



A bill to be entitled

An act relating to the Health Care District of Palm Beach County; codifying, amending, and reenacting special acts relating to the District; providing a popular name; providing boundaries; providing for a governing board, rules of the board, and membership; providing powers and duties of the board; providing for an ad valorem tax; providing for issuance of bonds; providing for an annual report; repealing chapters 87-450, 92-340, 93-382, 96-509, and 2000-489, Laws of Florida; 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 Health Care District of Palm Beach County. It is the intent of the Legislature in enacting this law to provide a single, comprehensive special act charter for the District, including all current legislative authority granted to the District by its several legislative enactments and any additional authority granted by this act.

Section 2. Chapters 87-450, 92-340, 93-382, 96-509, and 2000-489, Laws of Florida, are codified, reenacted, amended, and repealed as herein provided.

Section 3. The charter for the Palm Beach County Health Care Act is re-created and reenacted to read:

Section 1. Popular Name.--This act shall be known and may be referred to by the popular name the "Palm Beach County Health Care Act."



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31 Section 2. Intent.--The Legislature recognizes that it is
 32 in the public interest to provide a source of funding for
 33 indigent and medically needy residents of Palm Beach County (the
 34 "County") and to maximize the health and well-being of Palm
 35 Beach County residents by providing comprehensive planning,
 36 funding, and coordination of health care service delivery.
 37 Program elements should include, but not be limited to,
 38 preventive health services, community nursing services,
 39 ambulatory care, outpatient services, hospital services, trauma
 40 health services, and rehabilitative services, as feasible. All
 41 programs should be coordinated to maximize the delivery of
 42 quality health care. The most effective and efficient method to
 43 provide comprehensive health care services is through a
 44 countywide health care district.

45 Section 3. Name and Boundaries.--The name of the
 46 independent special district shall be the Health Care District
 47 of Palm Beach County (the "District"). The District shall
 48 embrace and include all of the property of Palm Beach County.

49 Section 4. District Board; Membership; Rules of
 50 Procedures.--

51 (1) The District shall be governed by a District Board
 52 which shall be composed of seven members. The appointing
 53 authority shall consider the diverse geographic areas of Palm
 54 Beach County in selecting individuals to serve on the District
 55 Board, and at least one member, but not more than two, shall
 56 reside in the Glades area, that area of Palm Beach County lying
 57 west of the line between Range 39 East and Range 40 East. The
 58 membership of the District Board shall include three members
 59 appointed by the Governor, three members appointed by the Board



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60 of County Commissioners of Palm Beach County, and one member
61 from the Palm Beach County Health Department, as provided below:

62 (a) The Governor shall appoint three members to serve on
63 the District Board.

64 (b) The Board of County Commissioners of Palm Beach County
65 shall appoint three members to the District Board, other than
66 themselves, one of whom must be an elected official at the time
67 of the appointment.

68 (c) The District Board member from the Palm Beach County
69 Public Health Department shall be the director of the Palm Beach
70 County Public Health Department.

71 (2) Any vacancies on the District Board for whatever cause
72 shall be filled in the same manner as set forth in this act for
73 an initial appointment.

74 (3) District Board members shall receive no compensation
75 for their services; however, while acting for the District, they
76 shall receive their actual expenses, including subsistence,
77 lodging, travel, and other expenses in the amount actually
78 incurred, as approved by the District Board.

79 (4) Each member of the District Board shall serve for a
80 term of 4 years or until a successor is appointed.

81 (5) The term of office of a District Board member shall be
82 construed to commence on October 1 of the year of appointment
83 and to terminate September 30 of the year of the end of his or
84 her term.

85 (6) No member of the District Board may serve more than
86 two consecutive 4-year terms, with the exception of the director
87 of the Palm Beach County Public Health Department.

88 (7) The members of the District Board shall elect among
89 themselves a chair, vice chair, and secretary. The chair shall



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90 preside at all meetings of the District Board, except that the
91 vice chair may preside in his or her absence. The chair, vice
92 chair, and secretary shall each have an official vote in all
93 matters considered by the District Board. The District Board is
94 authorized to adopt bylaws providing for the orderly governance
95 and operation of the District's affairs.

