this state, as a shareholder in a
393 corporation, as a joint venturer in a joint venture, as a partner
394 in a limited partnership or a general partnership, or as a member
395 of any other lawful form of business organization which provides
396 health care or engages in activities related thereto; to make or
397 arrange for loans, contributions to capital, and other debt and
398 equity financing for the activities of such corporations, joint
399 ventures, partnerships, or other lawful forms of business
400 organization and to guarantee loans for such purposes; to elect
401 the boards of directors of its not-for-profit corporations; and
402 to utilize, for any lawful purpose, assets and resources of the
403 Hospital Board to the extent not needed for health care and
404 related activities.

405 (14) To establish a fund out of hospital revenues other
406 than those revenues derived from ad valorem taxation to promote
407 the activities of the facilities owned or operated by the
408 Hospital Board. The term "promote," as used in this subsection,
409 shall be defined in its broadest sense to include, but not be
410 limited to, advertising, the extension of hospitality or
411 entertainment, the use of news media, and the employment of
412 public relations methods. Expenditures from the fund shall be
413 limited to those determined by the Hospital Board to be
414 reasonable and necessary to encourage and develop support for the
415 facilities owned and operated by the Hospital Board. The
416 Hospital Board may adopt rules for the effective implementation
417 of this subsection.

418 (15) To compromise and settle any accounts receivable or
419 other claim for money due and owing to the hospital by persons
420 unable to pay on demand according to such terms and conditions as



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421 the Hospital Board in its discretion may determine. The Hospital
422 Board is further authorized and empowered to sell, assign, or
423 convey to any person, financial institution, or organization the
424 right, title, and interest in any account receivable or judgment
425 owned by the Hospital Board by full or partial payment of such
426 account or judgments as the Hospital Board in its discretion may
427 determine.

428 (16) To establish, own, provide, or participate in health
429 maintenance organizations, in preferred provider organizations,
430 in food services, and in other health-care-related activities
431 using assets and resources of the Hospital Board to the extent
432 not needed for health care. Any of such activities may be
433 carried out by the Hospital Board through any of its forms of
434 organization authorized under this act.

435 (17) To the extent permitted by the constitution and laws
436 of this state, to establish, operate, or support subsidiaries and
437 affiliates, either for profit or not for profit, to assist the
438 Hospital Board in fulfilling its declared public purpose of
439 provision for the health care needs of the people of the
440 District; to establish or support nonaffiliated, not-for-profit
441 corporations which operate primarily within the District and
442 which have as their purposes the furtherance of the Hospital
443 Board's provision for the health care needs of the people of the
444 District; and to accomplish such establishment, operation, or
445 support of any such subsidiary, affiliate, or nonaffiliated, not-
446 for-profit corporation by means of loans of funds either interest
447 free or at low interest, leases of real or personal property
448 either rent free or for low rental, gifts and grants of funds, or
449 guarantees of indebtedness of such subsidiaries, affiliates, and
450 nonaffiliated, not-for-profit corporations. The establishment,



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451 operation, or support of a subsidiary or affiliate corporation or
452 nonaffiliated, not-for-profit corporation is hereby found and
453 declared to be a public purpose and necessary for the
454 preservation of the public health and for a public use and for
455 the welfare of the Hospital Board and inhabitants of the
456 District. It is the intent of the Legislature to authorize the
457 formation of the entities described in this section to further
458 the interests of the residents of Sarasota County in maintaining
459 the financial well-being of Memorial Hospital of Sarasota by
460 providing, directly or indirectly, for the delivery, financing,
461 and support of hospital and nonhospital health care services and
462 related activities to the extent consistent with the financial,
463 patient acquisition, and development needs of Memorial Hospital
464 of Sarasota.

465 (18) In addition to any investment authorized by general
466 law, and to the extent permitted by the constitution of this
467 state, to invest any funds in its control or possession in the
468 following:

469 (a) Bankers' acceptances which are drawn upon and accepted
470 by a commercial bank which is a member bank of the Federal
471 Reserve System maintaining capital accounts in excess of 7.5
472 percent of total assets, and which member bank or its holding
473 company carries a credit rating in one of the two highest
474 alphabetical categories from at least two nationally recognized
475 debt rating agencies.

476 (b) Commercial paper of prime quality rated by at least two
477 nationally recognized debt rating agencies in the highest letter
478 and numerical rating of each agency. If not so rated, such prime
479 quality commercial paper may be purchased if secured by a letter
480 of credit provided by a commercial bank, which bank or its



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481 holding company carries a credit rating in one of the two highest
482 alphabetical categories from at least two nationally recognized
483 debt rating agencies.

484 (c) Interest-bearing bonds, debentures, and other such
485 evidence of indebtedness with a fixed maturity of any domestic
486 corporation within the United States which is listed on any one
487 or more of the recognized national stock exchanges in the United
488 States and conforms with the periodic reporting requirements
489 under the Securities Exchange Act of 1934. Such obligation shall
490 either carry ratings in one of the two highest classifications of
491 at least two nationally recognized debt rating agencies or be
492 secured by a letter of credit provided by a commercial bank,
493 which bank or its holding company carries a credit rating in one
494 of the two highest alphabetical categories from at least two
495 nationally recognized debt rating agencies.

