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A bill to be entitled

An act relating to Halifax Hospital Medical Center, Volusia County; codifying, reenacting, and amending the charter of the Halifax Hospital Medical Center special tax district; providing for boundaries of the district; establishing a Board of Commissioners; providing for membership and appointment; providing powers and duties of the board; providing for meetings of the board; authorizing the district to establish, construct, operate, and maintain hospitals, medical facilities, and services; providing that the district shall have the power of eminent domain; authorizing the district to perform certain functions in order to carry out the purposes of the act; providing for the issuance of bonds and procedures relating thereto; authorizing the district to levy and collect certain taxes; authorizing officers of the district to sign checks and warrants; providing procedure for levy and collection of taxes; providing for the payment of expenses; requiring the establishment of revenue accounts; requiring the district to provide care and services for the medically indigent; providing for liberal construction; exempting property of the district from taxation; requiring an annual audit of the books and records of the district; providing for employee benefits; providing for competitive bidding; providing an alternative to bidding procedure; providing an exception; authorizing the board to designate a direct-support organization; providing for severability; repealing chapters 79-577, 79-578, 84-539, 89-409, and 91-352, Laws of Florida; providing an effective date.



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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 Halifax Hospital Medical Center special tax district. It is the intent of the Legislature to provide a single, comprehensive special act charter for said district, including all current legislative authority granted to the district by its several legislative enactments and any additional authority granted by this act and chapter 189, Florida Statutes, as they may be amended from time to time. It is further the intent of this act to preserve all district authority.

Section 2. Chapters 79-577, 79-578, 84-539, 89-409, and 91-352, Laws of Florida, relating to the Halifax Hospital Medical Center special tax district are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Halifax Hospital Medical Center special tax district is re-created and reenacted to read:

Section 1. A special tax district is hereby created to be known as "Halifax Hospital Medical Center" in Volusia County, Florida, which district shall include all of Volusia County except those parts described below:

Beginning at the point of intersection of the main channel of Mosquito Inlet and the Atlantic Ocean, thence run Southeasterly with the shore of the Atlantic Ocean to the point of intersection with the South line of Township 19S, thence West with said



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61 Township line to the Southwest corner of Section 34,  
 62 Township 19S, Range 33E, thence North to the Northwest  
 63 corner of Section 3, Township 19S, Range 33E, thence  
 64 West along the South line of Township 18S, Range 33E,  
 65 to the Southwest corner of said Township 18S, Range  
 66 33E, thence north with West line of Township 18S,  
 67 Range 33E, to the Northwest corner of said Township  
 68 18S, Range 33E, thence West along line between  
 69 Townships 17S and 18S to the Southwest corner of  
 70 Township 17S, Range 32E, thence along the Range line  
 71 between Ranges 31E and 32E North to the Northwest  
 72 corner of Township 17S, Range 32E, thence East along  
 73 the North line of Township 17S, Range 32E to the point  
 74 of intersection with the South fork of Spruce Creek,  
 75 thence Northerly and Easterly along Spruce Creek to  
 76 the point of intersection with the main channel of the  
 77 Halifax River, thence Southerly and Easterly along the  
 78 main channel of the Halifax River and the main channel  
 79 of Mosquito Inlet to the point of beginning. All the  
 80 above described property lying and being in County of  
 81 Volusia, State of Florida.

82  
 83 Commencing at a point on the East Shore of Lake George  
 84 where same is intersected by the Putnam-Volusia County  
 85 line and run Northeasterly with said line to be the  
 86 Southernmost point of Lake Crescent; thence East with  
 87 shore line of Lake Crescent to the mouth of Hawk  
 88 Creek; thence up said Creek to its intersection with  
 89 the East line of Range 28 East; run thence South with  
 90 said Range line (it being the Flagler-Volusia County