96 (8) The District Board shall meet regularly as determined
97 by the bylaws of the District Board.

98 (9) Each District Board member shall give bond to the
99 Governor for the faithful performance of his or her duties in
100 the sum of \$5,000 with a surety company qualified to do business
101 in the state, as surety, which bond shall be approved and kept
102 by the Clerk of the Circuit Court of Palm Beach County. The
103 premiums on said bonds shall be paid as part of the expenses of
104 the District Board.

105 (10) Four District Board members shall constitute a
106 quorum, and a vote of at least three District Board members
107 shall be necessary to complete the transaction of any business
108 of the District. The District Board members shall cause true
109 and accurate minutes and records to be kept of all business
110 transacted by them and shall keep full, true, and complete books
111 of accounts and minutes, which minutes, records, and books of
112 account shall at all reasonable times be open and subject to
113 public inspection, and any person desiring to do so may make or
114 procure a copy of said minutes, records, or books of account, or
115 such portion thereof as such person may desire, at a reasonable
116 cost determined by the District Board.

117 Section 5. Qualifications of District Board Members.--A
118 District Board member or the spouse of a District Board member
119 may not, at the time of appointment or for 1 year prior to



120 appointment or during the term of office of the District Board
 121 member:

122 (1) Have any financial interest, other than ownership of
 123 shares in a mutual fund, pension plan, or profit-sharing plan,
 124 in any entity which, either directly or indirectly, receives
 125 funds from the District.

126 (2) Be employed, retained by, or engaged in any activity
 127 with any entity which, either directly or indirectly, receives
 128 funds from the District, except for the director of the Palm
 129 Beach County Public Health Department.

130 (3) Serve on the board of directors or board of trustees
 131 of any entity which, either directly or indirectly, receives
 132 funds from the District.

133 Section 6. District Board Powers.--The District Board is
 134 vested with the authority and responsibility to provide for the
 135 comprehensive planning and delivery of adequate health care
 136 facilities, including, but not limited to, hospitals, and
 137 services for the citizens of the County, particularly medically
 138 needy citizens. For those purposes, the District Board shall
 139 have and may utilize the following powers:

140 (1) To plan, set policy guidelines for, fund, establish,
 141 construct, lease, operate, and maintain such health care
 142 facilities as shall be necessary for the use of the people of
 143 the County, including the continued presence of at least one
 144 hospital in the Glades area, subject to and limited by the
 145 future financial resources and constraints of the District;
 146 however, hospitals may not be constructed by the District,
 147 except that the District may construct a hospital in the Glades
 148 area. Said health care facilities shall be established,
 149 constructed, leased, owned, operated, and maintained for the



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150 preservation of the public health, for the public good, and for
 151 the use of the public of the County. The locations of such
 152 health care facilities shall be determined by said District
 153 Board.

154 (2) To provide services and facilities jointly with other
 155 public or private health care providers, with appropriate
 156 provision to reduce the costs of providing service for all users
 157 thereof.

158 (3) To provide health care services to residents of the
 159 County through the utilization of health care facilities not
 160 owned and operated by the District. The provision of said care
 161 is hereby found and declared to be a public purpose and
 162 necessary for the preservation of the public health and welfare
 163 of the residents of the County.

164 (4) To adopt an official seal and alter the same at
 165 pleasure.

166 (5) To maintain an office at such place or places as it
 167 may designate.

168 (6) To sue and be sued in its own name and to plead and be
 169 impleaded, but with all sovereign immunity and limitations
 170 provided by the State Constitution or general law.

171 (7) To acquire by purchase, lease, gift, or otherwise, or
 172 to obtain options for the acquisition of, any property, real or
 173 personal, improved or unimproved, as said District Board deems
 174 proper to carry out the purposes of this act. However, the
 175 District shall not have the power of eminent domain. To hold
 176 and dispose of all assets or property, real or personal,
 177 improved or unimproved, upon such terms and for such
 178 consideration, or for no consideration, as the District Board
 179 deems proper to carry out the purposes of this act.



