



CHAMBER ACTION

The Committee on Local Government & Veterans' Affairs recommends the following:

Committee Substitute

Remove the entire bill and insert:

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



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28 Florida; providing severability; providing for
29 construction and effect; providing an effective date.

30

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

32

33 Section 1. Pursuant to section 189.429, Florida Statutes,
34 this act constitutes the codification of all special acts
35 relating to Sarasota County Public Hospital District. It is the
36 intent of the Legislature in enacting this law to provide a
37 single, comprehensive special act charter for the District
38 including all current legislative authority granted to the
39 District by its several legislative enactments, inclusive of
40 authority conferred in referenda of Sarasota County electors,
41 and any additional authority granted by this act. It is further
42 the intent of this act to preserve all District authority in
43 addition to any authority contained in general law as amended
44 from time to time.

45 Section 2. Chapters 26468 (1949), 27888 (1951), 31262
46 (1955), 57-1838, 59-1839, 61-2807, 61-2855, 61-2868, 63-1893,
47 63-1895, 63-1896, 63-1913, 65-2226, 65-2227, 65-2232, 67-2047,
48 69-1583, 69-1593, 71-907, 83-525, 84-530, 85-501, 86-373, 87-
49 526, 88-534, 90-411, 90-422, 95-507, and 2000-400, Laws of
50 Florida, are amended, codified, reenacted, and repealed as
51 herein provided.

52 Section 3. The Sarasota County Public Hospital District is
53 re-created, and the charter for such District is re-created and
54 reenacted to read:



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55 Section 1. (1) The Sarasota County Public Hospital
56 District ("District"), an independent special district, is
57 hereby established with jurisdiction extending territorially
58 throughout all of Sarasota County, which territory is hereby
59 known as the Sarasota County Public Hospital District, and which
60 shall be governed by the Sarasota County Public Hospital
61 Board("Hospital Board"), as a body corporate.

62 (2) For purposes of election of Hospital Board members,
63 the Hospital Board shall create three hospital board districts
64 within the Sarasota County Public Hospital District, the
65 boundaries of which shall be within the boundaries of Sarasota
66 County, which shall be designated as northern, central, and
67 southern districts, and which shall be as nearly equal in
68 population as practicable. The Hospital Board by resolution
69 adopted from time to time, at intervals of no more than 10
70 years, shall fix the boundaries of the districts along the lines
71 of precincts as they exist at the time such boundaries are
72 fixed. A certified copy of the resolution shall be furnished by
73 the secretary of the Hospital Board to the Sarasota County
74 Supervisor of Elections at least 10 months prior to the next
75 ensuing general election following adoption of the resolution.

76 (3) The membership of the Hospital Board shall consist of
77 nine members, all of whom must be qualified electors of the
78 District. Commencing with the election of 1988, two such
79 members must reside in each of said hospital board districts.
80 All members shall be elected in a partisan election by the
81 qualified electors of the District. Two members who are
82 residents of the southern district shall be elected to district



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83 seats in 1986 and every fourth year thereafter; two members who
84 are residents of the northern district shall be elected to
85 district seats in 1986 and every fourth year thereafter; one
86 member who is a resident of the central district shall be
87 elected to a district seat in 1986 and every fourth year
88 thereafter; one member who is a resident of the central district
89 shall be elected to a district seat in 1988 and every fourth
90 year thereafter; and three members shall be elected to at-large
91 seats in 1988 and every fourth year thereafter. Candidates for
92 the six district seats and the three at-large seats shall be
93 numerically or otherwise grouped for a specific seat on primary
94 or general election ballots as provided in the Florida Election
95 Code. Candidates for district seats shall be placed in
96 districts on primary and general election ballots. In any year
97 in which hospital board district seats are to be filled, the
98 hospital board district (northern, central, or southern) shall
99 be printed on the ballot beneath the name of the office. The
100 format of the ballot shall be in conformity with the Florida
101 Election Code. Four members who were elected for 4-year terms
102 in the election of November 2000 shall serve until the
103 expiration of their terms of office, and four members shall be
104 elected for 4-year terms in 2004 and each fourth year
105 thereafter. Five members who were elected for 4-year terms in
106 the election of November 2002 shall serve until the expiration
107 of their terms of office, and five members shall be elected for
108 4-year terms in 2006 and each fourth year thereafter.

109 (4) If a vacancy occurs on the Hospital Board due to a
110 member's death, resignation, removal from office for neglect of



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111 duty, removal of residence from the territorial limits of the
112 county, or removal of residence from the territorial limits of
113 the district in the case of a district seat holder, the
114 remainder of the Hospital Board shall appoint a temporary member
115 to fill the vacancy until the next ensuing general election, at
116 which time a new member must be elected for the remainder of the
117 term of the member whose membership has been so vacated. To be
118 eligible for appointment to such Hospital Board, a person must
119 be a qualified elector of the territory covered by this act, and
120 if the vacancy occurs in a hospital board district seat, such
121 person must also be a resident of that district in which the
122 vacancy occurs.

123 (5) The term of office of a Hospital Board member begins
124 on the Tuesday 2 weeks following the day of general election in
125 which the member is elected. The term of office of a member's
126 immediate predecessor expires contemporaneously with the
127 commencement of the term of such newly elected member.

128 (6) Each Hospital Board member shall attend not less than
129 75 percent of the regular meetings of the Hospital Board during
130 each year of such board member's term. For purposes of this
131 subsection, the year of a board member's term commences on the
132 date, followed by the yearly anniversary of the date, upon which
133 the board member takes office. The failure of any Hospital
134 Board member to meet this attendance requirement without being
135 excused by the chair of the Hospital Board constitutes neglect
136 of duty. By resolution specifying facts sufficient to advise a
137 Hospital Board member as to the basis for his or her suspension
138 or removal and after providing the Hospital Board member with



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139 reasonable notice and an informal opportunity for him or her to
140 be heard, the Hospital Board may suspend or remove from office
141 any Hospital Board member for neglect of duty. If a vacancy
142 occurs on the Hospital Board due to removal from office pursuant
143 to this subsection, the remainder of the Hospital Board shall
144 fill the vacancy in the manner set forth in subsection (4).

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

161 Section 3. The Hospital Board shall select a meeting place
162 and a place for its principal office, and the board meetings
163 shall be held at least once a month. The Hospital Board may
164 elect one of its members to serve as secretary, one to serve as
165 assistant secretary, one to serve as treasurer, and two to serve
166 as assistant treasurers; or it may appoint persons not members



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167 of the Hospital Board to serve in those capacities. There shall
168 be a chair of the board, a first vice chair, and a second vice
169 chair. The Hospital Board is authorized to establish and
170 maintain a refund account in a commercial bank of its choosing
171 and may designate the president, executive vice president, vice
172 presidents, business office manager, or controller of the
173 Hospital Board, or any of them, as the sole authorized
174 signatories for such refund account. The president appointed by
175 the Hospital Board, the chair, the first vice chair, the second
176 vice chair, the treasurer, and the assistant treasurers shall be
177 empowered to issue, without a cosignature, warrants for payment
178 of salaries and wages of employees of the Hospital Board. All
179 other vouchers and warrants shall be issued by either the
180 treasurer or assistant treasurer and shall be signed by the
181 chair, and in the event of the absence of the chair, by the
182 first vice chair, and in the event of the absence of the chair
183 and the first vice chair, by the second vice chair. The
184 Hospital Board is authorized to issue its checks, warrants, and
185 vouchers bearing facsimile signatures which are affixed by
186 check-signing machines and devices of the officers and employees
187 of the Hospital Board who are authorized to sign on its behalf.
188 Said treasurer and assistant treasurers shall give bonds, in
189 amounts to be designated by a majority vote of said Hospital
190 Board, of the faithful performance of their duties, by some
191 reputable bonding company authorized to do business in the State
192 of Florida. The said Hospital Board is authorized to pay to the
193 treasurer, assistant treasurers, secretary, and assistant
194 secretary a salary and expenses commensurate with the work done



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195 and in keeping with the salary paid for like work by other
196 businesses in the community from time to time.