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91 line) to the Northwest corner of Section 30, Township  
 92 14 South, Range 29 East; thence run East 12 miles to  
 93 the Northeast corner of Section 25, Township 14 South,  
 94 Range 30 East; thence run South two miles to the  
 95 Southeast corner of Township 14 South, Range 30 East;  
 96 thence run West along said Township line to the  
 97 Northeast corner of Township 15 South, Range 30 East;  
 98 thence run South with the range line between Ranges 30  
 99 and 31 East about six miles to the Southeast corner of  
 100 Township 15 South, Range 30 East, run thence East  
 101 along the North line of Township 16 South, Range 31  
 102 East about six miles to the Northeast corner of said  
 103 Township 16 South, Range 31 East; run thence South on  
 104 the range line between Ranges 31 and 32 East about  
 105 twelve miles to the Southeast corner of Township 17  
 106 South, Range 31 East; run thence East with the line  
 107 between Township 17 and 18 South to the Northeast  
 108 corner of Township 18 South, Range 32 East; run thence  
 109 South on the range line between Ranges 32 and 33 East  
 110 to the Southeast corner of Township 18 South, Range 32  
 111 East; run thence East on the line between Township 18  
 112 South, Range 33 East and Township 19 South, Range 33  
 113 East about three miles to the Northeast corner of  
 114 Section 4 of Township 19 South, Range 33 East. Run  
 115 thence South on the East line of Sections 4-9-16-21-28  
 116 and 33. Township 19 South, Range 33 East to the  
 117 Southeast corner of Section 33, Township 19, South  
 118 Range 33 East; run thence East on the line between  
 119 Township 19 South, Range 33 East and Township 20  
 120 South, Range 33 East to the Northeast corner of



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121 Township 20 South, Range 33 East; run thence South on  
122 the East line of Township 20 South, Range 33 East and  
123 along the East line of Township 21 South, Range 33  
124 East to the Southeast corner of Section 36, Township  
125 21 South, Range 33 East, run thence West along a South  
126 line of Township 21 South, Range 33 East to the  
127 intersection of said Township line with the St. Johns  
128 River; thence run down the St. Johns River in a  
129 generally Northwesterly direction to Lake George and  
130 with the East Shore line of said Lake George to the  
131 place of beginning.

132  
133 Section 2. (1) The governing body of the district shall  
134 be a Board of Commissioners which shall consist of seven  
135 members, each of whom shall be a resident of the district and  
136 appointed by the Governor. Except with respect to those  
137 appointees who shall be appointed to serve terms ending on the  
138 dates specified herein, each commissioner shall be appointed for  
139 a term of 4 years. The appointments which must be made with  
140 respect to the four commissioners whose terms end in May of 1985  
141 shall be made with two commissioners being appointed for terms  
142 ending May 23, 1986, and two commissioners being appointed for  
143 regular 4-year terms. With respect to the appointments which  
144 must be made for the three commissioners whose terms end in May  
145 1987, two commissioners shall be appointed for regular 4-year  
146 terms and one commissioner shall be appointed for a term ending  
147 May 23, 1988.

148 (2) The Governor may suspend a commissioner pursuant to  
149 section 7, Article IV of the State Constitution. Each  
150 commissioner shall give bond to the Governor conditioned on the



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151 officer's faithful performance of the duties of his or her  
152 office, in the sum of \$5,000, with a surety company approved by  
153 the district and qualified to do business in Florida. The bond  
154 shall be approved and filed with the Clerk of the Circuit Court  
155 of Volusia County. The premiums on each bond shall be paid by  
156 the district.

157 Section 3. The district shall have all powers of a body  
158 corporate, including, but not limited to, the power to sue and  
159 be sued; to enter into contracts; to adopt and use a common  
160 seal; to establish corporations pursuant to chapter 617, Florida  
161 Statutes, under the control of the district; to enter into  
162 capital or operating leases; and to acquire, purchase, hold,  
163 lease, and convey such real and personal property as may be  
164 proper or expedient to carry out the purposes of this act. The  
165 district shall have the power to employ a chief executive  
166 officer or such other agents and employees as it deems may be  
167 advisable to operate and manage the district's facilities; to  
168 borrow money and issue notes, bonds, and other evidences of  
169 indebtedness to carry out the provisions of this act; to foster  
170 community redevelopment within the district through financial  
171 contribution with the community redevelopment trust fund; and to  
172 accept promissory notes and voluntary liens to evidence and  
173 secure payment for health care services rendered to patients  
174 whenever patients are unable to pay their bills in full when  
175 payment is due.

176 Section 4. Four of the commissioners shall constitute a  
177 quorum, but no action, except to recess or adjourn, shall be  
178 effective unless four of the commissioners concur therein. The  
179 Board of Commissioners shall keep true and accurate minutes and  
180 records of all business transacted by it. The minutes, records,



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181 and books of account shall at all reasonable times be open and  
 182 subject to inspection and copying by the public, pursuant to  
 183 section 119.07, Florida Statutes.

