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A bill to be entitled
 An act relating to Jackson County Hospital District,
 Jackson County; codifying special laws relating to the
 district; amending, codifying, and reenacting all special
 acts relating to the Jackson County Hospital District as a
 single act; repealing all prior special acts related to
 Jackson County Hospital Corporation; renaming the
 corporation the Jackson County Hospital District;
 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 the Jackson County Hospital Corporation. It is the
intent of the Legislature in enacting this act to provide a
single comprehensive special act charter for the district,
including all current authority granted to the district by its
several legislative enactments.

Section 2. Chapters 19901 (1939), 21312 (1941), 57-1420,
61-2289, 69-1165, 71-689, 71-690, 76-389, and 79-483, Laws of
Florida, are amended, codified, reenacted, and repealed as
provided in this act.

Section 3. The charter for the Jackson County Hospital
 District is re-created and reenacted to read:

Section 1. Boundaries of the district.--This act may be
cited as the "Jackson County Hospital District," which shall
comprise and include all the territory within Jackson County,
less and except the following described portion thereof:

Begin at the SE corner of Section 34, Township 5



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31 North, Range 12 West, thence West to the SW corner of
 32 Section 31, Township 5 North, Range 12 West; thence
 33 North to the NW corner of Section 19, Township 5 North,
 34 Range 12 West; thence West to the intersection of the
 35 South line of Section 13, Township 5 North, Range
 36 14 West and the center line of Holmes Creek; thence
 37 Northeasterly meandering along the center line of
 38 Holmes Creek to its intersection with the North line
 39 of Section 23, Township 7 North, Range 13 West (being
 40 the boundary line between the States of Florida and
 41 Alabama); thence East along the boundary line between
 42 the states of Florida and Alabama to the intersection
 43 of said line with the center line of Marshall Creek in
 44 Section 22, Township 7 North, Range 11 West; thence
 45 Southeasterly, meandering along the center line of
 46 Marshall Creek and the West line of the Chipola River
 47 to the intersection of the West line of the Chipola
 48 River and the Southline of Section 32, Township 6
 49 North, Range 10 West; thence West to the Southwest
 50 corner of Section 34, Township 6 North, Range 12 West;
 51 thence South to the SE corner of Section 16, Township
 52 5 North, Range 12 West; thence East to the NE Corner
 53 of Section 22, Township 5 North, Range 12 West; thence
 54 South to the SE corner of Section 34, Township 5
 55 North, Range 12 West and the Point of Beginning (the
 56 excepted property constituting the geographic area of
 57 the Campbellton-Graceville Hospital District as
 58 established by Section 1 of Chapter 61-2290, Laws of
 59 Florida, 1961).
 60 Section 2. Purpose of district.--There is hereby created a



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61 public, non-profit independent special district, which is hereby
62 designated as Jackson County Hospital District, for the purposes
63 of erecting, building, equipping, maintaining, and operating at
64 or near Marianna, within the Jackson County Hospital District, a
65 public hospital for the providing of health care services to the
66 citizens and residents of the District and others seeking
67 medical care and treatment at the hospital, to be known as
68 Jackson Hospital. The District is hereby granted authority to
69 erect, build, equip, maintain, and operate the public hospital
70 and related facilities. The number of beds, services, and
71 facilities of the hospital may from time to time be increased,
72 decreased, enlarged, extended, or expanded at the discretion of
73 the District and in compliance with other applicable laws. The
74 purposes of the District in its exercise of the authorities
75 granted in this act are hereby declared to be public purposes.

76 Section 3. Membership and organization of the governing
77 board of the district.--

78 (1) The affairs of the District shall be managed and
79 governed by a board of nine trustees who shall be directors of
80 the District, appointed as hereinafter provided. Each of the
81 trustees shall be a citizen and resident of the Jackson County
82 Hospital District. The trustees named, qualified, and serving
83 shall continue to be trustees for and during the term of their
84 present commission and until their successors shall be named,
85 appointed, and have qualified. The term of office of each
86 successor trustee shall be 4 years. Upon the death,
87 resignation, or removal of any trustee, his or her unexpired
88 term shall be filled by appointment. All trustees of the
89 District shall be appointed by the Governor.