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

200 Section 5. The duties of the secretary duly elected by
201 said Hospital Board shall be to keep full and correct minutes of
202 all proceedings and minutes of the Hospital Board. The duties
203 of the treasurer duly elected by said Hospital Board shall be to
204 keep a separate account of all expenditures and disbursements by
205 said Hospital Board and an account of all receipts.

206 Section 6. The said Hospital Board shall make and adopt
207 such bylaws, rules, and regulations for its guidance and for the
208 governance of any hospitals that may be established, as may be
209 deemed expedient for the economic and equitable conduct thereof,
210 and shall have exclusive control of the expenditures of all
211 moneys collected or paid to the secretary of the Hospital Board,
212 and shall have power to purchase a site or sites, and to
213 construct any hospital building or buildings necessary, and
214 shall have full supervision, care, and custody of all properties
215 belonging to said Sarasota County Public Hospital Board, or
216 leased to it, or set apart to it for its purposes. Said
217 Hospital Board shall also have the right to buy at a reasonable
218 price any buildings or hospitals which may be now in use and
219 suitable for the purposes of said Board.

220 Section 7. All moneys and receipts for such hospital or
221 hospitals and other health care services, if any, shall be
222 deposited in a bank or banks designated by said Hospital Board



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

240 Section 8. A majority of said Hospital Board shall
241 constitute a quorum for the transaction of its business, and
242 said Hospital Board shall be and is hereby authorized and
243 empowered:

244 (1) To appoint a suitable president, fix his or her
245 compensation, remove any such appointee, and authorize the
246 president to do all things reasonable and necessary to direct
247 the operations and activities of facilities owned or operated by
248 the Hospital Board.

249 (2) To acquire by purchase, gift, or otherwise real and
250 personal property necessary or useful for the construction,



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251 operation, and maintenance of hospital buildings and other
252 buildings necessary, in the opinion of the Hospital Board, for
253 health care purposes; to sell or exchange real estate or any
254 interest in real estate; and to construct hospitals, health
255 facilities which may include outpatient health facilities and
256 medical offices, and buildings and accessories incidental
257 thereto on such real estate, and, if such construction occurs
258 within the Memorial Hospital Core as defined by the
259 Comprehensive Plan of the City of Sarasota, to do so without
260 regard to municipal and county zoning ordinances, laws, and
261 regulations.

262 (3) To adopt from time to time resolutions requesting the
263 Board of County Commissioners of Sarasota County to call
264 elections in the District for the purpose of submitting to the
265 qualified electors in the District the question of issuing bonds
266 of the District for the purpose of acquiring a site or sites,
267 the construction thereon of a hospital or hospitals and
268 buildings incidental thereto, and to improve buildings or
269 buildings and the furnishings and equipping of any such hospital
270 or hospitals and buildings. Said Hospital Board may adopt such
271 resolutions on its own initiative and shall adopt such
272 resolutions upon the filing with it of a petition signed by not
273 less than 5 percent of the qualified electors of the District
274 requesting the Hospital Board to adopt such resolutions. Upon
275 the adoption of such resolution by the Hospital Board, it shall
276 be the duty of the Board of County Commissioners of Sarasota
277 County to forthwith adopt a resolution or resolutions which
278 order an election to be held in such county and provide for the



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279 date of such elections and the publication of notices thereof,
280 all in the form and manner provided by law.

281 (4) To issue negotiable coupon bonds of the District, from
282 time to time, if approved by a majority of the votes cast in an
283 election by the qualified electors of the District, bearing
284 interest at such rate or rates not exceeding 6 percent per
285 annum, maturing at such time or times not exceeding 30 years
286 from the date thereof, and redeemable at such times and at such
287 price or prices, all as said Hospital Board may determine by
288 resolution, and to sell such bonds at public or private sale and
289 for such price, not less than 95 percent of the par value
290 thereof, as said county Hospital Board may by resolution
291 determine.

292 (5) To supervise, operate, and maintain all properties
293 belonging to it.

294 (6) To enter into contracts or leases with any individual,
295 corporation, public body, board of commissioners, the State of
296 Florida, Sarasota County, or any municipality, or agency or
297 instrumentality of said state, county, or municipality, with
298 respect to the use of any of the property belonging to the
299 Hospital Board by any thereof.

300 (7) To borrow money from any person, firm, association,
301 corporation, or governmental agency necessary for the purpose of
302 purchasing property, constructing buildings, equipping the
303 hospital or hospitals or other health facilities owned or
304 operated by the Hospital Board, and maintaining said hospital or
305 hospitals or other health facilities, from time to time as may
306 be necessary in properly carrying out the spirit and purpose of



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307 | this act, and as evidence thereof to make, execute, and deliver
308 | promissory notes or other evidences of other indebtedness; and,
309 | to the extent permitted by the Florida Constitution and general
310 | laws, to secure the payment of same by mortgages, liens, and
311 | other kinds of security upon any property owned or held by the
312 | Hospital Board.

313 | (8) To certify to the Board of County Commissioners of
314 | Sarasota County the amount of the principal and interest upon
315 | bonds issued by the Hospital Board and falling due in which any
316 | such principal or interest may be payable and the amount
317 | necessary to be raised in the District for the purposes of
318 | providing a fund sufficient in the opinion of the Hospital Board
319 | to pay the cost of operating and maintaining properties of the
320 | Hospital Board in each year. In the event bonds shall be issued
321 | under the provisions of this act, it shall be the duty of the
322 | Hospital Board to certify such facts in writing to the Board of
323 | County Commissioners within 30 days after the delivery of such
324 | bonds and on or before the expiration of each 12-month period
325 | thereafter, and it shall be the duty of the Board of County
326 | Commissioners to levy upon all taxable property in the District
327 | and collect a tax sufficient to provide funds for the payment of
328 | the principal and the interest upon such bonds as such principal
329 | and the interest upon such bonds fall due and a tax, not to
330 | exceed 2 mills on assessed valuation of property in the
331 | District, to provide funds for the operation, maintenance, and
332 | repair of and for the making of alterations and additions to any
333 | hospitals established by the Hospital Board under the provisions
334 | of this act. The proceeds of all such taxes shall be paid over



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335 to the secretary and treasurer of the District as such taxes are
336 received.

337 (9) To certify to the Board of County Commissioners of
338 Sarasota County, on or before the 15th day of each month
339 commencing with the month of November 1959, a list of all the
340 medically indigent persons who have been hospitalized in any of
341 the hospitals which are operated by the Hospital Board during
342 the preceding month, together with the itemized charges for the
343 hospital services and care for each of said medically indigent
344 persons which have been rendered in such preceding month by the
345 said hospital. The Board of County Commissioners of Sarasota
346 County shall, within 45 days after the receipt of such certified
347 list of medically indigent patients with the hospital charges,
348 make remittance to the treasurer of the Hospital Board of the
349 sum total of the amount shown on the certified list to be the
350 amount owing to the Hospital Board for the hospital services and
351 care rendered to the medically indigent persons during the month
352 embraced in said certification.