184 Section 5. The district may establish, construct, operate,  
 185 and maintain such hospitals, medical facilities, and other  
 186 health care facilities and services as are necessary. The  
 187 hospitals, medical facilities, and other health care facilities  
 188 and services shall be established, constructed, operated, and  
 189 maintained by the district for the preservation of the public  
 190 health, for the public good, and for the use of the public of  
 191 the district. Maintenance of such hospitals, medical facilities,  
 192 and other health care facilities and services in the district is  
 193 hereby found and declared to be a public purpose and necessary  
 194 for the general welfare of the residents of the district.

195 Section 6. The district shall have the power of eminent  
 196 domain, and it may condemn and acquire any real or personal  
 197 property within the district which the board may deem necessary  
 198 for the use of the district. The power of condemnation shall be  
 199 exercised in the same manner as is now or may be provided by  
 200 general law for the exercise of the power of eminent domain by  
 201 counties of the state, including the right to take possession  
 202 and title in advance of final judgment under the procedures set  
 203 forth in chapter 74, Florida Statutes.

204 Section 7. In order to carry out the purposes of this act:

205 (1) The district may borrow money and execute promissory  
 206 notes having a term of up to 7 years and may enter into credit  
 207 purchase agreements having a term of up to 7 years. The  
 208 district may determine with respect to such notes or credit  
 209 purchase agreements the initial principal amounts and may set  
 210 terms and rates of interest.



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211 (2) The district may facilitate fair and consistent  
212 delivery of health care services to indigent persons by charging  
213 for indigent care services on the same sliding scale used by the  
214 Volusia County Health Department.

215 (3) The district may form both not-for-profit and for-  
216 profit corporations. The for-profit corporations may only  
217 engage in health care-related activities. Only the not-for-  
218 profit corporations may be capitalized by the district and  
219 financially supported by the district. Neither the district nor  
220 a not-for-profit corporation formed by the district may  
221 capitalize for-profit corporations, but this shall not prohibit  
222 the district or its not-for-profit corporations from entering  
223 good faith agreements to receive from such for-profit  
224 corporations services, goods, and facilities, as long as the  
225 charge for such services, goods, and facilities is at fair  
226 market value. The district shall not hold in its name corporate  
227 stock issued by any for-profit corporation established by the  
228 district, but the stock of such for-profit corporations may be  
229 held by a not-for-profit corporation established by the district  
230 or by a third party in trust for the district under a written  
231 trust agreement.

232 (4) The not-for-profit corporations and the for-profit  
233 corporations established by the district may be stockholders  
234 which may enter into joint ventures and other cooperative  
235 projects with third-party individuals and entities as long as:

236 (a) Any assets of the not-for-profit corporation which are  
237 provided by the district are not liened, collateralized,  
238 mortgaged, subject to a security interest, or otherwise put at  
239 risk.





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240 (b) The district's credit is not pledged or lent to or for  
 241 the benefit of the joint venture or other cooperative projects.

242 (c) The district itself is not directly involved as a  
 243 shareholder, joint venturer, or partner. The fact that a  
 244 corporation established by the district is a shareholder, joint  
 245 venturer, or other type of participant in a business or  
 246 cooperative project shall not, alone, subject that business or  
 247 cooperative project to requirements of chapter 119, Florida  
 248 Statutes, or chapter 286, Florida Statutes.

249 (5) The district may issue tax anticipation notes and  
 250 neither validation proceedings nor referendum approval is  
 251 necessary with respect to tax anticipation notes with a maturity  
 252 date not more than 12 months after their date of issuance.

253 (6) The district shall maintain commercial insurance,  
 254 establish a risk retention program consisting of self-insurance  
 255 plans, or utilize a combination of commercial insurance and  
 256 self-insurance plans to protect against those risks of less  
 257 commonly insured against by businesses and organizations  
 258 carrying out the health care functions provided by the district.

259 Such commercial insurance and/or self-insurance plans shall be  
 260 in such amounts as deemed prudent under the circumstances by the  
 261 district's insurance consultant. The district may develop a  
 262 risk retention program consisting of separate self-insurance  
 263 plans for the following risks: general liability, errors and  
 264 omissions, medical professional liability, including the  
 265 district's "shared risk" of joint and several liability with  
 266 medical physicians, workers' compensation, and employee medical  
 267 benefits.

268 (7) Each self-insurance plan established or sponsored by  
 269 the district shall be funded on an annual basis in an amount at



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270 least equal to that sum jointly established by the hospital's  
271 CEO and the district's insurance consultant as needed to  
272 maintain the plan's solvency for the applicable plan year. In  
273 making such determination, the insurance consultant and the CEO  
274 shall include "incurred but not reported" claims in the reserves  
275 against claims. The self-insurance plans within the risk  
276 retention program may be established and funded utilizing a  
277 single trust as long as the cost of risk for each self-insurance  
278 plan is separately accounted for and reported. If necessary or  
279 beneficial for legal or actuarial purposes, the separate self-  
280 insurance plans within the risk retention program may be  
281 established utilizing separate trusts or separate not-for-profit  
282 corporations.