496 (d) Negotiable direct obligations of, or obligations the
497 principal and interest of which are unconditionally guaranteed
498 by, the United States Government at the then prevailing market
499 price for such securities; and obligations of the Federal Farm
500 Credit Banks, Federal Home Loan Mortgage Corporation, or Federal
501 Home Loan Bank or its district banks, including Federal Home Loan
502 Mortgage Corporation participation certificates, or obligations
503 guaranteed by the Government National Mortgage Association, or
504 obligations of such Federal Agencies and Government Sponsored
505 Enterprises which are qualified for purchase under paragraph (f);
506 which are purchased and sold under repurchase agreements and
507 reverse repurchase agreements. Repurchase agreements and reverse
508 repurchase agreements may be entered into only with a member bank
509 of the Federal Reserve System or primary dealer in U.S.
510 Government Securities, which member bank or primary dealer must



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511 have \$100 million in capital. Securities purchased or
512 repurchased by the Hospital Board shall be delivered to the
513 Hospital Board or its agent versus payment.

514 (e) Purchase of options so as to engage in bona fide
515 hedging activities for the purpose of protecting the asset value
516 of the underlying portfolio, provided the instruments for such
517 purpose are traded on a securities exchange or board of trade
518 regulated by the Securities Exchange Commission or the Commodity
519 Futures Trading Commission.

520 (f) Negotiable direct obligations of Federal Agencies or
521 Government Sponsored Enterprises (GSE) which meet each of the
522 following criteria:

523 1. An agency or GSE with at least \$10 billion in
524 outstanding debt.

525 2. A rating of at least an AA by a nationally recognized
526 securities rating agency.

527 3. A selling group of at least three nationally recognized
528 securities dealers.

529 4. Chartered by or pursuant to an Act of Congress.

530 5. Bonds issued under authority of, or pursuant to, an Act
531 of Congress.

532 6. Accepted as security for fiduciary, trust, and public
533 funds under control of the United States Government.

534 7. Eligible as collateral for Federal Reserve Bank discount
535 window transactions.

536 8. Eligible as collateral for Treasury Tax and Loan
537 accounts.

538 9. Eligible for National Bank purchase without regard to
539 statutory limitations and restrictions generally applicable to
540 investment securities.



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541 10. Authority to borrow from the United States Treasury.

542 (19) In addition to other power and authority conferred by
543 this act or by general law, the Hospital Board is vested with the
544 following powers for issuance of revenue bonds of the District:

545 (a) The Hospital Board is hereby authorized to provide by
546 resolution at one time or from time to time for the issuance of
547 revenue bonds of the District for the purpose of paying all or a
548 part of the cost of acquisition, construction, planning,
549 leasing, repairing, extensions to, additions, equipping, and
550 reconstruction of any hospital buildings and facilities of the
551 District. The bonds of each issue shall be dated, shall bear
552 interest at such rate or rates not exceeding 7 percent per
553 annum, shall mature at such time or times, not exceeding 40
554 years from their date or dates, as may be determined by the
555 Hospital Board, and may be made redeemable before maturity, at
556 the option of the Hospital Board, at such price or prices and
557 under such terms and conditions as may be fixed by the Hospital
558 Board prior to the issuance of the bonds. The Hospital Board
559 shall determine the form of the bonds, including any interest
560 coupons to be attached thereto, and the manner of execution of
561 the bonds and coupons, and shall fix the denominations of the
562 bonds and the place or places of payment of principal and
563 interest, which may be at any bank or trust company within or
564 without the state. In case any officer whose signature or a
565 facsimile of whose signature shall appear on any bonds or
566 coupons shall cease to be such officer before the delivery of
567 such bonds, such signature or such facsimile shall nevertheless
568 be valid and sufficient for all purposes the same as if he or
569 she had remained in office until such delivery. All bonds
570 issued under the provisions of this act shall have and are



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571 hereby declared to have all the qualities and incidents of
572 negotiable instruments under the negotiable instruments laws of
573 the state. The bonds may be issued in coupon or in registered
574 form, or both, as the Hospital Board may determine, and
575 provisions may be made for the registration of any coupon bonds
576 as to the principal alone and also as to both principal and
577 interest, and for the reconversion into coupon bonds of any
578 bonds registered as to both principal and interest. The issuance
579 of such bonds shall not be subject to any limitations or
580 conditions contained in any other law, and the Hospital Board
581 may sell bonds in such manner at public or private sale and for
582 such price as it may determine to be for the best interest of
583 the Hospital Board, but no such sale shall be made at a price so
584 low as to require the payment of interest on the money received
585 therefor at more than 7 percent per annum, computed with
586 relation to the absolute maturity of the bonds in accordance
587 with standard tables of bond values, excluding, however, from
588 such computations the amount of any premium to be paid on
589 redemption of any bonds prior to maturity. Prior to the
590 preparation of definitive bonds, the Hospital Board may, under
591 like restrictions, issue interim receipts or temporary bonds
592 with or without coupons, exchangeable for definitive bonds when
593 such bonds have been executed and are available for delivery.
594 The Hospital Board may also provide for the replacement of any
595 bonds which shall be mutilated, destroyed, or lost.

596 (b) Bonds may be issued under the provisions of this act
597 without obtaining the consent of any commission, board, bureau,
598 or agency of the state or county and without any other
599 proceedings or the happening of any other condition or thing than
600 those proceedings, conditions, or things which are specifically



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601 required by this act.

602 (c) No approval of the issuance of the revenue bonds herein
603 authorized at an election of the freeholders who are qualified
604 electors residing in the District shall be necessary unless such
605 election is required by the Constitution of the State of Florida;
606 then, and only in such event, such election shall be called,
607 noticed, and conducted and the results thereof determined and
608 declared as may be required by the general laws of the state.