353 The Hospital Board shall give written notice to the Welfare
354 Department of Sarasota County of the proposed admission of each
355 medically indigent person to hospitals operated by said Hospital
356 Board, prior to the actual admission of each such medically
357 indigent person, provided, however, that notice to said Welfare
358 Department prior to the admission of a medically indigent person
359 shall not be required in emergency cases.

360 The said Board of County Commissioners shall in like manner
361 reimburse any other hospital in Sarasota County, approved by the
362 State Board of Health, for hospital services rendered to



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363 medically indigent persons as herein defined, upon like
364 certification by such hospital and at such rates as shall not
365 exceed those prescribed for such patients by hospitals owned and
366 operated by said Hospital Board.

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

373 (10) To expend hospital funds and withhold employees'
374 wages in order to make payment (including any amount paid for
375 insurance and annuities, or into a fund, to provide for any such
376 payment) to or on behalf of an employee of the Hospital Board or
377 any of his or her dependents under any plan or system
378 established by the Hospital Board, when such payment is on
379 account of (a) retirement; (b) sickness or accident
380 disability; (c) medical or hospitalization expenses in connection
381 with sickness or accident disability; or (d) death.

382 (11) To expend funds and provide facilities and personnel
383 to conduct formal and informal courses of instruction,
384 demonstration, and education through hospitals under its
385 jurisdiction relating to hospital procedures, services, and care
386 and the operation and care of apparatus and equipment utilized
387 in connection with usual hospital functions, and to authorize
388 the participation in such courses with private or other
389 governmental agencies; and to award scholarship grants and make
390 scholarship loans to qualified students of nursing, X-ray



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391 technology, and other hospital-related fields of study in
392 consideration for the promises of such students to enter the
393 employment of said Hospital Board and to meet other conditions
394 and requirements to be established by said Hospital Board from
395 time to time.

396 (12) To provide hospital and other health care services
397 within the confines of facilities which are owned or operated by
398 the Board. Additionally, the Hospital Board is authorized to
399 provide hospital and other health care services within the
400 boundaries of the Hospital District but outside of facilities
401 which are owned or operated by the Board, provided that the
402 Hospital Board shall adopt a resolution or resolutions from time
403 to time defining the type and scope of hospital and other health
404 care services which the Hospital Board employees, agents, and
405 staff are authorized to render outside of the facilities of the
406 Board.

407 (13) To participate, to the extent permitted by the
408 constitution and laws of this state, as a shareholder in a
409 corporation, as a joint venturer in a joint venture, as a
410 partner in a limited partnership or a general partnership, or as
411 a member of any other lawful form of business organization which
412 provides health care or engages in activities related thereto;
413 to make or arrange for loans, contributions to capital, and
414 other debt and equity financing for the activities of such
415 corporations, joint ventures, partnerships, or other lawful
416 forms of business organization and to guarantee loans for such
417 purposes; to elect the boards of directors of its not-for-profit
418 corporations; and to utilize, for any lawful purpose, assets and



419 resources of the Hospital Board to the extent not needed for
 420 health care and related activities.

421 (14) To establish a fund out of hospital revenues other
 422 than those revenues derived from ad valorem taxation to promote
 423 the activities of the facilities owned or operated by the
 424 Hospital Board. The term "promote," as used in this subsection,
 425 shall be defined in its broadest sense to include, but not be
 426 limited to, advertising, the extension of hospitality or
 427 entertainment, the use of news media, and the employment of
 428 public relations methods. Expenditures from the fund shall be
 429 limited to those determined by the Hospital Board to be
 430 reasonable and necessary to encourage and develop support for
 431 the facilities owned and operated by the Hospital Board. The
 432 Hospital Board may adopt rules for the effective implementation
 433 of this subsection.

434 (15) To compromise and settle any accounts receivable or
 435 other claim for money due and owing to the hospital by persons
 436 unable to pay on demand according to such terms and conditions
 437 as the Hospital Board in its discretion may determine. The
 438 Hospital Board is further authorized and empowered to sell,
 439 assign, or convey to any person, financial institution, or
 440 organization the right, title, and interest in any account
 441 receivable or judgment owned by the Hospital Board by full or
 442 partial payment of such account or judgments as the Hospital
 443 Board in its discretion may determine.

444 (16) To establish, own, provide, or participate in health
 445 maintenance organizations, in preferred provider organizations,
 446 in food services, and in other health-care-related activities



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447 using assets and resources of the Hospital Board to the extent
448 not needed for health care. Any of such activities may be
449 carried out by the Hospital Board through any of its forms of
450 organization authorized under this act.

451 (17) To the extent permitted by the constitution and laws
452 of this state, to establish, operate, or support subsidiaries
453 and affiliates, either for profit or not for profit, to assist
454 the Hospital Board in fulfilling its declared public purpose of
455 provision for the health care needs of the people of the
456 District; to establish or support nonaffiliated, not-for-profit
457 corporations which operate primarily within the District and
458 which have as their purposes the furtherance of the Hospital
459 Board's provision for the health care needs of the people of the
460 District; and to accomplish such establishment, operation, or
461 support of any such subsidiary, affiliate, or nonaffiliated,
462 not-for-profit corporation by means of loans of funds either
463 interest free or at low interest, leases of real or personal
464 property either rent free or for low rental, gifts and grants of
465 funds, or guarantees of indebtedness of such subsidiaries,
466 affiliates, and nonaffiliated, not-for-profit corporations. The
467 establishment, operation, or support of a subsidiary or
468 affiliate corporation or nonaffiliated, not-for-profit
469 corporation is hereby found and declared to be a public purpose
470 and necessary for the preservation of the public health and for
471 a public use and for the welfare of the Hospital Board and
472 inhabitants of the District. It is the intent of the
473 Legislature to authorize the formation of the entities described
474 in this section to further the interests of the residents of



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475 Sarasota County in maintaining the financial well-being of
476 Memorial Hospital of Sarasota by providing, directly or
477 indirectly, for the delivery, financing, and support of hospital
478 and nonhospital health care services and related activities to
479 the extent consistent with the financial, patient acquisition,
480 and development needs of Memorial Hospital of Sarasota.

481 (18) In addition to any investment authorized by general
482 law, and to the extent permitted by the constitution of this
483 state, to invest any funds in its control or possession in the
484 following:

485 (a) Bankers' acceptances which are drawn upon and accepted
486 by a commercial bank which is a member bank of the Federal
487 Reserve System maintaining capital accounts in excess of 7.5
488 percent of total assets, and which member bank or its holding
489 company carries a credit rating in one of the two highest
490 alphabetical categories from at least two nationally recognized
491 debt rating agencies.

492 (b) Commercial paper of prime quality rated by at least
493 two nationally recognized debt rating agencies in the highest
494 letter and numerical rating of each agency. If not so rated,
495 such prime quality commercial paper may be purchased if secured
496 by a letter of credit provided by a commercial bank, which bank
497 or its holding company carries a credit rating in one of the two
498 highest alphabetical categories from at least two nationally
499 recognized debt rating agencies.