283 (8) Protecting the district and its assets through  
284 commercial insurance or through a risk retention program  
285 consisting of self-insurance plans or through a combination of  
286 commercial insurance and self-insurance plans is an essential  
287 governmental function. The fact that hospital employees, their  
288 beneficiaries, or other third parties receive incidental  
289 benefits as a result of the commercial insurance or self-  
290 insurance plans purchased, established, or sponsored by the  
291 district shall not be a basis for asserting such commercial  
292 insurance or such plan within the risk retention program is not  
293 primarily for the benefit of the district or is not an essential  
294 governmental function as long as any third party receiving such  
295 incidental benefit pays its fair and equitable share of the  
296 district's total costs for insuring or self-insuring the risks.

297 (9) Nothing herein shall be interpreted as prohibiting the  
298 district from purchasing other commercial insurance or



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299 establishing or sponsoring other self-insurance plans under its  
300 risk retention program.

301 Section 8. (1) The district may, by resolution of the  
302 board, authorize the issuance of bonds for the purposes set  
303 forth in this act, and for the acquisition and development of  
304 real property, including appurtenances, fixtures, and equipment,  
305 and for major repairs or renovations to real property which  
306 significantly extend its useful life or change its function, and  
307 for any necessary operating capital outlay to furnish and  
308 operate a new or improved facility. The bonds may be revenue  
309 bonds payable from ad valorem taxes, or bonds payable from a  
310 combination of the two; provided, however, that no bonds either  
311 pledging the full faith and credit of the district, or pledging  
312 the taxing power thereof, except refunding bonds issued at a  
313 lower net average interest cost rate, shall be issued unless the  
314 issuance has been approved in a referendum by a majority vote of  
315 the electors of the district voting on the question. Nothing  
316 herein shall limit any rights the district has or may have under  
317 general law.

318 (2) Pursuant to resolution of the board, such bonds may:

319 (a) Be issued in either coupon or registered form or both.

320 (b) Have dates of maturity not exceeding 40 years after  
321 the date of issuance.

322 (c) Bear interest at a rate to be determined by the board.

323 (d) Provide for registration of coupon bonds and  
324 conversion and reconversion of bonds from coupon to registered  
325 form or from registered form to coupon form.

326 (e) Provide for payment at maturity and redemption prior  
327 to maturity at specified times and prices.



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328 (f) Be payable at specified places within or without the  
329 state.

330 (3) Bonds shall be signed by such officers of the board or  
331 district as shall be required by resolution of the board. The  
332 signatures may be manual or facsimile signatures, but at least  
333 one of the signatures shall be a manual signature. The coupons  
334 shall be signed with the facsimile signatures of such officials  
335 of the board as the board shall determine. In case any officer  
336 whose signature or facsimile of whose signature appears on any  
337 bonds or coupons ceases to be such officer before delivery of  
338 the bonds or coupons, his or her signature or facsimile  
339 signature shall nevertheless be valid and sufficient for all  
340 purposes as fully and to the same extent as if he or she had  
341 remained in office until delivery.

342 (4) All bonds shall be exempt from all state, county, and  
343 city taxation.

344 (5) All bonds issued pursuant to this act shall be and  
345 have, and are hereby declared to be and have, all the qualities  
346 and incidents of negotiable instruments under the Uniform  
347 Commercial Code--Investment Securities Law of the state.

348 (6) The board may sell the bonds in such a manner and at  
349 such prices as the board may determine to be in the best  
350 interest of the district, but not, however, at less than 95  
351 percent of par value.

352 (a) The bonds may be sold either at negotiated or public  
353 sale as determined by the board to be in the best interest of  
354 the district.

355 (b) If the bonds are to be sold at public sale:

356 1. Notice of the sale shall be published at least once at  
357 least 10 days prior to the date of sale in one or more



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358 newspapers or financial journals published within or without the  
359 state and shall contain such terms as the board shall deem  
360 advisable and proper under the circumstances; provided that if  
361 no bids are received at the time and place called for by the  
362 notice of sale, or if all bids received are rejected, the bonds  
363 may again be offered for sale upon a shorter period of  
364 reasonable notice provided for by resolution of the board.