90 (2) The members of the board of trustees, the officers,



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91 and the employees of the District having authority to receive
92 and disburse funds belonging to the District shall give bond,
93 payable to the District, conditioned upon their faithful
94 handling and accounting of all such funds received or disbursed
95 by them. The bond shall be in an amount approved by the board
96 of trustees, sufficient to indemnify the District against all
97 losses occasioned by any violation of its terms. The premium
98 for such bond shall be paid by the District.

99 (3) The members of the board of trustees shall serve
100 without compensation but shall be reimbursed for their
101 reasonable and necessary expenses incurred in attending to the
102 affairs and business of the District.

103 (4) The board of trustees shall elect one of its members
104 as chair of the board, who shall preside over meetings thereof
105 and exercise such additional powers as may be authorized in the
106 bylaws of the District.

107 (5) A majority of the members of the board of trustees
108 shall at any regular or called meeting constitute a quorum; and
109 they shall have power to adopt by-laws, and rules and
110 regulations for the government of the District.

111 (6) The provisions of chapter 120, Florida Statutes, shall
112 not apply to the District.

113 (7) The District shall be afforded all the privileges and
114 immunities of section 768.28, Florida Statutes, or its successor
115 in function.

116 Section 4. Powers of the district and its governing
117 body.--

118 (1) The District shall:

119 (a) Have perpetual existence.

120 (b) Be a non-profit organization, its net earnings to be



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121 placed in a reserve fund and used and expended only for public
122 hospital and health care purposes or for related charitable,
123 scientific, or educational purposes.

124 (c) Issue no stock or shares and pay no dividends.

125 (2) The board of trustees of the District shall have all
126 of the powers of a body corporate, including, but not limited to
127 the power:

128 (a) To sue and be sued under the name of Jackson County
129 Hospital District, without waiving any privilege or immunity of
130 section 768.28, Florida Statutes.

131 (b) To adopt and use a common corporate seal and to alter
132 the same.

133 (c) To contract and be contracted with; purchase, take,
134 receive, lease, take by gift, grant, devise, or otherwise
135 acquire, own, hold, improve, use, or otherwise deal in and with
136 real or personal property, or any interest therein, wherever
137 situated.

138 (d) To incur liabilities, borrow money at such rates of
139 interest as the District may determine, issue its notes, bonds,
140 or other obligations, and secure any of its obligations by
141 mortgage, pledge, or assignment of all or any of its property,
142 franchises, or income.

143 (e) To sell, convey, mortgage, pledge, lease, exchange,
144 transfer, or otherwise dispose of all or any part of its
145 property and assets.

146 (f) To purchase, take, receive, subscribe for, or
147 otherwise acquire, own, hold, vote, use, employ, sell, mortgage,
148 lend, pledge or otherwise dispose of and otherwise use and deal
149 in and with, shares and other interests in, or obligations of,
150 other domestic or foreign corporations, whether for profit or



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151 not for profit, obligations of the United States, or of any
152 other government, state, territory, governmental district,
153 municipality, or of any instrumentality thereof.

154 (g) To lend money for its corporate purposes, invest and
155 reinvest its funds, and take and hold real and personal property
156 as security for the payment of funds so loaned or invested; to
157 make donations for the public welfare or for charitable,
158 scientific, educational, or other similar purposes.

159 (h) To establish, construct, equip, operate, and maintain
160 hospitals and related facilities for limited medical care as, in
161 its opinion, shall be necessary for the use of the citizens and
162 residents of the District and for the public good, the location
163 of such hospitals and related facilities for limited medical
164 care to be determined by the board.

165 (i) To have and exercise all powers necessary, incidental
166 or convenient to effect any or all of the purposes for which the
167 District is organized under the provisions of this act.
168 Provided, however, that any mortgage of the real property of the
169 District shall first be approved by the Board of County
170 Commissioners of Jackson County.

171 (3) The board shall provide for the operation and
172 maintenance of all health care facilities owned, operated, or
173 maintained by the District.

174 (4) The board shall employ and discharge all persons who
175 may be employed by the District or its health care facilities
176 and to fix their salaries. The board may provide for the
177 reimbursement of reasonable and necessary expenses of employees
178 and physicians incurred in attending to the affairs and business
179 of the District. The board may recruit employees and pay
180 reasonable expenses incurred therewith as determined by the



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181 board. The board may also grant scholarships to students upon
182 such reasonable terms as determined by the board.