500 (c) Interest-bearing bonds, debentures, and other such
501 evidence of indebtedness with a fixed maturity of any domestic
502 corporation within the United States which is listed on any one



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503 or more of the recognized national stock exchanges in the United
504 States and conforms with the periodic reporting requirements
505 under the Securities Exchange Act of 1934. Such obligation
506 shall either carry ratings in one of the two highest
507 classifications of at least two nationally recognized debt
508 rating agencies or be secured by a letter of credit provided by
509 a commercial bank, which bank or its holding company carries a
510 credit rating in one of the two highest alphabetical categories
511 from at least two nationally recognized debt rating agencies.

512 (d) Negotiable direct obligations of, or obligations the
513 principal and interest of which are unconditionally guaranteed
514 by, the United States Government at the then prevailing market
515 price for such securities; and obligations of the Federal Farm
516 Credit Banks, Federal Home Loan Mortgage Corporation, or Federal
517 Home Loan Bank or its district banks, including Federal Home
518 Loan Mortgage Corporation participation certificates, or
519 obligations guaranteed by the Government National Mortgage
520 Association, or obligations of such Federal Agencies and
521 Government Sponsored Enterprises which are qualified for
522 purchase under paragraph (f); which are purchased and sold under
523 repurchase agreements and reverse repurchase agreements.
524 Repurchase agreements and reverse repurchase agreements may be
525 entered into only with a member bank of the Federal Reserve
526 System or primary dealer in U.S. Government Securities, which
527 member bank or primary dealer must have \$100 million in capital.
528 Securities purchased or repurchased by the Hospital Board shall
529 be delivered to the Hospital Board or its agent versus payment.



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530 (e) Purchase of options so as to engage in bona fide
531 hedging activities for the purpose of protecting the asset value
532 of the underlying portfolio, provided the instruments for such
533 purpose are traded on a securities exchange or board of trade
534 regulated by the Securities Exchange Commission or the Commodity
535 Futures Trading Commission.

536 (f) Negotiable direct obligations of Federal Agencies or
537 Government Sponsored Enterprises(GSE) which meet each of the
538 following criteria:

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

541 2. A rating of at least an AA by a nationally recognized
542 securities rating agency.

543 3. A selling group of at least three nationally recognized
544 securities dealers.

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

546 5. Bonds issued under authority of, or pursuant to, an Act
547 of Congress.

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

550 7. Eligible as collateral for Federal Reserve Bank
551 discount window transactions.

552 8. Eligible as collateral for Treasury Tax and Loan
553 accounts.

554 9. Eligible for National Bank purchase without regard to
555 statutory limitations and restrictions generally applicable to
556 investment securities.

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



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

562 (a) The Hospital Board is hereby authorized to provide by
563 resolution at one time or from time to time for the issuance of
564 revenue bonds of the District for the purpose of paying all or a
565 part of the cost of acquisition, construction, planning,
566 leasing, repairing, extensions to, additions, equipping, and
567 reconstruction of any hospital buildings and facilities of the
568 District. The bonds of each issue shall be dated, shall bear
569 interest at such rate or rates not exceeding 7 percent per
570 annum, shall mature at such time or times, not exceeding 40
571 years from their date or dates, as may be determined by the
572 Hospital Board, and may be made redeemable before maturity, at
573 the option of the Hospital Board, at such price or prices and
574 under such terms and conditions as may be fixed by the Hospital
575 Board prior to the issuance of the bonds. The Hospital Board
576 shall determine the form of the bonds, including any interest
577 coupons to be attached thereto, and the manner of execution of
578 the bonds and coupons, and shall fix the denominations of the
579 bonds and the place or places of payment of principal and
580 interest, which may be at any bank or trust company within or
581 without the state. In case any officer whose signature or a
582 facsimile of whose signature shall appear on any bonds or
583 coupons shall cease to be such officer before the delivery of
584 such bonds, such signature or such facsimile shall nevertheless
585 be valid and sufficient for all purposes the same as if he or



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586 she had remained in office until such delivery. All bonds
587 issued under the provisions of this act shall have and are
588 hereby declared to have all the qualities and incidents of
589 negotiable instruments under the negotiable instruments laws of
590 the state. The bonds may be issued in coupon or in registered
591 form, or both, as the Hospital Board may determine, and
592 provisions may be made for the registration of any coupon bonds
593 as to the principal alone and also as to both principal and
594 interest, and for the reconversion into coupon bonds of any
595 bonds registered as to both principal and interest. The issuance
596 of such bonds shall not be subject to any limitations or
597 conditions contained in any other law, and the Hospital Board
598 may sell bonds in such manner at public or private sale and for
599 such price as it may determine to be for the best interest of
600 the Hospital Board, but no such sale shall be made at a price so
601 low as to require the payment of interest on the money received
602 therefor at more than 7 percent per annum, computed with
603 relation to the absolute maturity of the bonds in accordance
604 with standard tables of bond values, excluding, however, from
605 such computations the amount of any premium to be paid on
606 redemption of any bonds prior to maturity. Prior to the
607 preparation of definitive bonds, the Hospital Board may, under
608 like restrictions, issue interim receipts or temporary bonds
609 with or without coupons, exchangeable for definitive bonds when
610 such bonds have been executed and are available for delivery.
611 The Hospital Board may also provide for the replacement of any
612 bonds which shall be mutilated, destroyed, or lost.



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613 (b) Bonds may be issued under the provisions of this act
614 without obtaining the consent of any commission, board, bureau,
615 or agency of the state or county and without any other
616 proceedings or the happening of any other condition or thing
617 than those proceedings, conditions, or things which are
618 specifically required by this act.

619 (c) No approval of the issuance of the revenue bonds
620 herein authorized at an election of the freeholders who are
621 qualified electors residing in the District shall be necessary
622 unless such election is required by the Constitution of the
623 State of Florida; then, and only in such event, such election
624 shall be called, noticed, and conducted and the results thereof
625 determined and declared as may be required by the general laws
626 of the state.

627 (d) The proceeds of the bonds shall be used solely for the
628 payment of the cost of the hospital facilities for which such
629 bonds shall have been authorized and shall be disbursed in the
630 manner provided in the resolution or in the trust agreement
631 authorizing the issuance of such bonds. If the proceeds of the
632 bonds of any issue shall exceed the amount required for the
633 purpose for which the same shall have been issued, the surplus
634 shall be set aside and used only for the payment of the cost of
635 additional hospital facilities or shall be deposited in the
636 sinking fund for such bonds. In the event that the actual cost
637 of the hospital facilities exceeds the estimated cost, the
638 Hospital Board may issue additional bonds to cover the
639 deficiency, subject to the same restrictions as required for the
640 original issue.



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641 (e) The Hospital Board is authorized and empowered to fix,
642 charge, and collect rates, fees, and charges for the use of and
643 for the services furnished or to be furnished by any hospital
644 facilities under the supervision, operation, and control of the
645 Hospital Board in amounts sufficient, with any other funds
646 legally available therefor, first to pay the principal of and
647 the interest on any revenue bonds issued under the provisions of
648 this act, including reserves therefor, and second to pay the
649 cost of operating and maintaining such hospital facilities.