180 (8) To plan and fund the construction, acquisition,
181 ownership, leasing, repair, maintenance, extension, expansion,
182 improvement, rehabilitation, renovation, furnishing, and
183 equipping of health care facilities and to pay all or any part
184 of the costs thereof from the proceeds of operating revenue,
185 bonds, lease-purchase financing, or other obligations of
186 indebtedness of the District or from any contribution, gift, or
187 donation or other funds of the District for such purpose.

188 (9) To make and execute agreements of lease, contracts,
189 deeds, mortgages, notes, and other instruments necessary or
190 convenient in the exercise of its powers and functions under
191 this act.

192 (10) To lease as lessor or lessee to or from any person,
193 firm, corporation, association, or body, public or private, any
194 facilities or property of any nature for the use of the District
195 to carry out any of the purposes authorized by this act.

196 (11) To pledge or assign any money, rents, charges, fees,
197 or other revenues and any proceeds derived from sales of
198 property, insurance, or condemnation awards.

199 (12) To borrow money and issue bonds, certificates,
200 warrants, notes, or other evidence of indebtedness as
201 hereinafter provided; to levy such tax as may be authorized; and
202 to charge, collect, and enforce fees and other user charges.

203 (13) To raise, by user charges or fees authorized by
204 resolution of the board, amounts of money which are necessary
205 for the conduct of the District's activities and services and to
206 enforce their receipt and collection in the manner prescribed by
207 resolution not inconsistent with law.

208 (14) To employ administrators, physicians, attorneys,
209 accountants, financial experts, consulting engineers,



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210 architects, surveyors, and such other employees and agents as
211 may be necessary in its judgment and to fix their compensation.

212 (15) To acquire existing health care facilities and to
213 reimburse any health care facility for the cost of such
214 facilities in accordance with an agreement between the District
215 and the health care facility.

216 (16) To acquire existing health care facilities and to
217 refund, refinance, or satisfy outstanding obligations,
218 mortgages, or advances issued, made, or given by said health
219 care facility.

220 (17) To mortgage any health care facility and the site
221 thereof.

222 (18) To cooperate with, or contract with, other
223 governmental agencies or private individuals or entities as may
224 be necessary, convenient, incidental, or proper in connection
225 with any of the powers, duties, or purposes authorized by this
226 act.

227 (19) To assess and impose upon lands in the District ad
228 valorem taxes as provided by this act.

229 (20) To annually determine and approve a district budget
230 and millage in accordance with chapter 200, Florida Statutes.

231 (21) To promulgate and adopt policies and rules for the
232 operation of the District.

233 (22) In its absolute discretion, to establish or become a
234 part of one or more qualified self-insurance trust funds for the
235 purpose of protecting District assets and operations, as well as
236 related health care entities and individuals comprising the
237 health care delivery system established at the direction or
238 under the authority of the District. The protection from
239 liability losses includes, without limitation, professional



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240 medical malpractice, comprehensive general liability, directors
241 and officers' liability, workers' compensation liability,
242 medical and health services, life, property, and such other
243 liability exposures as may be permitted by Florida law. These
244 self-insurance trust funds may be established for the benefit of
245 the officers, directors, employees, and approved agents of the
246 District as well as such other legal entities or individuals as
247 the District may determine, by board resolution, are carrying
248 out the health care purposes and mandates of the District during
249 the period those entities or individuals are acting within the
250 scope of the authority and duties devolving upon them through an
251 agreement with or direct mandate from the District.

252 (23) To provide for reimbursement to hospitals,
253 physicians, or other health care providers or facilities.

254 (24) The District is hereby restricted from reimbursing
255 any health care providers or facilities, including hospitals and
256 physicians, for their bad debts arising from those patients who
257 are not eligible for reimbursement under district guidelines.
258 The District, however, shall continue to reimburse such health
259 care providers for the medical care of medically needy patients,
260 to the extent of the District's limited financial resources,
261 taking into account funds available from other sources,
262 including other governmental funding sources.

