



1                                   A bill to be entitled  
 2           An act relating to Jackson County Hospital District,  
 3           Jackson County; codifying special laws relating to the  
 4           district; amending, codifying, and reenacting all special  
 5           acts relating to the Jackson County Hospital District as a  
 6           single act; repealing all prior special acts related to  
 7           Jackson County Hospital Corporation; renaming the  
 8           corporation the Jackson County Hospital District;  
 9           providing an effective date.

10  
 11 Be It Enacted by the Legislature of the State of Florida:

12  
 13           Section 1. Pursuant to section 189.429, Florida Statutes,  
 14 this act constitutes the codification of all special acts  
 15 relating to the Jackson County Hospital Corporation. It is the  
 16 intent of the Legislature in enacting this act to provide a  
 17 single comprehensive special act charter for the district,  
 18 including all current authority granted to the district by its  
 19 several legislative enactments.

20           Section 2. Chapters 19901 (1939), 21312 (1941), 57-1420,  
 21 61-2289, 69-1165, 71-689, 71-690, 76-389, and 79-483, Laws of  
 22 Florida, are amended, codified, reenacted, and repealed as  
 23 provided in this act.

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

26           Section 1. Boundaries of the district.--This act may be  
 27 cited as the "Jackson County Hospital District," which shall



28 comprise and include all the territory within Jackson County,  
 29 less and except the following described portion thereof:  
 30 Begin at the SE corner of Section 34, Township 5  
 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  
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,  
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  
 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  
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  
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  
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  
 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.--

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

269 (2) All bonds of the Jackson County Hospital District,  
 270 payable from ad valorem taxation and maturing more than 12  
 271 months after issuance, may be issued only when approved by vote  
 272 of the electors. The election shall be called and held by the  
 273 governing body of Jackson County subject to the provisions of  
 274 general law. In the event it is determined by the Board of



275 Trustees to hold such an election, the governing body of Jackson  
276 County shall by resolution order such election to be held in the  
277 District, and shall give notice of said election by publication  
278 in a newspaper of general circulation within the District. The  
279 costs of the election shall be paid by the District, which is  
280 hereby authorized to pay or reimburse the governing body of  
281 Jackson County for the costs of any election or elections as  
282 required by this act.

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

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

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

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



303       Section 7. District tax exemption.--All property which may  
304 be acquired or owned by the said District shall be exempt from  
305 taxation of every kind, except that this exemption shall not  
306 apply to interest earnings subject to taxation under chapter  
307 220, Florida Statutes.

308       Section 8. Liens.--

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

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



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

347 (3) The clerk of the circuit court of Jackson County shall  
348 endorse on such claim the date and hour of filing, shall provide  
349 a hospital lien book with proper index in which he or she shall  
350 record such claim, and shall show therein the date and hour of  
351 such filing. He or she shall be paid by the claimant as his or  
352 her fee for such filing and recording of each claim the sum of  
353 \$1.50.

354 (4) No release or satisfaction of any action, suit, claim,  
355 counterclaim, demand, judgment, settlement, or settlement  
356 agreement, or of any of them, shall be valid or effectual as  
357 against such lien unless such lienholder shall join therein or  
358 execute a release of such lien. Any acceptance of a release or



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

378 (5) No person shall be entitled to recover or receive  
379 damages on account of hospital care, treatment, and maintenance  
380 unless he or she shall affirmatively show that he or she has  
381 paid the cost thereof. Provided, however, that in any action,  
382 suit, or counterclaim brought on account of illness or injury,  
383 the plaintiff or counterclaimant may include as an item of  
384 damage the cost of such hospital care, treatment, and  
385 maintenance, if prior to the trial of the action he or she shall  
386 have notified the lienholder referred to in this section of the



387 pendency of such action or counterclaim; whereupon such  
388 lienholder shall have the right, without leave of court, to  
389 intervene in the case and prove the reasonable cost of such  
390 hospital care, treatment, and maintenance. Any verdict that may  
391 be rendered in favor of the plaintiff or counterclaimant shall  
392 set forth the amount the jury finds to be due the lienholder for  
393 such hospital care, treatment, and maintenance and the name of  
394 such lienholder. Any judgment rendered in the case in favor of  
395 the plaintiff or counterclaimant shall also be in favor of the  
396 lienholder in the amount set forth by the jury's verdict. The  
397 provisions of this section shall not be applicable to accidents  
398 or injuries within the purview of the workers compensation act  
399 of this state.

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

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

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

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

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



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

420           Section 5. If any provision of this act or its application  
421 to any person or circumstance is held invalid, the invalidity  
422 does not affect other provisions or applications of the act  
423 which can be given effect without the invalid provision or  
424 application, and to this end the provisions of this act are  
425 declared severable.

426           Section 6. Chapters 19901, 21312, 57-1420, 61-2289, 69-  
427 1165, 71-689, 71-690, 76-389, and 79-483, Laws of Florida, are  
428 repealed.

429           Section 7. This act shall take effect upon becoming a law.  
430