650 (f) Revenue bonds issued under the provisions of this act
651 may be payable from the revenues derived from the operation of
652 any hospital facility or combination of hospital facilities of
653 the District under the supervision, operation, and control of
654 the Hospital Board and from any other funds legally available
655 therefor. The issuance of such revenue bonds shall not
656 directly, indirectly, or contingently obligate the state,
657 Sarasota County, the Hospital Board, or the District to levy any
658 ad valorem taxes or to make any appropriations for their payment
659 or for the operation and maintenance of the hospital facilities
660 of the District.

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

664 (h) In the discretion of the Hospital Board, each or any
665 issue of such revenue bonds may be secured by a trust agreement
666 by and between the Hospital Board and a corporate trustee, which
667 may be any trust company or bank having the powers of a trust
668 company within or without the state. Such trust agreement may



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669 pledge or assign the revenues to be received by the Hospital
670 Board. The resolution providing for the issuance of revenue
671 bonds or such trust agreement may contain such provisions for
672 protecting and enforcing the rights and remedies of the
673 bondholders as may be reasonable, proper, and not in violation
674 of law, including covenants setting forth the duties of the
675 Hospital Board in relation to the acquisition, construction,
676 improvement, maintenance, operation, repair, equipping, and
677 insurance of the hospital facilities, and the custody,
678 safeguarding, and application of all moneys. It shall be lawful
679 for any bank or trust company incorporated under the laws of
680 this state to act as such depository and to furnish such
681 indemnifying bonds or to pledge such securities as may be
682 required by the Hospital Board. Such resolution or such trust
683 agreement may restrict the individual right of action by
684 bondholders as is customary in trust agreements securing similar
685 securities. In addition to the foregoing, such resolution or
686 such trust agreement may contain such other provisions as the
687 Hospital Board may deem reasonable and proper for the security
688 of the bondholders. Except as in this act otherwise provided,
689 the Hospital Board may provide, by resolution or by trust
690 agreement, for the payment of the proceeds of the sale of the
691 revenue bonds and the revenues of the facilities to such
692 officer, board, or depository as it may determine for the
693 custody thereof, and for the method of disbursement thereof,
694 with such safeguards and restrictions as it may determine. All
695 expenses incurred in carrying out such trust agreement may be



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696 treated as a part of the cost of operation of the facilities
697 affected by such trust agreement.

698 (i) The resolution or trust agreement providing for the
699 issuance of the revenue bonds may also contain such limitations
700 upon the issuance of additional revenue bonds as the Hospital
701 Board may deem proper, and such additional bonds shall be issued
702 under such restrictions or limitations as may be prescribed by
703 such resolution or trust agreement.

704 (j) The Hospital Board is hereby authorized to provide by
705 resolution for the issuance of refunding revenue bonds for the
706 purpose of refunding any revenue bonds, respectively, then
707 outstanding and issued under the provisions of this act. The
708 Hospital Board is further authorized to provide by resolution
709 for the issuance of revenue bonds for the combined purpose of
710 paying the cost of any acquisition, construction, planning,
711 leasing, extension to, addition, improving, equipping, or
712 reconstruction of a facility or facilities of the District and
713 refunding revenue bonds of the District which shall theretofore
714 have been issued under the provisions of this act and shall then
715 be outstanding. The issuance of such bonds, the maturities and
716 other details thereof, the right and remedies of the holders
717 thereof, and the rights, powers, privileges, duties, and
718 obligations of the District with respect to the same shall be
719 governed by the foregoing provisions of this act insofar as the
720 same may be applicable.

721 Section 9. If the Hospital Board and the owners of the
722 property desired by said Hospital Board for hospital purposes
723 cannot agree as to the price to be paid therefor, said Hospital



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724 Board is empowered to bring condemnation proceedings against
725 said property for the purpose of condemning said property for
726 public hospital purposes, and said Hospital Board is hereby
727 authorized and empowered to employ an attorney or attorneys to
728 prosecute said condemnation proceedings. The said Hospital
729 Board is hereby given and granted the same powers as the
730 counties of this state so far as condemnation of property is
731 concerned and the same procedure shall be followed. The right
732 of eminent domain hereby granted shall be exercised in
733 accordance with the provisions of chapter 74, Florida Statutes,
734 in the same manner as therein provided for the acquiring of
735 right-of-way for the state highway system and to take title to
736 lands in fee simple absolute or such lesser estate as may be
737 specified in the declaration of taking, upon the deposit of such
738 sum as the court shall determine will fully secure and fully
739 compensate the persons lawfully entitled to compensation.

740 Section 10. Any hospital established under this act shall
741 be for the benefit of the inhabitants of said territory, but
742 said hospital may extend the privileges and use of said hospital
743 for persons residing outside of said District, upon such terms
744 and conditions as the Hospital Board may from time to time by
745 its rules and regulations prescribe. Every such person or
746 inhabitant who is not a pauper shall pay said Hospital Board a
747 reasonable compensation for occupancy, nursing, care, medicine,
748 and attendance according to the rules and regulations prescribed
749 by said Hospital Board. Each municipal corporation situated
750 within the District shall be liable to said Hospital Board for
751 occupancy, nursing, care, medicine, and attendance for prisoners



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752 in the custody of any such municipal corporation who are
753 admitted to any hospital operated by said Hospital Board. Said
754 hospital always shall be subject to such rules as such Hospital
755 Board may adopt from time to time in order for said hospital to
756 render the greatest benefit to the greatest number, and said
757 Hospital Board may exclude from treatment and care any indigent
758 or paying case having a communicable or contagious disease when
759 such disease may be a detriment to the best interests of such
760 hospital or a source of contagion or infection to the patients
761 in its care, unless a separate building or ward has been
762 established for the special treatment and care of patients
763 having communicable or contagious diseases and it can properly
764 and with safety to the other patients retain such communicable
765 cases in such separate building or ward.

766 Section 11. When such hospital or hospitals are
767 established, the physicians, nurses, attendants, the persons
768 sick therein, and all other persons approaching or coming within
769 the limits of same, and all furniture or other articles used or
770 brought there, shall be subject to such rules and regulations as
771 said Hospital Board may prescribe.

772 Section 12. The Hospital Board shall organize a staff of
773 physicians and dentists, and the Hospital Board is authorized to
774 give, grant, or revoke staff membership and privileges of the
775 medical staff members for practice in the hospital or hospitals
776 maintained under this act so that the welfare and health of
777 patients and the best interests of the hospital may, at all
778 times, be best served. Membership on the medical staff of the



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779 hospital or hospitals owned by the Hospital Board shall be
 780 restricted to persons with the following qualifications:

781 (1) Graduates of:

782 (a) Recognized medical schools approved and accredited by
 783 the American Medical Association;

784 (b) Recognized dental schools approved and accredited by
 785 the American Dental Association;

786 (c) An accredited college of osteopathy who have
 787 successfully completed an internship or residency for at least 1
 788 academic year of supervised clinical training in a hospital
 789 affiliated with a medical school approved by the Council of
 790 Medical Education of the American Medical Association, or who
 791 have successfully completed any equivalent program established
 792 by or relating to the American Osteopathic Association; or

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

796 (2) Who are legally licensed to practice medicine,
 797 osteopathy, or dentistry in the State of Florida and who are
 798 qualified for membership in the Sarasota County Medical Society
 799 or the Sarasota County Dental Society, and who are regularly
 800 practicing physicians or dentists in the territory in which that
 801 hospital or hospitals are located, and who are competent to
 802 perform the work required of physicians or dentists with similar
 803 privileges on the hospital staff.