263 (25) To establish criteria for the provision of health
264 care pursuant to this act.

265 (26) To be exempt from the payment of any fees, taxes, or
266 increment revenue to community redevelopment agencies
267 established pursuant to part III of chapter 163, Florida
268 Statutes.



269 (27) Notwithstanding the prohibition against extra
 270 compensation set forth in section 215.425, Florida Statutes, to
 271 provide for an extra compensation program, including a lump-sum
 272 bonus payment program, to reward outstanding employees whose
 273 performances exceed standards, if the program provides that a
 274 bonus payment may not be included in an employee's regular base
 275 rate of pay and may not be carried forward in subsequent years.

276 (28) To plan, set policy for, and fund from its revenue
 277 sources the establishment and implementation of cooperative
 278 agreements with other government authorities and public and
 279 private entities within and outside of Palm Beach County which
 280 promote the efficiencies of local and regional trauma agencies,
 281 rural health networks, and cooperative health care delivery
 282 systems, provided that any such agreements with entities outside
 283 of Palm Beach County ensure that the costs associated with any
 284 trauma services are the responsibility of such entity.

285 (29) To establish, and appoint members to, such boards,
 286 committees, or advisory bodies as the District Board deems
 287 appropriate.

288 (30) To plan, coordinate, supervise, manage, and take such
 289 other action as appropriate to implement the school health
 290 programs as established by the District.

291 (31) To do all things necessary to carry out the purposes
 292 of this act.

293
 294 All of the foregoing powers are hereby found and declared to be
 295 a public purpose and necessary for the preservation of the
 296 public health, for the public good, and for the welfare of the
 297 residents of the District.



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298 Section 7. Indemnification of Members of the Board,
299 Officers, Committee Members, Employees, and Others.--

300 (1) The District shall have power to indemnify any person
301 who was or is a party, or is threatened to be made a party, to
302 any threatened, pending, or completed action, suit, or
303 proceeding, whether civil, criminal, administrative, or
304 investigative (other than an action by, or in the right of, the
305 District) by reason of the fact that he or she is or was an
306 agent of the District, against expenses (including attorneys'
307 fees), judgments, fines, and amounts paid in settlement actually
308 and reasonably incurred by him or her in connection with such
309 action, suit, or proceeding, including any appeal thereof, if he
310 or she acted in good faith and in a manner he or she reasonably
311 believed to be in, or not opposed to, the best interests of the
312 District and, with respect to any criminal action or proceeding,
313 had no reasonable cause to believe this conduct was unlawful.
314 The District shall also have the power to indemnify any such
315 person against any loss of wages or earnings suffered during his
316 or her defense, provided that, in the opinion of the
317 commissioners of the District, those losses were directly
318 attributable to that defense. The termination of any action,
319 suit, or proceeding by judgment, order, settlement, or
320 conviction or upon a plea of nolo contendere or its equivalent
321 shall not, of itself, create a presumption that the person did
322 not act in good faith and in a manner which he or she reasonably
323 believed to be in, or not opposed to, the best interests of the
324 District or, with respect to any criminal action or proceeding,
325 had reasonable cause to believe that his or her conduct was
326 unlawful.



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327 (2) No indemnification under this section shall be made in
328 respect of any claim, issue, or matter as to which such person
329 shall have been adjudged to be liable for negligence or
330 misconduct in the performance of his or her duty to the District
331 unless, and only to the extent that, the court in which such
332 action or suit was brought shall determine upon application
333 that, despite the adjudication of liability but in view of all
334 circumstances of the case, such person is fairly and reasonably
335 entitled to indemnification for such expenses, which such court
336 shall deem proper.