609 (d) The proceeds of the bonds shall be used solely for the
610 payment of the cost of the hospital facilities for which such
611 bonds shall have been authorized and shall be disbursed in the
612 manner provided in the resolution or in the trust agreement
613 authorizing the issuance of such bonds. If the proceeds of the
614 bonds of any issue shall exceed the amount required for the
615 purpose for which the same shall have been issued, the surplus
616 shall be set aside and used only for the payment of the cost of
617 additional hospital facilities or shall be deposited in the
618 sinking fund for such bonds. In the event that the actual cost
619 of the hospital facilities exceeds the estimated cost, the
620 Hospital Board may issue additional bonds to cover the
621 deficiency, subject to the same restrictions as required for the
622 original issue.

623 (e) The Hospital Board is authorized and empowered to fix,
624 charge, and collect rates, fees, and charges for the use of and
625 for the services furnished or to be furnished by any hospital
626 facilities under the supervision, operation, and control of the
627 Hospital Board in amounts sufficient, with any other funds
628 legally available therefor, first to pay the principal of and the
629 interest on any revenue bonds issued under the provisions of this
630 act, including reserves therefor, and second to pay the cost of



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631 operating and maintaining such hospital facilities.

632 (f) Revenue bonds issued under the provisions of this act
633 may be payable from the revenues derived from the operation of
634 any hospital facility or combination of hospital facilities of
635 the District under the supervision, operation, and control of the
636 Hospital Board and from any other funds legally available
637 therefor. The issuance of such revenue bonds shall not directly,
638 indirectly, or contingently obligate the state, Sarasota County,
639 the Hospital Board, or the District to levy any ad valorem taxes
640 or to make any appropriations for their payment or for the
641 operation and maintenance of the hospital facilities of the
642 District.

643 (g) The Hospital Board shall not convey or mortgage any
644 hospital facility or any part thereof as security for the payment
645 of the revenue bonds.

646 (h) In the discretion of the Hospital Board, each or any
647 issue of such revenue bonds may be secured by a trust agreement
648 by and between the Hospital Board and a corporate trustee, which
649 may be any trust company or bank having the powers of a trust
650 company within or without the state. Such trust agreement may
651 pledge or assign the revenues to be received by the Hospital
652 Board. The resolution providing for the issuance of revenue
653 bonds or such trust agreement may contain such provisions for
654 protecting and enforcing the rights and remedies of the
655 bondholders as may be reasonable, proper, and not in violation of
656 law, including covenants setting forth the duties of the Hospital
657 Board in relation to the acquisition, construction, improvement,
658 maintenance, operation, repair, equipping, and insurance of the
659 hospital facilities, and the custody, safeguarding, and
660 application of all moneys. It shall be lawful for any bank or



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661 trust company incorporated under the laws of this state to act as
662 such depository and to furnish such indemnifying bonds or to
663 pledge such securities as may be required by the Hospital Board.
664 Such resolution or such trust agreement may restrict the
665 individual right of action by bondholders as is customary in
666 trust agreements securing similar securities. In addition to the
667 foregoing, such resolution or such trust agreement may contain
668 such other provisions as the Hospital Board may deem reasonable
669 and proper for the security of the bondholders. Except as in
670 this act otherwise provided, the Hospital Board may provide, by
671 resolution or by trust agreement, for the payment of the proceeds
672 of the sale of the revenue bonds and the revenues of the
673 facilities to such officer, board, or depository as it may
674 determine for the custody thereof, and for the method of
675 disbursement thereof, with such safeguards and restrictions as it
676 may determine. All expenses incurred in carrying out such trust
677 agreement may be treated as a part of the cost of operation of
678 the facilities affected by such trust agreement.

679 (i) The resolution or trust agreement providing for the
680 issuance of the revenue bonds may also contain such limitations
681 upon the issuance of additional revenue bonds as the Hospital
682 Board may deem proper, and such additional bonds shall be issued
683 under such restrictions or limitations as may be prescribed by
684 such resolution or trust agreement.

685 (j) The Hospital Board is hereby authorized to provide by
686 resolution for the issuance of refunding revenue bonds for the
687 purpose of refunding any revenue bonds, respectively, then
688 outstanding and issued under the provisions of this act. The
689 Hospital Board is further authorized to provide by resolution for
690 the issuance of revenue bonds for the combined purpose of paying



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691 the cost of any acquisition, construction, planning, leasing,
692 extension to, addition, improving, equipping, or reconstruction
693 of a facility or facilities of the District and refunding revenue
694 bonds of the District which shall theretofore have been issued
695 under the provisions of this act and shall then be outstanding.
696 The issuance of such bonds, the maturities and other details
697 thereof, the right and remedies of the holders thereof, and the
698 rights, powers, privileges, duties, and obligations of the
699 District with respect to the same shall be governed by the
700 foregoing provisions of this act insofar as the same may be
701 applicable.