183 (5) The board shall make all appointments to the
184 professional staff and shall grant practice privileges to
185 physicians, dentists, and other appropriate persons. No person
186 shall be appointed to the professional staff or granted
187 privileges to practice at Jackson Hospital unless duly licensed
188 by the appropriate examining agency of the state. The board of
189 trustees shall adopt by laws and rules and regulations
190 promulgating such additional qualifications and criteria with
191 which applicants for privileges and appointment to the
192 professional staff shall be required to comply; providing for
193 delineation, restriction, suspension, and revocation of
194 privileges; and providing for periodic review and reappointment
195 of staff members. Applications for privileges and staff
196 membership shall be submitted in writing, in a manner and form
197 approved by the board. The board shall grant privileges and
198 make appointments only after review of the application and
199 consideration of recommendations from the professional staff.
200 Upon a grant of privileges and appointment to the professional
201 staff, a practitioner shall be entitled to utilize the
202 facilities of the District for the care and treatment of his or
203 her patients, but only in accordance with the by-laws and rules
204 and regulations adopted by the board of trustees and in
205 accordance with the laws of the state.

206 (6) The board shall have power and authority to receive
207 and disburse for the purposes herein authorized all public
208 moneys appropriated to and paid over to the District, as well as
209 other funds received by or on behalf of the District.

210 (7) The board shall further have authority to provide for



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211 the prescription of rules and regulations for the treatment and
212 admission of all patients; to prescribe rates, fees, and charges
213 to be made to patients for services provided by the District,
214 and to charge and modify the same from time to time; to
215 determine classes of patients who shall be treated or admitted
216 as free patients or otherwise entitled to uncompensated
217 services, and to adopt statements of policy relating thereto; to
218 sue for and collect all amounts that may reasonably be charged
219 to patients, their families, or other persons legally
220 responsible for such charges rendered in connection with the
221 treatment of patients.

222 (8) The board is hereby authorized, in connection with its
223 activities of constructing, equipping, operating, and
224 maintaining a public hospital and related health care
225 facilities, to enter into such contracts and agreements with
226 governmental agencies, federal, state or local, other hospitals
227 and health care facilities, and other individuals, partnerships,
228 and corporations, whether organized for profit or not for profit
229 as in the opinion of the board of trustees are necessary or
230 appropriate to the accomplishment of the purposes of this act.
231 Any such agreement may provide for the association of the
232 District with one or more agencies, hospitals, or health care
233 facilities for joint participation in acquiring, purchasing, or
234 providing of services, materials, supplies, or facilities
235 necessary or incidental to the purposes of the District.

236 Section 5. Authorization for Jackson County Board of
237 County Commissioners to fund hospitals; source of funds.--

238 (1) The Board of County Commissioners of Jackson County
239 and their successors are hereby charged with the duty of
240 providing revenue for the erection, building, equipping, and



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241 maintenance and operation of the aforesaid Jackson Hospital,
242 from year to year, such revenue or moneys representing same to
243 be paid over to the Trustees of said Jackson County Hospital
244 District by, or upon the order of, the Board of County
245 Commissioners of Jackson County, Florida and their successors:
246 Provided, however, that not more than 5 mills on the dollar of
247 ad valorem taxes shall be levied in any given year for the
248 purposes aforesaid.

249 (2) For the purposes of erecting, building, equipment,
250 maintenance, and operation of the said Jackson Hospital, or any
251 of such purposes, there is hereby appropriated to the District
252 \$12,000 annually from the funds that are authorized for Jackson
253 County pursuant to section 212.20(6)(d)7., Florida Statutes, or
254 its successor in function.

255 Section 6. Bonds pledging ad valorem taxes.--

256 (1) The governing body of Jackson County is authorized to
257 issue bonds payable from ad valorem taxation and to levy or
258 cause to be levied an ad valorem tax not to exceed 2 mills per
259 annum on all property not otherwise exempt in the hospital
260 district over and above all other taxes authorized or limited by
261 law, sufficient to pay the principal and interest as the same
262 become due on such bonds, which shall be in such form and
263 denomination, bearing an interest rate that does not exceed that
264 authorized by general law. The Board of County Commissioners is
265 authorized to refund any or all such bonds heretofore or
266 hereafter issued for any and all lawful hospital purposes.

