

By Senator Saunders

37-935-03

See HB 1055

1 A bill to be entitled
2 An act relating to the Lee County Trauma
3 Services District, an independent district;
4 providing for establishment of the Lee County
5 Trauma Services District for the purpose of
6 financially supporting trauma services in Lee
7 County; providing that such trauma services
8 shall be provided through a designated Level II
9 Trauma Center; providing for a governing board;
10 providing for officers of the governing board;
11 providing for audit of books; providing for
12 quarterly meetings; prescribing the powers and
13 duties of the board; stating a public purpose;
14 providing for a budget; providing severability;
15 providing an effective date.

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

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19 Section 1. The Lee County Trauma Services District, an
20 independent special district encompassing all the territory
21 comprising Lee County, Florida, shall be established for the
22 purposes of financially supporting the provision of trauma
23 services in Lee County, which trauma services shall be defined
24 as comprehensive emergency medical services for victims of
25 trauma and trauma-related injuries, provided by the State of
26 Florida designated Level II Trauma Center operated by Lee
27 Memorial Health System.

28 Section 2. The governing body of the Lee County Trauma
29 Services District shall be composed of the members of the
30 Board of Directors of the Lee Memorial Health System, a
31 political entity, as duly constituted by law and any

1 amendments thereto, and shall be called the Board of Directors
2 of the Lee County Trauma Services District.

3 Section 3. The Board of Directors of the Lee County
4 Trauma Services District shall have the same officers as those
5 officers of the Board of Directors of the Lee Memorial Health
6 System.

7 Section 4. The books and accounts of the Lee County
8 Trauma Services District shall be audited annually by an
9 independent certified public accountant selected by the board
10 of the District. The report of said audit shall be open for
11 inspection by the public.

12 Section 5. The Board of Directors of the Lee County
13 Trauma Services District shall meet no less than quarterly at
14 such date, time, and place as may be fixed by the board.
15 Proper notice of such meetings shall be filed and given,
16 minutes shall be kept in accordance with general law, and all
17 meetings of the board shall be open to the public.

18 Section 6. The Board of Directors of the Lee County
19 Trauma Services District shall have the authority to operate
20 and conduct the business of the District and, consistent
21 therewith, shall have the following powers:

22 (1) The board is authorized to pay all expenses of
23 operation of the District and all other necessary expenses
24 incurred, including the fees and expenses of attorneys
25 retained by the board or the management of the District, in
26 the transaction of the business of the District, and in
27 carrying out and accomplishing the purposes of this act.

28 (2) The Lee County Trauma Services District may sue
29 and be sued in the name of Lee County Trauma Services
30 District, provided that in any suit, a change in personnel of
31 the board shall not abate the suit, which shall proceed as if

1 such change had not taken place. In all suits against the Lee
2 County Trauma Services District, service or process shall be
3 had on any officer of the board or its legal representative.

4 (3) To the fullest extent permitted by state law, the
5 board may make, or authorize its management to make,
6 contracts.

7 (4) The board is authorized to accept gifts, bequests,
8 grants, endowments, and conveyances from any source for the
9 use and benefit of the Lee County Trauma Services District.

10 (5) The board may, or may authorize its management to,
11 settle or compromise any claim, suit, or action brought
12 against the Lee County Trauma Services District or any of its
13 subsidiaries or affiliated organizations, or any of its
14 directors, officers, or employees when such claim, suit, or
15 action arises out of such directors', officers', or employees'
16 acts or omissions in the course of employment or the
17 performance of official duties, consistent with the provisions
18 of the Florida Waiver of Sovereign Immunity Act, as such act
19 may be in effect at the time of such settlement or compromise.

20 (6) The board may take action consistent with the
21 efficient and effective operation of the Lee County Trauma
22 Services District or the trauma center provided for by this
23 act, consistent with the Constitution and laws of the State of
24 Florida.

25 Section 7. The operation and maintenance of the Lee
26 County Trauma Services District and the operation of health
27 facilities provided for in this act are declared to be a
28 public purpose.

29 Section 8. (1) The fiscal year of the Lee County
30 Trauma Services District shall be the same as that of the Lee
31 Memorial Health System. The board shall prepare a tentative

1 budget for the District covering its proposed operation and
2 requirements for the ensuing fiscal year. The budget shall set
3 forth the proposed expenditures of the District for operation
4 and maintenance of the Level II Trauma Center and payment for
5 trauma-related physician services and for the conduct of the
6 affairs of the District generally. The budget shall be in such
7 form as the board may decide.

8 (2) The budget shall also include the estimated amount
9 obligated for commitments which have been made but not
10 completed, shall indicate the estimated balance of unobligated
11 funds which shall be on hand at the beginning of the fiscal
12 year, and shall indicate the estimated amount to be raised.

13 (3) The provision of notice to the public and the
14 opportunity for public comment regarding the district budget
15 shall be as provided by general law.

16 Section 9. It is declared to be the legislative intent
17 that if any section, subsection, sentence, clause, provision,
18 or part thereof of this act is held invalid, unenforceable, or
19 unconstitutional, it shall not affect the remainder of the
20 act, and the remainder of the act shall remain in force and
21 effect as if the invalid portion had not been enacted.

22 Section 10. This act shall take effect upon becoming a
23 law.

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