702 Section 9. If the Hospital Board and the owners of the
703 property desired by said Hospital Board for hospital purposes
704 cannot agree as to the price to be paid therefor, said Hospital
705 Board is empowered to bring condemnation proceedings against said
706 property for the purpose of condemning said property for public
707 hospital purposes, and said Hospital Board is hereby authorized
708 and empowered to employ an attorney or attorneys to prosecute
709 said condemnation proceedings. The said Hospital Board is hereby
710 given and granted the same powers as the counties of this state
711 so far as condemnation of property is concerned and the same
712 procedure shall be followed. The right of eminent domain hereby
713 granted shall be exercised in accordance with the provisions of
714 chapter 74, Florida Statutes, in the same manner as therein
715 provided for the acquiring of right-of-way for the state highway
716 system and to take title to lands in fee simple absolute or such
717 lesser estate as may be specified in the declaration of taking,
718 upon the deposit of such sum as the court shall determine will
719 fully secure and fully compensate the persons lawfully entitled
720 to compensation.



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721 Section 10. Any hospital established under this act shall
722 be for the benefit of the inhabitants of said territory, but said
723 hospital may extend the privileges and use of said hospital for
724 persons residing outside of said District, upon such terms and
725 conditions as the Hospital Board may from time to time by its
726 rules and regulations prescribe. Every such person or inhabitant
727 who is not a pauper shall pay said Hospital Board a reasonable
728 compensation for occupancy, nursing, care, medicine, and
729 attendance according to the rules and regulations prescribed by
730 said Hospital Board. Each municipal corporation situated within
731 the District shall be liable to said Hospital Board for
732 occupancy, nursing, care, medicine, and attendance for prisoners
733 in the custody of any such municipal corporation who are admitted
734 to any hospital operated by said Hospital Board. Said hospital
735 always shall be subject to such rules as such Hospital Board may
736 adopt from time to time in order for said hospital to render the
737 greatest benefit to the greatest number, and said Hospital Board
738 may exclude from treatment and care any indigent or paying case
739 having a communicable or contagious disease when such disease may
740 be a detriment to the best interests of such hospital or a source
741 of contagion or infection to the patients in its care, unless a
742 separate building or ward has been established for the special
743 treatment and care of patients having communicable or contagious
744 diseases and it can properly and with safety to the other
745 patients retain such communicable cases in such separate building
746 or ward.

747 Section 11. When such hospital or hospitals are
748 established, the physicians, nurses, attendants, the persons sick
749 therein, and all other persons approaching or coming within the
750 limits of same, and all furniture or other articles used or



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751 brought there, shall be subject to such rules and regulations as
752 said Hospital Board may prescribe.

753 Section 12. The Hospital Board shall organize a staff of
754 physicians and dentists, and the Hospital Board is authorized to
755 give, grant, or revoke staff membership and privileges of the
756 medical staff members for practice in the hospital or hospitals
757 maintained under this act so that the welfare and health of
758 patients and the best interests of the hospital may, at all
759 times, be best served. Membership on the medical staff of the
760 hospital or hospitals owned by the Hospital Board shall be
761 restricted to persons with the following qualifications:

762 (1) Graduates of:

763 (a) Recognized medical schools approved and accredited by
764 the American Medical Association;

765 (b) Recognized dental schools approved and accredited by
766 the American Dental Association;

767 (c) An accredited college of osteopathy who have
768 successfully completed an internship or residency for at least 1
769 academic year of supervised clinical training in a hospital
770 affiliated with a medical school approved by the Council of
771 Medical Education of the American Medical Association, or who
772 have successfully completed any equivalent program established by
773 or relating to the American Osteopathic Association; or

774 (d) A foreign medical school who meet the qualifications
775 for licensure prescribed by section 458.311 or section 458.313,
776 Florida Statutes; and

777 (2) Who are legally licensed to practice medicine,
778 osteopathy, or dentistry in the State of Florida and who are
779 qualified for membership in the Sarasota County Medical Society
780 or the Sarasota County Dental Society, and who are regularly



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781 practicing physicians or dentists in the territory in which that
782 hospital or hospitals are located, and who are competent to
783 perform the work required of physicians or dentists with similar
784 privileges on the hospital staff.

785 The term "physician," as used herein, includes only
786 physicians licensed to practice medicine under the Florida
787 Medical Practice Act, chapter 458, Florida Statutes, and
788 physicians licensed to practice osteopathic medicine under
789 chapter 459, Florida Statutes.

790 Medical staff membership or professional privileges shall
791 not be denied to any applicant solely because the applicant is
792 licensed as a doctor of medicine under chapter 458, Florida
793 Statutes, as a doctor of osteopathy under chapter 459, Florida
794 Statutes, nor shall professional privileges be denied to an
795 applicant solely because the applicant is licensed as a doctor of
796 podiatry under chapter 461, Florida Statutes.

797 Any patient shall have the right to employ at his or her
798 expense his or her own physician or dentist, provided such
799 physician or dentist shall have been accorded privileges in the
800 hospital. A physician or dentist, when employed by the patient,
801 shall have exclusive charge of the care and treatment of such
802 patient, subject always to such general rules and regulations as
803 shall be established by the Hospital Board under the provisions
804 of this act. It shall be the duty of the medical staff to
805 organize in the manner prescribed by the said Hospital Board.

806 The Hospital Board is further authorized and empowered to
807 set up rules and regulations for the control of all professional
808 and nonprofessional employees of the hospital, which terms shall
809 include nurses on general duty or on private duty attending
810 patients, and all parties in the hospital, either as employees or



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811 in any manner in attendance of patients.

812 Section 13. The millage necessary for the maintenance of
813 said Hospital District shall not exceed a maximum of 2 mills per
814 annum. The millage necessary to pay the interest and provide a
815 sinking fund on bonded indebtedness shall be levied separately
816 from the millage necessary for maintenance of the hospital or
817 hospitals to be constructed or purchased under the provisions of
818 this act, and the Board of County Commissioners of Sarasota
819 County shall make said levy pursuant to the provisions of section
820 14 of this act.