267 (2) All bonds of the Jackson County Hospital District,
268 payable from ad valorem taxation and maturing more than 12
269 months after issuance, may be issued only when approved by vote
270 of the electors. The election shall be called and held by the



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271 governing body of Jackson County subject to the provisions of
272 general law. In the event it is determined by the Board of
273 Trustees to hold such an election, the governing body of Jackson
274 County shall by resolution order such election to be held in the
275 District, and shall give notice of said election by publication
276 in a newspaper of general circulation within the District. The
277 costs of the election shall be paid by the District, which is
278 hereby authorized to pay or reimburse the governing body of
279 Jackson County for the costs of any election or elections as
280 required by this act.

281 (3) The procedure provided in general law shall govern the
282 calling and conduct of such election.

283 (4) The form of such bonds shall be fixed by resolution of
284 the governing body of Jackson County and the bonds shall be
285 signed by the Chairman of the Board and countersigned by the
286 secretary of the Board under the seal of the District. The
287 coupons, if any, shall be executed by the facsimile signatures
288 of said officers. The delivery, at any subsequent date, of any
289 bond and coupon so executed shall be valid, although before the
290 date of delivery the person signing such bonds or coupons shall
291 cease to hold office.

292 (5) The bonds may be issued in the form and manner as
293 determined by the Board of the District not inconsistent with
294 general law. This act shall be construed to provide complete
295 authority to issue debt in any reasonable form and manner as
296 determined by the Board of the District that are not
297 inconsistent with general law.

298 (6) No resolution or proceeding in respect to the issuance
299 of bonds hereunder shall be necessary, except such as is
300 required by this section and general law.



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301 Section 7. District tax exemption.--All property which may
302 be acquired or owned by the said District shall be exempt from
303 taxation of every kind, except that this exemption shall not
304 apply to interest earnings subject to taxation under chapter
305 220, Florida Statutes.

306 Section 8. Liens.--

307 (1) Every individual, partnership, firm, association,
308 corporation, institution, and governmental unit, and every
309 combination of any of the foregoing operating a hospital in
310 Jackson County, shall be entitled to a lien for all reasonable
311 charges for hospital care, treatment, and maintenance of ill or
312 injured persons upon any and all causes of action, suits,
313 claims, counterclaims, and demands accruing to the persons to
314 whom such care, treatment, or maintenance are furnished, or
315 accruing to the legal representatives of such persons, and upon
316 all judgments, settlements, and settlement agreements rendered
317 or entered into by virtue thereof, on account of illness or
318 injuries giving rise to such causes of action, suits, claims,
319 counterclaims, demands, judgments, settlement, or settlement
320 agreements and which necessitated or shall have necessitated
321 such hospital care, treatment, and maintenance.

322 (2) In order to perfect such lien, the executive officer
323 or agent of a hospital, before or within 10 days after any such
324 person shall have been discharged from such hospital, shall file
325 in the office of the clerk of the circuit court of Jackson
326 County a certified claim in writing setting forth the name and
327 address of such patient, as it shall appear on the records of
328 such hospital, the name and location of such hospital, and the
329 name and address of the executive officer or agent of such
330 hospital, the date of admission to and discharge of such patient



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331 therefrom, the amount claimed to be due for such hospital care,
 332 treatment, and maintenance, and, to the best knowledge of the
 333 person signing such claim, the names and addresses of all
 334 persons, firms, or corporations claimed by such ill or injured
 335 person or by the legal representative of such person, to be
 336 liable on account of such illness or injuries; such claimant
 337 shall also, within one day after the filing of such claim or
 338 lien, mail a copy thereof by registered or certified mail,
 339 postage prepaid, to each person, firm or corporation so claimed
 340 to be liable on account of such illness or injuries, at the
 341 address so given in such statement. The filing of such claim
 342 shall be notice thereof to all persons, for injuries, whether or
 343 not they are named in such claim or lien, and whether or not a
 344 copy of such claim shall have been received by them.

345 (3) The clerk of the circuit court of Jackson County shall
 346 endorse on such claim the date and hour of filing, shall provide
 347 a hospital lien book with proper index in which he or she shall
 348 record such claim, and shall show therein the date and hour of
 349 such filing. He or she shall be paid by the claimant as his or
 350 her fee for such filing and recording of each claim the sum of
 351 \$1.50.