804 The term "physician," as used herein, includes only
 805 physicians licensed to practice medicine under the Florida
 806 Medical Practice Act, chapter 458, Florida Statutes, and



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807 physicians licensed to practice osteopathic medicine under
808 chapter 459, Florida Statutes.

809 Medical staff membership or professional privileges shall
810 not be denied to any applicant solely because the applicant is
811 licensed as a doctor of medicine under chapter 458, Florida
812 Statutes, as a doctor of osteopathy under chapter 459, Florida
813 Statutes, nor shall professional privileges be denied to an
814 applicant solely because the applicant is licensed as a doctor
815 of podiatry under chapter 461, Florida Statutes.

816 Any patient shall have the right to employ at his or her
817 expense his or her own physician or dentist, provided such
818 physician or dentist shall have been accorded privileges in the
819 hospital. A physician or dentist, when employed by the patient,
820 shall have exclusive charge of the care and treatment of such
821 patient, subject always to such general rules and regulations as
822 shall be established by the Hospital Board under the provisions
823 of this act. It shall be the duty of the medical staff to
824 organize in the manner prescribed by the said Hospital Board.

825 The Hospital Board is further authorized and empowered to
826 set up rules and regulations for the control of all professional
827 and nonprofessional employees of the hospital, which terms shall
828 include nurses on general duty or on private duty attending
829 patients, and all parties in the hospital, either as employees
830 or in any manner in attendance of patients.

831 Section 13. The millage necessary for the maintenance of
832 said Hospital District shall not exceed a maximum of 2 mills per
833 annum. The millage necessary to pay the interest and provide a
834 sinking fund on bonded indebtedness shall be levied separately



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835 from the millage necessary for maintenance of the hospital or
836 hospitals to be constructed or purchased under the provisions of
837 this act, and the Board of County Commissioners of Sarasota
838 County shall make said levy pursuant to the provisions of
839 section 14 of this act.

840 Section 14. (1) The County Property Appraiser of Sarasota
841 County, immediately after said Hospital Board shall have been
842 appointed, shall report in writing to said Hospital Board the
843 assessed valuation on all taxable property within the limits of
844 said District as assessed valuation for taxation by said
845 Hospital Board, and said report shall be made by said Property
846 Appraiser each year thereafter immediately after the tax
847 assessment of said District for that year shall have been
848 reviewed and equalized by the Board of County Commissioners of
849 Sarasota County. Said Hospital Board shall present each year,
850 determined by resolution, the total amount to be raised by
851 taxation upon said taxable property located within said hospital
852 district for such year. The amount necessary to pay the
853 interest for sinking fund or bonded or other secured
854 indebtedness, and the amount necessary for the operation,
855 maintenance, repair, alteration, and addition, shall be stated
856 separately. Said Hospital Board shall thereupon determine the
857 rate of taxation which, when levied upon the assessed valuations
858 of all taxable property within said District, will raise the
859 sums of money theretofore determined by resolutions, as the
860 total amount to be raised for such year by taxation, and shall
861 by resolution levy and fix the rate of taxation on all property
862 in said District, the rate to be levied for operation,



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863 maintenance, repair, alteration, and addition to be fixed
864 separately, and the rate for such operation, maintenance,
865 repair, alteration, and addition not to exceed 2 mills per
866 annum.

867 A certified copy of said Tax Resolution, executed by the
868 chair of said Hospital Board and attested by the secretary of
869 said Hospital Board, under its corporate seal, shall be made and
870 delivered to the Board of County Commissioners of Sarasota
871 County on or before August 1 of each year, or within 15 days
872 after receipt of the tax assessment roll from the County
873 Property Appraiser. It shall be the mandatory duty of said
874 Board of County Commissioners of Sarasota County to order and
875 direct the County Property Appraiser of Sarasota County to
876 assess and levy, and to order and direct the County Tax
877 Collector of said county to collect, the tax at the rate fixed
878 and determined by said resolution of the said Hospital Board,
879 upon all taxable property located within said District, and the
880 said levies and assessments shall be included in the tax roll
881 and warrant of said Property Appraiser of said county for each
882 fiscal year thereafter. The said Tax Collector shall collect
883 said taxes in the same manner and at the same time as state and
884 county taxes are collected and shall pay and remit the same upon
885 the collection thereof to the said Hospital Board.

886 (2) In the event the millage authorized herein be reduced
887 in the year of a revaluation as provided in section 193.03,
888 Florida Statutes, 1965, then in each and every year thereafter
889 the millage to be levied may be increased (a) by not more than
890 10 percent of what it was in the preceding year, or (b) by no



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891 more than that which is required for a 10-percent increase in
892 the amount which was yielded by millage levied for such Hospital
893 District in the year immediately preceding such revaluation,
894 whichever is greater, provided that nothing herein shall be
895 construed to alter the 2-mill limitation imposed by section 13
896 hereof.

897 Section 15. The Hospital Board shall have power to
898 determine whether or not persons presented to said public
899 hospital for treatment are subject to charity and shall fix
900 charges for occupancy, nursing, care, medicine, and attendance,
901 other than medical or surgical attendance, for these persons
902 able to pay for same, as the Hospital Board may deem just and
903 proper, and all receipts therefor shall be deposited to the
904 credit of the Hospital Board.

905 Section 16. Any person or persons, firms, organizations,
906 corporations, or societies desiring to make donations of money,
907 personal property, or real estate for the benefit of any
908 hospital or hospitals erected under this act shall have the
909 right to vest title of the money, personal property, or real
910 estate so donated in said Hospital Board, to be controlled when
911 accepted by said Hospital Board, according to the terms of the
912 bequests, devises, or gifts pertaining to such property.

913 Section 17. The Hospital Board shall have the right to
914 operate or participate in a nonprofit hospital service plan
915 whereby hospital care may be furnished by the said corporation
916 or by any hospital or hospitals established by said Hospital
917 Board, and said Hospital Board may agree with the subscribers to
918 certain hospital care, and said Hospital Board and those persons



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919 with whom it deals on the nonprofit hospital service plan shall
920 be exempt from provisions of the insurance laws of the State of
921 Florida pertaining to insurance which may in any way conflict
922 with the hospital service plan of said Hospital Board. When a
923 contract for hospital service has been executed, the Hospital
924 Board shall be required to render the service set forth in said
925 contract and the other party to the contract shall be required
926 to fully comply with his or her parts of said agreement.

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

930 Section 19. The term "mill," as used in subsection (8) of
931 section 8 of this act and as used in sections 13 and 14 of
932 chapter 26468 (1949), Laws of Florida, as amended, shall be
933 deemed to mean 1/10th part of a cent, and that the application
934 of the rate of 1 mill to each \$1,000 of assessed valuation of
935 property shall yield \$1.

936 Section 20. The Hospital Board shall be empowered to
937 destroy any of its records together with any of the records of
938 the hospital or hospitals owned and operated by the Hospital
939 Board, provided that such records are photographed or
940 microfilmed prior to their destruction.