821 Section 14. (1) The County Property Appraiser of Sarasota
822 County, immediately after said Hospital Board shall have been
823 appointed, shall report in writing to said Hospital Board the
824 assessed valuation on all taxable property within the limits of
825 said District as assessed valuation for taxation by said Hospital
826 Board, and said report shall be made by said Property Appraiser
827 each year thereafter immediately after the tax assessment of said
828 District for that year shall have been reviewed and equalized by
829 the Board of County Commissioners of Sarasota County. Said
830 Hospital Board shall present each year, determined by resolution,
831 the total amount to be raised by taxation upon said taxable
832 property located within said hospital district for such year.
833 The amount necessary to pay the interest for sinking fund or
834 bonded or other secured indebtedness, and the amount necessary
835 for the operation, maintenance, repair, alteration, and addition,
836 shall be stated separately. Said Hospital Board shall thereupon
837 determine the rate of taxation which, when levied upon the
838 assessed valuations of all taxable property within said District,
839 will raise the sums of money theretofore determined by
840 resolutions, as the total amount to be raised for such year by



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841 taxation, and shall by resolution levy and fix the rate of
842 taxation on all property in said District, the rate to be levied
843 for operation, maintenance, repair, alteration, and addition to
844 be fixed separately, and the rate for such operation,
845 maintenance, repair, alteration, and addition not to exceed 2
846 mills per annum.

847 A certified copy of said Tax Resolution, executed by the
848 chair of said Hospital Board and attested by the secretary of
849 said Hospital Board, under its corporate seal, shall be made and
850 delivered to the Board of County Commissioners of Sarasota County
851 on or before August 1 of each year, or within 15 days after
852 receipt of the tax assessment roll from the County Property
853 Appraiser. It shall be the mandatory duty of said Board of
854 County Commissioners of Sarasota County to order and direct the
855 County Property Appraiser of Sarasota County to assess and levy,
856 and to order and direct the County Tax Collector of said county
857 to collect, the tax at the rate fixed and determined by said
858 resolution of the said Hospital Board, upon all taxable property
859 located within said District, and the said levies and assessments
860 shall be included in the tax roll and warrant of said Property
861 Appraiser of said county for each fiscal year thereafter. The
862 said Tax Collector shall collect said taxes in the same manner
863 and at the same time as state and county taxes are collected and
864 shall pay and remit the same upon the collection thereof to the
865 said Hospital Board.

866 (2) In the event the millage authorized herein be reduced
867 in the year of a revaluation as provided in section 193.03,
868 Florida Statutes, 1965, then in each and every year thereafter
869 the millage to be levied may be increased (a) by not more than 10
870 percent of what it was in the preceding year, or (b) by no more



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871 than that which is required for a 10-percent increase in the
 872 amount which was yielded by millage levied for such Hospital
 873 District in the year immediately preceding such revaluation,
 874 whichever is greater, provided that nothing herein shall be
 875 construed to alter the 2-mill limitation imposed by section 13
 876 hereof.

877 Section 15. The Hospital Board shall have power to
 878 determine whether or not persons presented to said public
 879 hospital for treatment are subject to charity and shall fix
 880 charges for occupancy, nursing, care, medicine, and attendance,
 881 other than medical or surgical attendance, for these persons able
 882 to pay for same, as the Hospital Board may deem just and proper,
 883 and all receipts therefor shall be deposited to the credit of the
 884 Hospital Board.

885 Section 16. Any person or persons, firms, organizations,
 886 corporations, or societies desiring to make donations of money,
 887 personal property, or real estate for the benefit of any hospital
 888 or hospitals erected under this act shall have the right to vest
 889 title of the money, personal property, or real estate so donated
 890 in said Hospital Board, to be controlled when accepted by said
 891 Hospital Board, according to the terms of the bequests, devises,
 892 or gifts pertaining to such property.

893 Section 17. The Hospital Board shall have the right to
 894 operate or participate in a nonprofit hospital service plan
 895 whereby hospital care may be furnished by the said corporation or
 896 by any hospital or hospitals established by said Hospital Board,
 897 and said Hospital Board may agree with the subscribers to certain
 898 hospital care, and said Hospital Board and those persons with
 899 whom it deals on the nonprofit hospital service plan shall be
 900 exempt from provisions of the insurance laws of the State of



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901 Florida pertaining to insurance which may in any way conflict
902 with the hospital service plan of said Hospital Board. When a
903 contract for hospital service has been executed, the Hospital
904 Board shall be required to render the service set forth in said
905 contract and the other party to the contract shall be required to
906 fully comply with his or her parts of said agreement.

907 Section 18. The purposes for which any hospital created
908 under the provisions of this act shall be used are hereby
909 declared to be for public purposes.