365 2. All bids for the purchase of any bonds offered for sale  
366 by the board shall be opened in public. Such bonds shall be  
367 awarded by resolution of the board to the bidder offering to  
368 purchase such bonds at the lowest net interest cost, such cost  
369 to be determined by deducting the total amount of premium bid  
370 from or adding the total amount of discount bid to the aggregate  
371 amount of interest which will accrue on such bonds until their  
372 respective maturities, without reference to any provisions for  
373 prior redemption of such bonds.

374 3. No best bid from a reputable underwriter or team of  
375 underwriters which bid conforms to the notice of sale may be  
376 rejected unless all bids are rejected. If the bids rejected are  
377 legally acceptable bids under the notice of sale, such bonds  
378 shall not be sold thereafter except upon public sale after  
379 publication of notice of sale as provided herein.

380 (7) No bonds shall be issued by the district unless the  
381 face or reverse thereof contains a certificate, executed either  
382 manually or with the facsimile signature of the secretary or  
383 assistant secretary of the board or district, to the effect that  
384 the issuance of such bonds has been approved under the  
385 provisions of this act by the board. The certificate shall be  
386 conclusive evidence as to approval of the issuance of such bonds



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387 by the district and that the requirements of this act and all of  
 388 the laws relating to such bonds are in full compliance.

389 (8) The district, by resolution of its board, shall have  
 390 the authority to issue bond anticipation notes in the name of  
 391 the district in anticipation of the receipt of the proceeds of  
 392 the bonds in the same manner and subject to the same limitations  
 393 and conditions provided by section 215.431, Florida Statutes.  
 394 The rights and remedies which they would have if they were the  
 395 holders of the definitive bonds in anticipation of which they  
 396 are issued, and all of the covenants, agreements, or other  
 397 proceedings relating to the definitive bonds in anticipation of  
 398 which such bond anticipation notes are issued shall be a part of  
 399 the proceedings relating to the issuance of the notes as fully  
 400 and to the same extent as if incorporated verbatim herein.

401 (9) Prior to the preparation of definitive bonds, the  
 402 district, pursuant to resolution of its board, may issue interim  
 403 receipts or temporary bonds, with or without coupons,  
 404 exchangeable for definitive bonds when such bonds have been  
 405 executed and are available for delivery under such terms and  
 406 conditions as the board shall deem advisable. The resolution  
 407 may also provide for the replacement of any bonds which shall  
 408 become mutilated or be destroyed, stolen, or lost under such  
 409 terms and conditions as the board shall deem advisable.

410 (10) Bonds issued under the provisions of this act may be  
 411 validated in the manner provided in chapter 75, Florida  
 412 Statutes.

413 Section 9. (1) Prior to the issuance of full faith and  
 414 credit bonds, the Board of Commissioners shall determine the  
 415 amount which, in the opinion of the board, will be necessary to  
 416 be raised annually by taxation for the payment of the debt



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417 service on all such outstanding bonds and all such bonds  
418 proposed to be issued. Subject to the millage limitations  
419 authorized by law, the district shall provide for the levy and  
420 collection annually of a sufficient tax upon all the taxable  
421 property in the district to make the debt service payments on  
422 the bonds and debt service on notes, for expenses of operation,  
423 maintenance, construction, improvements, and repair of the  
424 hospitals or clinics, and for the payment of any indebtedness or  
425 other necessary expenses in carrying out the business of the  
426 district.

427 (2) The millage for the taxes assessed and levied against  
428 the taxable property within the district for the payment of debt  
429 service, including interest and principal of the bonds and notes  
430 issued by the district and for the operation, maintenance,  
431 improvement, and repair of the hospitals, medical facilities,  
432 clinics, or outpatient facilities and services, including, but  
433 not limited to, providing care to the indigent as provided in  
434 this act, or for the payment of any outstanding indebtedness  
435 authorized by this act, or for the payment of other necessary  
436 expenses in carrying on and transacting the business of the  
437 district, shall not exceed 4 mills on all the nonexempt property  
438 within the district, unless authorized by law and approved by a  
439 majority vote of the electors of the district voting on the  
440 issue.

441 Section 10. The Board of Commissioners, the Chief  
442 Executive Officer, and the Chief Fiscal Officer of the district  
443 are hereby authorized to sign checks and warrants of the  
444 district by facsimile signature and to use and employ facsimile  
445 signature machines for that purpose. The stamping, printing, or  
446 lithographing of facsimile signatures of the Chief Executive



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447 Officer and Chief Fiscal Officer shall constitute sufficient  
 448 signatures in compliance with Florida Statutes as to the  
 449 withdrawal of district funds from a depository.