941 Section 21. Sarasota County Public Hospital Board is
942 authorized to construct, maintain, operate, and lease parking
943 facilities for hospital agents, employees, patients, staff
944 members, patient guests, business invitees, and the visiting
945 public in conjunction with hospitals which are under the
946 jurisdiction of the Hospital Board upon real property which is



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947 presently owned or which may be subsequently acquired by the
948 Hospital Board. The Hospital Board may enter into lease or
949 franchise agreements with private persons or corporations as
950 tenants or operators of such facilities upon such terms and for
951 such periods of time as the Board may deem appropriate. The
952 Hospital Board shall hold a public hearing, after the
953 publication of a notice of such meeting in a newspaper of
954 general circulation in Sarasota County at least one time no less
955 than 10 nor more than 25 days prior to such hearing: (1) to
956 consider the establishment of rates or fees, if any, which shall
957 be charged to motorists who utilize any such hospital parking
958 facility and (2) to consider any subsequent revisions therein
959 which increase the rates or fees which shall be charged to
960 motorists who utilize the hospital parking facility. The
961 Hospital Board is authorized to pledge the income and revenues
962 derived from such leases and franchise agreements as security
963 for the repayment of loans extended to the Hospital Board as the
964 Hospital Board may deem necessary or desirable from time to
965 time. All real property used for such hospital purposes, either
966 by the Hospital Board or by its licensees and franchisees, shall
967 be exempt from ad valorem taxes of Sarasota County and of any
968 municipality in which such real estate may be located.

969 Section 22. The Tax Collector of Sarasota County shall
970 issue a special beverage license authorizing the Hospital Board
971 to sell intoxicating beverages for medicinal purposes only in
972 quantities not in excess of 2 ounces per sale, provided such
973 sales are made only to inpatients of any hospital operated by
974 the Hospital Board and only upon the prescription of a duly



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975 licensed physician. The special license shall authorize the
976 Hospital Board to purchase alcoholic beverages from any duly
977 licensed manufacturer or distributor of alcoholic beverages as
978 defined in chapter 561, Florida Statutes, and all such
979 manufacturers and distributors have authority to sell alcoholic
980 beverages to the Hospital Board for resale within the
981 limitations of its special license. The Hospital shall be
982 exempt from the payment of a fee for the special license, which
983 shall be renewed annually by filing with the Tax Collector a
984 resolution by the Hospital Board requesting the renewal of the
985 license.

986 Section 23. Every individual, partnership, firm,
987 association, corporation, institution, governmental district, or
988 other governmental unit, and every combination of any of the
989 foregoing, operating a hospital or hospitals in the County of
990 Sarasota shall be entitled to and is hereby given a lien as
991 herein provided for all reasonable charges for hospital care,
992 treatment, and maintenance of ill or injured persons and the
993 charges for test, laboratory work, X rays, drugs, and other
994 items incident to such care and treatment supplied by or charged
995 to the hospital for the benefit of such ill or injured persons,
996 the total or unpaid part of which is hereafter called hospital
997 bill, which lien shall be and is hereby declared upon all causes
998 of action, suits, claims, counterclaims, and demands accruing to
999 the person or persons to or for whom such care, treatment, or
1000 maintenance is furnished, or accruing to the legal
1001 representatives of such persons or to the person or persons
1002 incurring or liable for the hospital bill, and such lien is also



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1003 hereby given upon the amounts due or payable under
 1004 hospitalization insurance, hospital or medical expenses due and
 1005 payable under public liability policies, or other indemnity, and
 1006 upon all judgments, settlements, and settlement agreements and
 1007 the sums payable thereunder rendered or entered into by virtue
 1008 thereof, on account of illness or injuries giving rise to such
 1009 causes of action, suits, claims, counterclaims, demands,
 1010 judgments, settlements, or settlement agreements and which
 1011 necessitated or shall have necessitated or have directly
 1012 contributed to the necessity for such hospital care, treatment,
 1013 and maintenance, and upon proceeds of such insurance or
 1014 indemnity agreements as above specified, whether the illness or
 1015 injury be the result of tort or otherwise. The term "hospital
 1016 care," as used in this section, shall be broadly construed to
 1017 include all hospital and nonhospital health care services and
 1018 related activities which are rendered through any hospital or
 1019 other health care facility owned or operated by the Hospital
 1020 Board or its subsidiaries or affiliates or nonaffiliated, not-
 1021 for-profit corporations.

1022 (1) In order to perfect such lien, an executive officer,
 1023 controller, or agent of a hospital, before or within 30 days
 1024 after such person shall have been discharged from such hospital,
 1025 shall file in the office of the Clerk of the Circuit Court of
 1026 Sarasota County a verified claim in writing setting forth the
 1027 following: (a) the name and address of such patient, as it
 1028 shall appear on the records of such hospital, and if the patient
 1029 is a minor, it shall contain the name of the parents or guardian
 1030 of such minor patient, (b) the name and location of such



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1031 hospital, (c) the dates of admission to and discharge of such
1032 patient therefrom, (d) the amount claimed to be due for such
1033 hospital care, treatment, and maintenance, and (e) to the best
1034 knowledge of the person signing such claim, the names and
1035 addresses, if the same be known, of all persons, firms, or
1036 corporations claimed by such ill or injured person or his or her
1037 legal representative to be liable on hospital or other indemnity
1038 insurance if known to claimant; such claimant shall also, within
1039 1 day after the filing of such claim of lien, mail a copy
1040 thereof by registered or certified mail with return receipt
1041 requested, postage prepaid, to each person, firm, or corporation
1042 so claimed to be liable on account of such illness or injuries
1043 at the address so given in such statement filed by the hospital
1044 claimant. The filing of such claim shall constitute notice
1045 thereof to all persons, firms, or corporations who may be liable
1046 on account of such illness or injuries, whether or not they are
1047 named in such claim, and whether or not a copy of such claim
1048 shall have been received by them. Such statement shall not
1049 constitute a lien upon anything other than causes of action,
1050 suits, claims, counterclaims, demands, and insurance and
1051 indemnity proceeds specified in this section, and this is not a
1052 general lien upon the property of the persons named in such
1053 statement.

1054 (2) The clerk of the circuit court shall endorse on each
1055 such claim the date and hour of filing in the official records
1056 of Sarasota County or may provide a hospital lien book with
1057 proper index in which he or she shall record such claims, and
1058 shall show therein the date and hour of such filing. The clerk



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1059 shall be paid by the claimant, as his or her fee for filing and
 1060 recording of each claim, the same amount he or she is authorized
 1061 to charge for recording mortgages.

1062 (3) The clerk shall record any satisfaction which is
 1063 executed and acknowledged under oath by the lien claimant, or
 1064 its executive officer, comptroller, or agent, in the official
 1065 records of Sarasota County at the same filing fees which are
 1066 required by the clerk for recording satisfactions of mortgages.
 1067 It shall be the duty of the hospital lien claimant to furnish
 1068 the patient with a properly executed satisfaction upon payment
 1069 or discharge of the lien.

1070 (4) No release or satisfaction of any action, suit, claim,
 1071 counterclaim, demand, judgment, settlement, or settlement
 1072 agreement shall be valid or effectual as against such lien
 1073 unless such lienholder shall join therein or execute a release
 1074 of such lien.