910 Section 19. When this act has been adopted by the
911 Legislature and approved by the Governor, or passed without the
912 approval in accordance with the Constitution of the State of
913 Florida, it shall be the duty of the County Commissioners of
914 Sarasota County within 6 months from the date of the passage of
915 this act to call an election in the territory affected by the
916 terms of this act in Sarasota County of all the qualified
917 electors to determine whether or not the people wish to accept
918 the terms and conditions of this act. Notice of such election
919 shall be given by publishing a notice of the same in a newspaper
920 of general circulation in Sarasota County once a week for 4
921 consecutive weeks prior to said election, and such notice shall
922 set out the proposed act verbatim. The ballot submitted to the
923 qualified electors participating in said election shall state
924 this proposed act verbatim and shall provide a space and under
925 this shall state "For the Sarasota County Public Hospital Board
926 Act" and a space for a cross; following and below "Against the
927 Sarasota County Public Hospital Board Act" and a space for a
928 cross. If a majority of those participating in said election
929 shall approve the act, then the provisions hereof shall be and
930 become of full force and effect at noon on the 3rd day after such



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931 election is held; otherwise this act shall be null and void. The
932 electors participating in said election shall vote in the
933 precinct in which they reside according to the registration books
934 of the Supervisor of Registration of Sarasota County.

935 Section 20. The term "mill," as used in subsection (8) of
936 section 8 of this act and as used in sections 13 and 14 of
937 chapter 26468 (1949), Laws of Florida, as amended, shall be
938 deemed to mean 1/10th part of a cent, and that the application of
939 the rate of 1 mill to each \$1,000 of assessed valuation of
940 property shall yield \$1.

941 Section 21. The Hospital Board shall be empowered to
942 destroy any of its records together with any of the records of
943 the hospital or hospitals owned and operated by the Hospital
944 Board, provided that such records are photographed or microfilmed
945 prior to their destruction.

946 Section 22. Sarasota County Public Hospital Board is
947 authorized to construct, maintain, operate, and lease parking
948 facilities for hospital agents, employees, patients, staff
949 members, patient guests, business invitees, and the visiting
950 public in conjunction with hospitals which are under the
951 jurisdiction of the Hospital Board upon real property which is
952 presently owned or which may be subsequently acquired by the
953 Hospital Board. The Hospital Board may enter into lease or
954 franchise agreements with private persons or corporations as
955 tenants or operators of such facilities upon such terms and for
956 such periods of time as the Board may deem appropriate. The
957 Hospital Board shall hold a public hearing, after the publication
958 of a notice of such meeting in a newspaper of general circulation
959 in Sarasota County at least one time no less than 10 nor more
960 than 25 days prior to such hearing: (1) to consider the



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961 establishment of rates or fees, if any, which shall be charged to
 962 motorists who utilize any such hospital parking facility and (2)
 963 to consider any subsequent revisions therein which increase the
 964 rates or fees which shall be charged to motorists who utilize the
 965 hospital parking facility. The Hospital Board is authorized to
 966 pledge the income and revenues derived from such leases and
 967 franchise agreements as security for the repayment of loans
 968 extended to the Hospital Board as the Hospital Board may deem
 969 necessary or desirable from time to time. All real property used
 970 for such hospital purposes, either by the Hospital Board or by
 971 its licensees and franchisees, shall be exempt from ad valorem
 972 taxes of Sarasota County and of any municipality in which such
 973 real estate may be located.

974 Section 23. The Tax Collector of Sarasota County shall
 975 issue a special beverage license authorizing the Hospital Board
 976 to sell intoxicating beverages for medicinal purposes only in
 977 quantities not in excess of 2 ounces per sale, provided such
 978 sales are made only to inpatients of any hospital operated by the
 979 Hospital Board and only upon the prescription of a duly licensed
 980 physician. The special license shall authorize the Hospital
 981 Board to purchase alcoholic beverages from any duly licensed
 982 manufacturer or distributor of alcoholic beverages as defined in
 983 chapter 561, Florida Statutes, and all such manufacturers and
 984 distributors have authority to sell alcoholic beverages to the
 985 Hospital Board for resale within the limitations of its special
 986 license. The Hospital shall be exempt from the payment of a fee
 987 for the special license, which shall be renewed annually by
 988 filing with the Tax Collector a resolution by the Hospital Board
 989 requesting the renewal of the license.

990 Section 24. Every individual, partnership, firm,



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991 association, corporation, institution, governmental district, or
 992 other governmental unit, and every combination of any of the
 993 foregoing, operating a hospital or hospitals in the County of
 994 Sarasota shall be entitled to and is hereby given a lien as
 995 herein provided for all reasonable charges for hospital care,
 996 treatment, and maintenance of ill or injured persons and the
 997 charges for test, laboratory work, X rays, drugs, and other items
 998 incident to such care and treatment supplied by or charged to the
 999 hospital for the benefit of such ill or injured persons, the
 1000 total or unpaid part of which is hereafter called hospital bill,
 1001 which lien shall be and is hereby declared upon all causes of
 1002 action, suits, claims, counterclaims, and demands accruing to the
 1003 person or persons to or for whom such care, treatment, or
 1004 maintenance is furnished, or accruing to the legal
 1005 representatives of such persons or to the person or persons
 1006 incurring or liable for the hospital bill, and such lien is also
 1007 hereby given upon the amounts due or payable under
 1008 hospitalization insurance, hospital or medical expenses due and
 1009 payable under public liability policies, or other indemnity, and
 1010 upon all judgments, settlements, and settlement agreements and
 1011 the sums payable thereunder rendered or entered into by virtue
 1012 thereof, on account of illness or injuries giving rise to such
 1013 causes of action, suits, claims, counterclaims, demands,
 1014 judgments, settlements, or settlement agreements and which
 1015 necessitated or shall have necessitated or have directly
 1016 contributed to the necessity for such hospital care, treatment,
 1017 and maintenance, and upon proceeds of such insurance or indemnity
 1018 agreements as above specified, whether the illness or injury be
 1019 the result of tort or otherwise. The term "hospital care," as
 1020 used in this section, shall be broadly construed to include all



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1021 hospital and nonhospital health care services and related
1022 activities which are rendered through any hospital or other
1023 health care facility owned or operated by the Hospital Board or
1024 its subsidiaries or affiliates or nonaffiliated, not-for-profit
1025 corporations.