450 Section 11. The levy of the taxes authorized by any  
 451 provision of this act shall be pursuant to a resolution of the  
 452 board. Certified copies of the resolution executed in the name  
 453 of the board by its chair, under its corporate seal, shall be  
 454 made and delivered to the County Council of Volusia County, and  
 455 to the Department of Revenue in the same manner and within the  
 456 same time period as required of counties pursuant to general  
 457 law. The County Council of Volusia County shall require the  
 458 Director of the Finance Department of the county to collect the  
 459 amount of taxes so assessed or levied by the district upon the  
 460 nonexempt property in the district, at the rate of taxation as  
 461 fixed, levied, and adopted by the Board of Commissioners of the  
 462 district for the year and included in the warrant of the  
 463 Property Appraiser and attached to the assessment roll of taxes  
 464 for the county each year. The Director of the Finance  
 465 Department of Volusia County shall collect the tax as levied by  
 466 the district in the same manner as other taxes are collected,  
 467 and he or she shall remit the taxes collected to the district  
 468 within the time and in the manner prescribed by law for the  
 469 collection and handling of county taxes to the county  
 470 depository. All revenues so collected shall be held, used,  
 471 invested, and disbursed by the district as provided in this act  
 472 or as otherwise provided by law.

473 Section 12. The district is authorized to pay from the  
 474 funds of the district all expenses necessarily incurred in the  
 475 formation of the district and all other reasonable and necessary  
 476 expenses, including, but not limited to, those expenses of the





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477 type normally incurred in the establishment, operation, repair,  
478 maintenance, expansion, and diversification of a modern  
479 integrated system for the delivery of health care services  
480 consisting of hospitals, clinics, health maintenance  
481 organizations, ambulatory care facilities, managed care  
482 facilities, other alternative delivery systems, self-insurance,  
483 risk retention programs, captive insurance companies, and  
484 support organizations. This section shall not be construed to  
485 restrict any of the powers vested in the district by any other  
486 provision of this act or any provision of general law.

487 Section 13. (1) The district shall create two separate  
488 revenue accounts. One account shall be the Ad Valorem Tax  
489 Revenue Account which shall be a separate account into which all  
490 ad valorem tax revenues are deposited, and the other account  
491 shall be the General Revenue Account into which all other  
492 district revenues are deposited.

493 (2) Each corporation established and controlled by the  
494 district shall utilize a bookkeeping and financial management  
495 system which identifies all of that corporation's revenues  
496 generated through operation of those assets which were obtained  
497 with ad valorem tax revenues.

498 (3) Annually the board shall publish in a newspaper of  
499 general circulation published in the district an audited  
500 consolidated financial statement of the district and its  
501 corporations. Such financial statements shall be prepared  
502 according to generally accepted accounting principles, shall  
503 specifically include a combined balance sheet and a combined  
504 statement of revenues and expenses, and shall show a complete  
505 statement of the financial conditions of the district as of the  
506 end of the fiscal year.



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507 Section 14. The hospitals, medical facilities, clinics,  
 508 and outpatient facilities established under this act or by a  
 509 not-for-profit corporation formed by the district shall provide  
 510 either independently or in cooperation with each other and/or in  
 511 cooperation with the Volusia County Public Health Care Unit an  
 512 appropriate location or locations for the delivery of quality  
 513 hospital care and related services and treatment to patients who  
 514 are determined according to criteria established by the board to  
 515 be medically indigent. Persons so determined to be medically  
 516 indigent shall receive such services at the locations  
 517 established by the district or by a not-for-profit corporation  
 518 formed by the district either for no charge or alternatively for  
 519 a reduced charge according to the same sliding scale used by the  
 520 Volusia County Health Department. Each hospital, medical  
 521 facility, clinic, and outpatient facility established under this  
 522 act shall collect such charges as the district may from time to  
 523 time establish for hospital care, outpatient care, and related  
 524 services and treatment. Except as is otherwise required by law  
 525 or by agreement with the Volusia County Health Department, the  
 526 district's ad valorem tax revenues shall be used to fund medical  
 527 services to indigent persons only if such services are provided  
 528 at facilities owned by the district or at facilities in which  
 529 the district or a corporation established by the district holds  
 530 an ownership interest. The district may extend the use of  
 531 hospitals, clinics, and medical facilities of the district to  
 532 nonresidents upon such terms and conditions as the district may  
 533 from time to time by its rules provide. The medically indigent  
 534 residents of the district wherein such hospital and clinic are  
 535 located shall have priority to admission and outpatient  
 536 services.