337 (3) If an individual has been determined by the District
338 to be an agent entitled to compensation under these indemnity
339 provisions and to the extent that such agent of the District has
340 been successful on the merits or otherwise in defense of any
341 action, suit, or proceeding referred to in the subsections above
342 or in defense of any claim, issue, or matter therein, he or she
343 shall be indemnified against expenses (including attorneys'
344 fees) actually and reasonably incurred by him or her in
345 connection therewith. Any such successful agent shall also be
346 indemnified against any loss of wages or personal service
347 earnings suffered during his or her defense, provided that, by
348 the vote of the District Board acting through a quorum
349 consisting of members who are not parties to such action, suit,
350 or proceeding, it is determined that those losses were directly
351 attributable to the time involved in that defense. If, however,
352 a quorum of disinterested members cannot be convened, the
353 decision shall be made by independent legal counsel, who may be
354 the legal counsel for the District.

355 (4) Unless otherwise determined by a court pursuant to
356 subsection (2), any indemnification under the above subsections



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357 shall be made by the District only as authorized in the specific
358 case upon a determination of a quorum of District Board members
359 who are not parties to such action, suit, or proceeding, or, if
360 that is not possible, by independent legal counsel, who may be
361 the legal counsel of the District, that indemnification of the
362 agent of the District is proper in the circumstances because he
363 or she has met the applicable standard of conduct set forth in
364 the above subsections.

365 (5) Expenses including attorneys' fees and lost wages or
366 earnings incurred in defending a civil or criminal action, suit,
367 or proceeding may be paid by the District in advance of the
368 final disposition of such action, suit, or proceeding upon a
369 preliminary determination following one of the procedures set
370 forth in the above subsections that the agent of the District
371 met the applicable standard of conduct set forth in the above
372 subsections and upon receipt of an undertaking by or on behalf
373 of the agent of the District to repay such amount, unless it
374 shall ultimately be determined that he or she is entitled to be
375 indemnified by the District as authorized in this section.

376 (6) Indemnification as provided in this section shall
377 continue as to a person who has ceased to be an agent of the
378 District and shall inure to the benefit of the heirs, executors,
379 and administrators of such a person.

380 (7) As used in this section, the term "agent of the
381 District" means a District Board member, District officer,
382 committee member appointed by the District, or District employee
383 including persons employed by the District to provide executive,
384 physician, nursing, dental, paramedical, technical, business,
385 management, legal, and other supporting services for the
386 District, together with such other approved agents of the



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387 District or subdistricts as well as such other legal entities or
388 individuals as the District may determine, by board resolution,
389 are carrying out the health care purposes and mandates of the
390 District during the period those entities or individuals are
391 acting within the scope of the authority and duties devolving
392 upon them through an agreement with or direct mandate from the
393 District or subdistricts, excluding medical malpractice claims
394 asserted individually against such persons, but including a
395 person serving at the direction of the District Board. All such
396 agents of the District, in order to be entitled to
397 indemnification for the liability arising out of the act in
398 question, shall have been acting within the scope of their
399 employment on District related business.

400 (8) The District shall have power to purchase and maintain
401 insurance on behalf of such agents of the District as the
402 District Board may, from time to time, deem appropriate, against
403 any liability asserted against the agent of the District and
404 incurred by the agent of the District in any such capacity or
405 arising out of his or her status as agent of the District,
406 whether or not the District would have the power to indemnify
407 him or her against such liability under the provisions of this
408 section. This subsection, however, is not intended to be a
409 waiver of sovereign immunity or a waiver of any other defense or
410 immunity to such lawsuits.

411 Section 8. Taxes.--

412 (1) Ad Valorem Taxes.--The District Board shall have the
413 power to levy and assess an ad valorem tax on all the taxable
414 property in the District for the purposes and needs of the
415 District incurred in exercising the powers and for the purposes
416 set forth herein, including, but not limited to, the power to



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417 fund the construction, operation, and maintenance of assessable
418 improvements, to pay the principal of and interest on any bonds
419 of the District, and to provide for any sinking or other funds
420 established in connection with any such bonds. The ad valorem
421 tax levied by the District Board for District purposes shall not
422 exceed 2 mills. As an additional restriction on the levying of
423 taxes by the District Board, said District Board shall not levy
424 a tax that increases its annual millage levy more than one-
425 quarter of a mill from the amount levied by the District in the
426 previous year.