1026 (1) In order to perfect such lien, an executive officer,
1027 controller, or agent of a hospital, before or within 30 days
1028 after such person shall have been discharged from such hospital,
1029 shall file in the office of the Clerk of the Circuit Court of
1030 Sarasota County a verified claim in writing setting forth the
1031 following: (a) the name and address of such patient, as it shall
1032 appear on the records of such hospital, and if the patient is a
1033 minor, it shall contain the name of the parents or guardian of
1034 such minor patient, (b) the name and location of such hospital,
1035 (c) the dates of admission to and discharge of such patient
1036 therefrom, (d) the amount claimed to be due for such hospital
1037 care, treatment, and maintenance, and (e) to the best knowledge
1038 of the person signing such claim, the names and addresses, if the
1039 same be known, of all persons, firms, or corporations claimed by
1040 such ill or injured person or his or her legal representative to
1041 be liable on hospital or other indemnity insurance if known to
1042 claimant; such claimant shall also, within 1 day after the filing
1043 of such claim of lien, mail a copy thereof by registered or
1044 certified mail with return receipt requested, postage prepaid, to
1045 each person, firm, or corporation so claimed to be liable on
1046 account of such illness or injuries at the address so given in
1047 such statement filed by the hospital claimant. The filing of
1048 such claim shall constitute notice thereof to all persons, firms,
1049 or corporations who may be liable on account of such illness or
1050 injuries, whether or not they are named in such claim, and



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1051 whether or not a copy of such claim shall have been received by
1052 them. Such statement shall not constitute a lien upon anything
1053 other than causes of action, suits, claims, counterclaims,
1054 demands, and insurance and indemnity proceeds specified in this
1055 section, and this is not a general lien upon the property of the
1056 persons named in such statement.

1057 (2) The clerk of the circuit court shall endorse on each
1058 such claim the date and hour of filing in the official records of
1059 Sarasota County or may provide a hospital lien book with proper
1060 index in which he or she shall record such claims, and shall show
1061 therein the date and hour of such filing. The clerk shall be
1062 paid by the claimant, as his or her fee for filing and recording
1063 of each claim, the same amount he or she is authorized to charge
1064 for recording mortgages.

1065 (3) The clerk shall record any satisfaction which is
1066 executed and acknowledged under oath by the lien claimant, or its
1067 executive officer, comptroller, or agent, in the official records
1068 of Sarasota County at the same filing fees which are required by
1069 the clerk for recording satisfactions of mortgages. It shall be
1070 the duty of the hospital lien claimant to furnish the patient
1071 with a properly executed satisfaction upon payment or discharge
1072 of the lien.

1073 (4) No release or satisfaction of any action, suit, claim,
1074 counterclaim, demand, judgment, settlement, or settlement
1075 agreement shall be valid or effectual as against such lien unless
1076 such lienholder shall join therein or execute a release of such
1077 lien.

1078 (5) Any acceptance of a release or satisfaction of any such
1079 cause of action, suit, claim, counterclaim, demand, or judgment
1080 and any settlement of any of the foregoing in the absence of a



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1081 release or satisfaction of the lien referred to in this act shall
1082 prima facie constitute an impairment of such lien, and the
1083 lienholder shall be entitled to an action at law for damages on
1084 account of such impairment, and in such action may recover from
1085 the one accepting such release or satisfaction or making such
1086 settlement the reasonable cost of such hospital care, treatment,
1087 and maintenance. Satisfaction of any judgment rendered in favor
1088 of the lienholder in any such action shall operate as a
1089 satisfaction of the lien. Any action by the lienholder shall be
1090 brought in the court having jurisdiction of the amount of the
1091 lienholder's claim. If the lienholder shall prevail in such
1092 action, the lienholder shall be entitled to recover from the
1093 defendant all costs allowed by law, together with reasonable
1094 attorney's fees to the lienholder's attorney for handling the
1095 action. If the plaintiff or counterclaimant shall have employed
1096 an attorney for the collection of the claims or damages,
1097 including the hospital expenses, on account of or resulting from
1098 the illness or injury of said plaintiff or counterclaimant or on
1099 account of or resulting from the illness, injury, or death of a
1100 deceased patient, the court costs shall first be paid and the
1101 attorney representing such plaintiff or counterclaimant shall
1102 receive his or her fees or compensation out of the judgment or
1103 settlement proceeds and the hospital lien provided for in this
1104 act shall next be fully paid to the hospital, and the balance of
1105 the proceeds of any such settlement or judgment, if any, shall
1106 then be paid to the plaintiff or counterclaimant.

1107 (6) Upon suit being filed by the patient or on the
1108 patient's behalf, the owner or operator of the hospital, as the
1109 case may be, may also file in the suit a notice of nonpayment of
1110 hospital bill, which said notice shall be recorded and the same



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1111 shall constitute a lien upon any judgment recovered or settlement
1112 made to the extent that the court may determine the hospital's
1113 pro rata share for unpaid hospital bill, based upon such
1114 equitable distribution of the amount recovered as the court may
1115 determine, less its pro rata share of all court costs expended by
1116 the plaintiff in the prosecution of the suit and less the
1117 reasonable attorney's fees for the plaintiff's attorney, such
1118 proration to be made by the judge of the trial court upon
1119 application therefor and notice to the adverse party. Such
1120 notice shall be served upon all parties to the suit, and their
1121 attorneys of record, by registered or certified mail.