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537 Section 15. It is intended that the provisions of this act  
 538 shall be liberally construed in order to accomplish the purposes  
 539 of the act. Where strict construction of this act would result  
 540 in the defeat of the accomplishment of any of the purposes of  
 541 this act, and a liberal construction would permit or assist in  
 542 the accomplishment thereof, the liberal construction shall be  
 543 chosen.

544 Section 16. All property, real and personal, of the  
 545 Halifax Hospital Medical Center, a special tax district in  
 546 Volusia County, and all property, both real and personal, of the  
 547 Board of Commissioners of the special tax district are hereby  
 548 exempted from taxation pursuant to chapter 196, Florida  
 549 Statutes.

550 Section 17. The books and records of the district shall be  
 551 audited annually by an independent certified public accountant.

552 The Governor of the State of Florida may, when in his or her  
 553 judgment it is necessary, direct the Auditor General to audit  
 554 the books and records of the district.

555 Section 18. The district is authorized to:

556 (1) Provide and pay all or any part of the insurance  
 557 expenses or premiums on its respective employees' insurance or  
 558 self-insurance covering injuries received by such employees  
 559 after working hours or covering illness of such employees and  
 560 their dependents.

561 (2) Provide to employees and their dependents a discount  
 562 on the cost of drugs, laboratory, X-ray work, or other hospital  
 563 services.

564 (3) Provide and pay for employee benefits for group life  
 565 insurance on employees of the district.



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566 (4) Provide such other fringe benefits to district  
567 employees as it from time to time deems appropriate.

568 (5) Incur and pay reasonable expenditures for travel,  
569 physician recruiting, employee recruiting, hospitality,  
570 education, and marketing related to the furtherance of the  
571 district's objectives.

572 Section 19. (1) All purchases of supplies, commodities,  
573 equipment, and materials as well as the leasing of equipment for  
574 use in the operation and maintenance of the district, and all  
575 contracts for work, construction, repair, or replacement of  
576 buildings or other capital improvements to the district's  
577 property, the cost of which is in excess of \$10,000, shall be  
578 made or let by the district by contract to the lowest  
579 responsible bidder according to the written specifications  
580 previously prescribed therefor, and after publication in a  
581 newspaper of general circulation within the district, 1 day a  
582 week for 2 consecutive weeks, of an advertisement or notice  
583 calling for or inviting such bids.

584 (2) As an alternative to the procedure prescribed in  
585 subsection (1), whenever it reasonably appears to the Board of  
586 Commissioners of the district that by reason of an emergency or  
587 other unusual condition the compliance with the bidding  
588 procedure prescribed in subsection (1) would be detrimental to  
589 the interest of the district or its patients, or it appears to  
590 the Board of Commissioners that such supplies, commodities,  
591 equipment, and materials, and the leasing of equipment for the  
592 use in the operation or maintenance of the district are  
593 obtainable from only one source or supplier, the Board of  
594 Commissioners of the district may by appropriate resolution  
595 identify such emergency, unusual condition, or sole source



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596 situation and authorize the purchase, lease agreement, or  
597 contract without complying with the procedure prescribed in  
598 subsection (1).

599 (3) The bidding requirements in subsection (1) shall not  
600 apply to prosthetic devices, pacemakers, or other surgically  
601 implanted devices or materials if the delay incident to  
602 complying with such bidding requirements could adversely affect  
603 patient care or could cause the patient to elect to have the  
604 implant surgery performed at a private hospital which is not  
605 bound by such bidding requirements.

606 (4) All contracts between the district and a third party  
607 for construction, repair, or replacement of buildings,  
608 structures, or other capital improvements owned and operated by  
609 the district, the cost of which is in excess of \$25,000, shall  
610 be made or let to the lowest responsible bidder, unless:

611 (a) The construction is in conjunction with a design-build  
612 project, in which case the district shall comply with section  
613 287.055(9), Florida Statutes; or

614 (b) The lowest bidder refuses to enter into a contract  
615 which prohibits the contractor from claiming delay damages, in  
616 which case the district may contract with any qualified general  
617 contractor for the district's choice on the condition that the  
618 contract with such contractor prohibits the contractor claiming  
619 delay damages and the contract price does not exceed the bid  
620 from the lowest responsible bidder by more than 5 percent.