1075 (5) Any acceptance of a release or satisfaction of any
 1076 such cause of action, suit, claim, counterclaim, demand, or
 1077 judgment and any settlement of any of the foregoing in the
 1078 absence of a release or satisfaction of the lien referred to in
 1079 this act shall prima facie constitute an impairment of such
 1080 lien, and the lienholder shall be entitled to an action at law
 1081 for damages on account of such impairment, and in such action
 1082 may recover from the one accepting such release or satisfaction
 1083 or making such settlement the reasonable cost of such hospital
 1084 care, treatment, and maintenance. Satisfaction of any judgment
 1085 rendered in favor of the lienholder in any such action shall
 1086 operate as a satisfaction of the lien. Any action by the



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1087 lienholder shall be brought in the court having jurisdiction of
1088 the amount of the lienholder's claim. If the lienholder shall
1089 prevail in such action, the lienholder shall be entitled to
1090 recover from the defendant all costs allowed by law, together
1091 with reasonable attorney's fees to the lienholder's attorney for
1092 handling the action. If the plaintiff or counterclaimant shall
1093 have employed an attorney for the collection of the claims or
1094 damages, including the hospital expenses, on account of or
1095 resulting from the illness or injury of said plaintiff or
1096 counterclaimant or on account of or resulting from the illness,
1097 injury, or death of a deceased patient, the court costs shall
1098 first be paid and the attorney representing such plaintiff or
1099 counterclaimant shall receive his or her fees or compensation
1100 out of the judgment or settlement proceeds and the hospital lien
1101 provided for in this act shall next be fully paid to the
1102 hospital, and the balance of the proceeds of any such settlement
1103 or judgment, if any, shall then be paid to the plaintiff or
1104 counterclaimant.

1105 (6) Upon suit being filed by the patient or on the
1106 patient's behalf, the owner or operator of the hospital, as the
1107 case may be, may also file in the suit a notice of nonpayment of
1108 hospital bill, which said notice shall be recorded and the same
1109 shall constitute a lien upon any judgment recovered or
1110 settlement made to the extent that the court may determine the
1111 hospital's pro rata share for unpaid hospital bill, based upon
1112 such equitable distribution of the amount recovered as the court
1113 may determine, less its pro rata share of all court costs
1114 expended by the plaintiff in the prosecution of the suit and



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1115 less the reasonable attorney's fees for the plaintiff's
1116 attorney, such proration to be made by the judge of the trial
1117 court upon application therefor and notice to the adverse party.
1118 Such notice shall be served upon all parties to the suit, and
1119 their attorneys of record, by registered or certified mail.

1120 (7) If the hospital has given such written notice of its
1121 lien and rights against an alleged tortfeasor, a party to said
1122 suit, and thereafter settlement of any such claim or action at
1123 law is made either before or after suit is filed and the parties
1124 fail to agree on the proportion to be paid to each, the court in
1125 which the action is pending shall determine the amount to be
1126 paid to the hospital in accordance with the provisions of this
1127 law.

1128 (8) The provisions of this act shall not be applicable to
1129 accidents or injuries within the purview of the Workers'
1130 Compensation Act of this state.

1131 (9) No hospital lien provided by this act shall continue
1132 for a longer period than 5 years after the claim of lien
1133 provided for under subsections(2) and (3) has been filed, unless
1134 within that time an action has been commenced in a court of
1135 competent jurisdiction by or on behalf of the person to whom the
1136 hospital care, treatment, or maintenance was rendered to collect
1137 on account or for the illness or injuries necessitating such
1138 hospitalization; and in the event that any such action has been
1139 commenced within such 5-year period, then such hospital lien
1140 shall continue, unless otherwise satisfied, for the duration of
1141 any judgment entered in favor of the party claiming damages for
1142 the hospital care, treatment, or maintenance, and shall attach



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1143 to any settlement proceeds made pendente lite and shall continue
1144 for 3 years after the date of any such settlement pendente lite.

1145 (10) The acceptance of hospital care shall be deemed and
1146 construed as a determination that hospitalization insurance was
1147 taken out for the benefit of the hospital and as an equitable
1148 assignment of the proceeds to the hospital. Unless the policy
1149 or policies are endorsed or assigned to the hospital, the
1150 hospital may write or stamp upon every statement rendered that
1151 it claims a lien upon the proceeds of all hospitalization
1152 insurance, and such legend shall be notice to any corporation
1153 into whose possession the statement comes that the hospital has
1154 a lien. In this event, payment to policyholder without
1155 settlement direct to the hospital by the insurance company will
1156 make the insurance company liable to the hospital for the amount
1157 of the bill or so much thereof as the policy indemnifies.

1158 Section 24. Notwithstanding any other provisions of law,
1159 all operations of the hospital established under the provisions
1160 of chapter 26468 (1949), Laws of Florida, shall remain under the
1161 direct control and administration of the Hospital Board
1162 established by referendum pursuant to section 21 of said
1163 chapter. The Hospital Board shall not take any action which
1164 would result in the termination of such direct control and
1165 administration unless such action is approved by the electors of
1166 Sarasota County at a referendum called for that purpose;
1167 however, for purposes of this section, the term "operations of
1168 the hospital" does not include:

1169 (1) The operation of nonhospital health care services or
1170 related activities, which services or activities may be



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1171 controlled and administered by subsidiaries or affiliates of the
1172 Hospital Board or nonaffiliated, not-for-profit corporations
1173 operating primarily within the territory of the Hospital Board;
1174 or

1175 (2) The operation and provision of hospital services
1176 through any form of shared service arrangement approved by
1177 resolution of the said Hospital Board adopted in public session
1178 and wherein the Hospital Board shall be represented by two or
1179 more Hospital Board members on the governing body of such
1180 entity.

1181 Section 25. In order to secure and promote the provision
1182 of quality medical services to the public, the authority
1183 provided for herein is found by the Legislature to be within the
1184 public policy of this state. The Hospital Board is authorized
1185 to exercise all the powers granted in this act, and those
1186 granted in the Hospital Board's enabling legislation, as
1187 amended, in such manner as it may determine to be consistent
1188 with the purposes of 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; provided, however, that,
1192 as provided in section 189.429(3), Florida Statutes, nothing in
1193 this act, including specifically this section 4, shall (i)
1194 modify, amend, or alter any covenants, contracts, or other
1195 obligations of the Hospital Board with respect to its bonded
1196 indebtedness; and (ii) affect the ability of the Hospital Board
1197 to levy and collect taxes as permitted under prior law and
1198 herein. Chapters 27888 (1951), 31262 (1955), 57-1838, 59-1839,



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1199 61-2807, 61-2855, 61-2868, 63-1893, 63-1895, 63-1896, 63-1913,
 1200 65-2226, 65-2227, 65-2232, 67-2047, 69-1583, 69-1593, 71-907,
 1201 83-525, 84-530, 85-501, 86-373, 87-526, 88-534, 90-411, 90-422,
 1202 95-507, and 2000-400, Laws of Florida, are repealed. Chapter
 1203 69-1583, Laws of Florida, which was approved by Sarasota County
 1204 electors in referendum conducted pursuant to such act on
 1205 November 4, 1969, is reenacted, except for requirements of
 1206 referendum to approve the act, and all actions heretofore taken
 1207 by the Sarasota County Public Hospital District and the Sarasota
 1208 County Public Hospital Board pursuant to the authority and
 1209 powers conferred by chapter 69-1583, Laws of Florida, are
 1210 ratified and confirmed.

1211 Section 5. If any section, paragraph, sentence, clause,
 1212 phrase, or other part of this act shall be declared
 1213 unconstitutional, or if this act should be declared inapplicable
 1214 in any case, such declaration shall not affect the remainder of
 1215 this act or the applicability thereof in any other case.

1216 Section 6. This act shall be construed as remedial and
 1217 shall be liberally construed to promote the purpose for which it
 1218 is intended.

1219 Section 7. This act shall take effect upon becoming a law.