1122 (7) If the hospital has given such written notice of its
1123 lien and rights against an alleged tortfeasor, a party to said
1124 suit, and thereafter settlement of any such claim or action at
1125 law is made either before or after suit is filed and the parties
1126 fail to agree on the proportion to be paid to each, the court in
1127 which the action is pending shall determine the amount to be paid
1128 to the hospital in accordance with the provisions of this law.

1129 (8) The provisions of this act shall not be applicable to
1130 accidents or injuries within the purview of the Workers'
1131 Compensation Act of this state.

1132 (9) No hospital lien provided by this act shall continue
1133 for a longer period than 5 years after the claim of lien provided
1134 for under subsections (2) and (3) has been filed, unless within
1135 that time an action has been commenced in a court of competent
1136 jurisdiction by or on behalf of the person to whom the hospital
1137 care, treatment, or maintenance was rendered to collect on
1138 account or for the illness or injuries necessitating such
1139 hospitalization; and in the event that any such action has been
1140 commenced within such 5-year period, then such hospital lien



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1141 shall continue, unless otherwise satisfied, for the duration of
1142 any judgment entered in favor of the party claiming damages for
1143 the hospital care, treatment, or maintenance, and shall attach to
1144 any settlement proceeds made pendente lite and shall continue for
1145 3 years after the date of any such settlement pendente lite.

1146 (10) The acceptance of hospital care shall be deemed and
1147 construed as a determination that hospitalization insurance was
1148 taken out for the benefit of the hospital and as an equitable
1149 assignment of the proceeds to the hospital. Unless the policy or
1150 policies are endorsed or assigned to the hospital, the hospital
1151 may write or stamp upon every statement rendered that it claims a
1152 lien upon the proceeds of all hospitalization insurance, and such
1153 legend shall be notice to any corporation into whose possession
1154 the statement comes that the hospital has a lien. In this event,
1155 payment to policyholder without settlement direct to the hospital
1156 by the insurance company will make the insurance company liable
1157 to the hospital for the amount of the bill or so much thereof as
1158 the policy indemnifies.

1159 Section 25. Notwithstanding any other provisions of law,
1160 all operations of the hospital established under the provisions
1161 of chapter 26468 (1949), Laws of Florida, shall remain under the
1162 direct control and administration of the Hospital Board
1163 established by referendum pursuant to section 21 of said chapter.
1164 The Hospital Board shall not take any action which would result
1165 in the termination of such direct control and administration
1166 unless such action is approved by the electors of Sarasota County
1167 at a referendum called for that purpose; however, for purposes of
1168 this section, the term "operations of the hospital" does not
1169 include:

1170 (1) The operation of nonhospital health care services or



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1171 related activities, which services or activities may be
 1172 controlled and administered by subsidiaries or affiliates of the
 1173 Hospital Board or nonaffiliated, not-for-profit corporations
 1174 operating primarily within the territory of the Hospital Board;
 1175 or

1176 (2) The operation and provision of hospital services
 1177 through any form of shared service arrangement approved by
 1178 resolution of the said Hospital Board adopted in public session
 1179 and wherein the Hospital Board shall be represented by two or
 1180 more Hospital Board members on the governing body of such entity.

1181 Section 26. In order to secure and promote the provision of
 1182 quality medical services to the public, the authority provided
 1183 for herein is found by the Legislature to be within the public
 1184 policy of this state. The Hospital Board is authorized to
 1185 exercise all the powers granted in this act, and those granted in
 1186 the Hospital Board's enabling legislation, as amended, in such
 1187 manner as it may determine to be consistent with the purposes of
 1188 such enabling legislation.

1189 Section 4. Chapter 26468 (1949), Laws of Florida, which
 1190 was approved by Sarasota County electors in referendum held on
 1191 January 10, 1950, is hereby repealed except that, in order not
 1192 to abrogate the ad valorem taxing power which vested in the
 1193 Sarasota County Public Hospital Board under such act and
 1194 referendum, the provisions of sections 14 and 15 of such act,
 1195 which granted taxing authority to the Hospital Board, are not
 1196 repealed and are preserved. Chapters 27888 (1951), 31262
 1197 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893,
 1198 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047,
 1199 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-
 1200 526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of



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1201 Florida, are repealed. Chapter 69-1583, Laws of Florida, which
 1202 was approved by Sarasota County electors in referendum conducted
 1203 pursuant to such act on November 4, 1969, is reenacted, except
 1204 for requirements of referendum to approve the act, and all
 1205 actions heretofore taken by the Sarasota County Public Hospital
 1206 District and the Sarasota County Public Hospital Board pursuant
 1207 to the authority and powers conferred by chapter 69-1583, Laws
 1208 of Florida, are ratified and confirmed.

1209 Section 5. If any section, paragraph, sentence, clause,
 1210 phrase, or other part of this act shall be declared
 1211 unconstitutional, or if this act should be declared unapplicable
 1212 in any case, such declaration shall not affect the remainder of
 1213 this act or the applicability thereof in any other case.

1214 Section 6. This act shall be construed as remedial and
 1215 shall be liberally construed to promote the purpose for which it
 1216 is intended.

1217 Section 7. This act shall take effect upon becoming a law.