621 Section 20. (1) The Board of Commissioners may designate  
622 an organization as a Halifax Hospital Medical Center direct-  
623 support organization to provide assistance, funding, and support  
624 to the board in carrying out its powers and duties. For the



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625 purposes of this section, "Halifax Hospital Medical Center  
 626 direct-support organization" means an organization which:

627 (a) Is a corporation not for profit which is incorporated  
 628 under chapter 617, Florida Statutes.

629 (b) Is organized and operated exclusively to receive,  
 630 hold, invest, and administer property and to make expenditures  
 631 to, or for the benefit of, Halifax Hospital Medical Center,  
 632 except that the organization may not receive funds from the  
 633 board by grant, gift, or contract unless specifically authorized  
 634 by the Legislature.

635 (c) Provides equal employment opportunities to all persons  
 636 regardless of race, color, national origin, sex, age, or  
 637 religion.

638 (d) Has been specifically certified as a Halifax Hospital  
 639 Medical Center direct-support organization by a resolution  
 640 adopted by the Board of Commissioners.

641 (2) The Board of Commissioners shall prescribe, by rule,  
 642 procedures by which the Halifax Hospital Medical Center direct-  
 643 support organization is to be governed and any conditions with  
 644 which the organization must comply in order to use property,  
 645 facilities, or personal services of the district without charge.  
 646 "Personal services" include the services of full-time personnel  
 647 and the services of part-time personnel. The rules shall  
 648 provide:

649 (a) That the articles of incorporation and procedures for  
 650 the governance of the direct-support organization must be  
 651 approved by the board.

652 (b) That an annual budget must be submitted by the direct-  
 653 support organization to the board for approval.



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654 (c) That the chair of the Board of Commissioners or his or  
655 her designee must certify, after an annual financial and  
656 performance review, that the direct-support organization is  
657 operating in compliance with the provisions of the rules and in  
658 a manner consistent with the goals of the board and in the best  
659 interests of the state. Such certification shall be made to the  
660 board annually and reported in the official minutes of a meeting  
661 of the board.

662 (d) For procedures to be followed to revoke the  
663 designation of the nonprofit organization as a direct-support  
664 organization and for procedures for the reversion to the state  
665 of funds held in trust by the direct-support organization if  
666 such designation is revoked or, after notice of such revocation,  
667 procedures for expenditure of such funds for purposes approved  
668 by the board.

669 (e) That the fiscal year of the direct-support  
670 organization begins on July 1 each year and ends on June 30 next  
671 following.

672 (3) Before taking office, each member of the governing  
673 board of the Halifax Hospital Medical Center direct-support  
674 organization must be approved by the Board of Commissioners.  
675 The chair of the Board of Commissioners, or a board member  
676 designated by the chair, shall serve as a member of the  
677 governing board and of the executive committee of the direct-  
678 support organization.

679 (4) The Halifax Hospital Medical Center direct-support  
680 organization shall provide for an annual financial and  
681 compliance audit of its accounts and records, to be conducted by  
682 an independent certified public accountant in accordance with  
683 rules adopted by the Board of Commissioners. The annual audit



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684 report shall include a management letter and shall be filed as a  
685 public record with the district. The Board of Commissioners and  
686 the Auditor General may request, and shall receive from the  
687 direct-support organization or its auditor, any detail or  
688 supplemental data which relates to the operation of the  
689 organization.

690 (5) Meetings of the Halifax Hospital Medical Center  
691 direct-support organization are public meetings and shall be  
692 conducted in accordance with section 286.011, Florida Statutes.  
693 Records of the direct-support organization, except for records  
694 which identify donors or potential donors to the direct-support  
695 organization and which shall be confidential, are public records  
696 for the purposes of chapter 119, Florida Statutes. The  
697 confidentiality of records which identify donors or potential  
698 donors to the direct-support organization shall be maintained in  
699 the auditor's report.

700 Section 21. Nothing in this act may be interpreted or  
701 construed as eliminating or limiting any right, power, or  
702 authority which the district has under any other state law.

703 Section 4. If any provision of this act or the application  
704 thereof to any person or circumstance is held inoperative,  
705 unconstitutional, or invalid, it shall not affect other  
706 provisions or applications of the act which can be given effect  
707 without the invalid provision or application, and to this end  
708 the provisions of this act are declared severable.

709 Section 5. Chapters 79-577, 79-578, 84-539, 89-409, and  
710 91-352, Laws of Florida, are repealed.

711 Section 6. This act shall take effect upon becoming a law.