427 (2) Procedure.--The levy by said District Board of the
428 taxes authorized by any provision of this act shall be in
429 accordance with the procedure set forth in the State
430 Constitution and general law.

431 (3) Financial Statement.--At least once each year, the
432 District Board shall cause to be published once in a newspaper
433 of general circulation in the County a copy of the District's
434 annual audited financial statement summary which shows a
435 complete summary of the financial condition of the District.

436 (4) Enforcement of Taxes.--The collection and enforcement
437 of all taxes levied by the District shall be at the same time
438 and in like manner as county taxes, and the provisions of the
439 Florida Statutes relating to liens for taxes and the enforcement
440 thereof; the sale of lands for unpaid and delinquent taxes; the
441 issuance, sale, and delivery of tax certificates for such unpaid
442 and delinquent county taxes; the redemption thereof; the
443 issuance to individuals of tax deeds based thereon; and all
444 other procedures in connection therewith shall be applicable to
445 the District to the same extent as if such statutory provisions



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446 were expressly set forth herein. All taxes shall be subject to
447 the same discounts as county taxes.

448 (5) When Unpaid Tax is Delinquent; Penalty.--All taxes
449 provided for in this act shall become delinquent and bear
450 penalties on the amount of such taxes in the same manner as
451 county taxes.

452 (6) Tax Exemption.--All bonds issued hereunder and
453 interest paid thereon and all fees, charges, and other revenues
454 derived by the District from the services provided by this act
455 are exempt from all taxes by the state or by any political
456 subdivision, agency, or instrumentality thereof to the extent
457 allowed by general law.

458 Section 9. Short-term Borrowing; Bonds.--

459 (1) Issuance of Bond Anticipation Notes.--In addition to
460 the other powers provided for in this act, the District Board
461 shall have the power to borrow money in anticipation of the sale
462 of bonds and to issue bond anticipation notes in a principal sum
463 not in excess of the authorized maximum amount of such bond
464 issue. Such notes shall be in such denomination or
465 denominations, bear interest at such rate as the District Board
466 may determine in compliance with general law, mature at such
467 time or times not later than 5 years from the date of issuance,
468 and be in such form and executed in such manner as the District
469 Board shall prescribe. Such notes may be sold at either public
470 or private sale or, if such notes shall be renewal notes, may be
471 exchanged for notes then outstanding on such terms as the
472 District Board shall determine. Such notes shall be paid from
473 the proceeds of such bonds when issued. The District Board may,
474 in its discretion, in lieu of retiring the notes by means of
475 bonds, retire them by means of current revenues or from any



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476 taxes or assessments levied for the payment of such bonds, but
477 in such event a like amount of the bonds authorized shall not be
478 issued.

479 (2) Short-term Borrowing.--The District at any time may
480 obtain loans, in such amount and on such terms and conditions as
481 the District Board may approve, for the purpose of paying any of
482 the expenses of the District or any costs incurred or that may
483 be incurred in connection with any of the projects of the
484 District, which loans shall bear such interest as the District
485 Board may determine in compliance with general law, and may be
486 payable from and secured by a pledge of such funds, revenues,
487 taxes, and assessments as the District Board may determine. The
488 District may issue negotiable notes, warrants, or other evidence
489 of debt to be payable at such times, to bear such interest as
490 the District Board may determine in compliance with general law,
491 and to be sold or discounted at such price or prices not less
492 than 95 percent of par value and on such terms as the District
493 Board may deem advisable. The District Board shall have the
494 right to provide for the payment thereof by pledging the whole
495 or any part of the funds, revenues, taxes, and assessments of
496 the District. The approval of the electors residing in the
497 County shall not be necessary except when required by the State
498 Constitution.