352 (4) No release or satisfaction of any action, suit, claim,
 353 counterclaim, demand, judgment, settlement, or settlement
 354 agreement, or of any of them, shall be valid or effectual as
 355 against such lien unless such lienholder shall join therein or
 356 execute a release of such lien. Any acceptance of a release or
 357 satisfaction of any such cause of action, suit, claim,
 358 counterclaim, demand, or judgment and any settlement of any of
 359 the foregoing in the absence of a release or satisfaction of the
 360 lien referred to in this section shall prima facie constitute an



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361 impairment of such lien, and the lienholder shall be entitled to
362 an action at law for damages on account of such impairment, and
363 in such action may recover from the one accepting such release
364 or satisfaction or making such settlement the reasonable cost of
365 such hospital care, treatment, and maintenance. Satisfaction of
366 any judgment rendered in favor of the lienholder in any such
367 action shall operate as a satisfaction of the lien. Any action
368 by the lienholder shall be brought in the court having
369 jurisdiction of the amount of the lienholder's claim and may be
370 brought and maintained in the county wherein the lienholder has
371 his or her, its, or their residence or place of business. If
372 the lienholder shall prevail in such action, the lienholder
373 shall be entitled to recover from the defendant, in addition to
374 costs otherwise allowed by law, all reasonable attorney's fees
375 and expenses incident to the matter.

376 (5) No person shall be entitled to recover or receive
377 damages on account of hospital care, treatment, and maintenance
378 unless he or she shall affirmatively show that he or she has
379 paid the cost thereof. Provided, however, that in any action,
380 suit, or counterclaim brought on account of illness or injury,
381 the plaintiff or counterclaimant may include as an item of
382 damage the cost of such hospital care, treatment, and
383 maintenance, if prior to the trial of the action he or she shall
384 have notified the lienholder referred to in this section of the
385 pendency of such action or counterclaim; whereupon such
386 lienholder shall have the right, without leave of court, to
387 intervene in the case and prove the reasonable cost of such
388 hospital care, treatment, and maintenance. Any verdict that may
389 be rendered in favor of the plaintiff or counterclaimant shall
390 set forth the amount the jury finds to be due the lienholder for



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391 such hospital care, treatment, and maintenance and the name of
 392 such lienholder. Any judgment rendered in the case in favor of
 393 the plaintiff or counterclaimant shall also be in favor of the
 394 lienholder in the amount set forth by the jury's verdict. The
 395 provisions of this section shall not be applicable to accidents
 396 or injuries within the purview of the workers compensation act
 397 of this state.

398 Section 9. Financial disclosure; the board.--

399 (1) Requirements for financial disclosure, meeting
 400 notices, reporting, and public records, shall be as set forth in
 401 chapters 119, 189, 286, and 395, Florida Statutes, as they may be
 402 amended from time to time.

403 Section 10. Preparation of budget.--The board of trustees
 404 shall provide for the preparation of an annual budget in
 405 accordance with generally accepted accounting principles.

406 Section 11. Amendment and dissolution of the
 407 district.--The District may be dissolved only by action of the
 408 Legislature. This act may not be amended except by action of
 409 the Legislature.

410 Section 12. Comprehensive planning.--Except as may
 411 otherwise be required by general law, comprehensive planning is
 412 not required by this act.

413 Section 4. Notice.--It is found and determined that the
 414 notice of intention to apply for this legislation was given in
 415 the time, form, and manner required by the Constitution and Laws
 416 of the state. Said notice is found to be sufficient and is
 417 hereby validated and approved.

418 Section 5. If any provision of this act or its application
 419 to any person or circumstance is held invalid, the invalidity
 420 does not affect other provisions or applications of the act



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421 which can be given effect without the invalid provision or
422 application, and to this end the provisions of this act are
423 declared severable.

424 Section 6. In the event of a conflict of the provisions of
425 this act with the provisions of any other act, the provisions of
426 this act shall control to the extent of such conflict. Except
427 as specifically provided herein, the provisions of this act
428 shall control over the provisions of any other special act or
429 general law.

430 Section 7. Chapters 19901, 21312, 57-1420, 61-2289, 69-
431 1165, 71-689, 71-690, 76-389, and 79-483, Laws of Florida, are
432 repealed.

433 Section 8. This act shall take effect upon becoming a law.