499 (3) Authorization and Forms of Bonds.--Any general
500 obligation bonds or revenue bonds may be authorized by
501 resolution or resolutions of the District Board which shall be
502 adopted by a majority of all the members thereof then in office.
503 Such resolution or resolutions may be adopted at the same
504 meeting at which they are introduced and need not be published
505 or posted. The District Board may, by resolution, authorize the



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506 issuance of bonds and fix the aggregate amount of bonds to be
507 issued; the purpose or purposes for which the moneys derived
508 therefrom shall be expended; the rate or rates of interest, in
509 compliance with general law; the denomination of the bonds;
510 whether or not the bonds are to be issued in one or more series;
511 the date or dates of maturity, which shall not exceed 40 years
512 from their respective dates of issuance; the medium of payment;
513 the place or places within or without the state where payment
514 shall be made; registration privileges; redemption terms and
515 privileges, whether with or without premium; the manner of
516 execution; the form of the bonds; the manner of execution of
517 bonds; and any and all other terms, covenants, and conditions
518 thereof and the establishment of revenue or other funds. Such
519 authorizing resolution shall further provide that such bonds
520 shall be executed in accordance with chapter 279, Florida
521 Statutes, the Registered Public Obligations Act of Florida. The
522 seal of the District may be affixed, lithographed, engraved, or
523 otherwise reproduced in facsimile on such bonds. In case any
524 officer whose signature shall appear on any bonds or coupons
525 shall cease to be such officer before the delivery of such
526 bonds, such signature or facsimile shall nevertheless be valid
527 and sufficient for all purposes the same as if he or she had
528 remained in office until such delivery.

529 (4) Issuance of Additional Bonds.--The District Board may
530 authorize the issuance of additional bonds, upon such terms and
531 conditions as the District Board may provide in the resolution
532 authorizing the issuance thereof, but only in compliance with
533 the resolution or other proceedings authorizing the issuance of
534 the original bonds.



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535 (5) Refunding Bonds.--The District shall have the power to
536 issue bonds to provide for the retirement or refunding of any
537 bonds or obligations of the District that at the time of such
538 issuance are or subsequently thereto become due and payable, or
539 that at the time of issuance have been called or are or will be
540 subject to call for redemption within 10 years thereafter, or
541 the surrender of which can be procured from the holders thereof
542 at prices satisfactory to the District Board. Refunding bonds
543 may be issued at any time when in the judgment of the District
544 Board such issuance will be advantageous to the District. No
545 approval of the qualified electors residing in the District
546 shall be required for the issuance of refunding bonds except in
547 cases in which such approval is required by the State
548 Constitution. The District Board may by resolution confer upon
549 the holders of such refunding bonds all rights, powers, and
550 remedies to which the holders would be entitled if they
551 continued to be the owners and had possession of the bonds for
552 the refinancing of which such refunding bonds are issued,
553 including, but not limited to, the preservation of the lien of
554 such bonds on the revenues of any project or on pledged funds,
555 without extinguishment, impairment, or diminution thereof. The
556 provisions of this act pertaining to bonds of the District
557 shall, unless the context otherwise requires, govern the
558 issuance of refunding bonds, the form and other details thereof,
559 the rights of the holders thereof, and the duties of the
560 District Board with respect thereto.

561 (6) Revenue Bonds.--

562 (a) The District shall have the power to issue revenue
563 bonds from time to time without limitation as to amount. Such
564 revenue bonds may be secured by, or payable from, the gross or



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565 net pledge of the revenues to be derived from any health
566 facility or combination of facilities; from the rates, fees, or
567 other charges to be collected from the users of any health
568 facility or facilities; from any revenue-producing undertaking
569 or activity of the District; or from any other sources or
570 pledged security. Such bonds shall not constitute an
571 indebtedness of the District, and the approval of the qualified
572 electors shall not be required unless such approval is required
573 by the State Constitution.

574 (b) Any two or more hospitals or health facilities may be
575 combined and consolidated into a single hospital or facility and
576 may hereafter be operated and maintained as a single hospital or
577 facility. The revenue bonds authorized herein may be issued to
578 finance any one or more of such hospitals or facilities,
579 regardless of whether or not such hospitals or facilities have
580 been combined and consolidated into a single hospital or
581 facility. If the District Board deems it advisable, the
582 proceedings authorizing such revenue bonds may provide that the
583 District may thereafter combine the projects then being financed
584 or theretofore financed with other projects to be subsequently
585 financed by the District and that revenue bonds to be thereafter
586 issued by the District shall be on parity with the revenue bonds
587 then being issued, all on such terms, conditions, and
588 limitations as shall have been provided in the proceeding which
589 authorized the original bonds.

590 (7) General Obligation Bonds.--

591 (a) The District shall have the power from time to time to
592 issue general obligation bonds to finance or refinance capital
593 projects or to refund outstanding bonds. Except for refunding
594 bonds, no general obligation bonds shall be issued unless the



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595 bonds are issued to finance or refinance a capital project and
596 the issuance has been approved at an election held in accordance
597 with the requirements for such election as prescribed by the
598 State Constitution. Such elections shall be called by the
599 District Board. The expenses of calling and holding an election
600 shall be at the expense of the District, and the District shall
601 reimburse the County for any expenses incurred in calling or
602 holding such election.

603 (b) The District may pledge its full faith and credit for
604 the payment of the principal and interest on such general
605 obligation bonds and for any reserve funds provided therefor and
606 may unconditionally and irrevocably pledge itself to levy ad
607 valorem taxes on all taxable property in the District, to the
608 extent necessary for the payment thereof, without limitations as
609 to rate or amount.

610 (c) If the District Board determines to issue general
611 obligation bonds for more than one capital project, the approval
612 of the issuance of the bonds for each and all such projects may
613 be submitted to the electors on one and the same ballot. The
614 failure of the electors to approve the issuance of bonds for any
615 one or more capital projects shall not defeat the approval of
616 bonds for any capital project which has been approved by the
617 electors.

618 (8) Limitation on Issuance of Bonds.--

619 (a) Ad valorem funding shall not be used to support the
620 issuance of bonds, unless the bond issue has been approved by
621 referendum.

622 (b) Annual debt service (annual retirement of long-term
623 debt plus all interest) as a percentage of total revenue from
624 millage must be less than 10 percent of all District revenue.



625 (9) Additional Authority.--The District shall have the
626 authority to determine whether to issue taxable or tax-exempt
627 bonds under this section and whether the bonds are to bear
628 interest at a fixed rate or a variable rate or rates, and the
629 District shall have the authority to determine the security for
630 the bonds, including any credit enhancements.

631 Section 10. Lien on Behalf of the Health Care District of
632 Palm Beach County when Other Parties are Liable.--

633 (1) The District shall be entitled to a lien, as
634 determined by this section, for payments made by the District
635 for health care services provided to ill or injured persons,
636 upon any proceeds of judgments, settlements, or settlement
637 agreements concerning the liability of tortfeasors or other
638 third parties causing or contributing to said illness or
639 injuries thus necessitating such health care services. For
640 purposes of this section, any such ill or injured persons or
641 their legal representatives may be referred to as "claimant."

642 (2) Upon suit being filed by the claimant against any
643 tortfeasor or other third party, the claimant shall send the
644 District, if the District made any payments on the claimant's
645 behalf, a copy of the complaint by certified or registered mail
646 as notification of such suit. Within 60 days after receipt of
647 the claimant's notification, the District may file in the suit a
648 Notice of Payments Made for Health Care Services. Such notice
649 must specify the amount the District paid, and it shall
650 constitute a lien upon any recovery to the extent allowed by
651 this section. If suit has not been filed, the claimant shall
652 send the district notification by certified or registered mail
653 of the claimant's intent to claim damages from the tortfeasor or
654 other third party. Within 60 days after receipt of the



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655 claimant's notification, the District may send to the claimant
656 by certified or registered mail a Notice of Payments Made for
657 Health Care Services. Such notice must specify the amount the
658 District paid, and it shall constitute a lien upon any recovery
659 to the extent allowed by this section. If the District made any
660 payments on the claimant's behalf and becomes aware of a suit or
661 claim for damages prior to being notified by the claimant in
662 accordance with this subsection, it may file or send its Notice
663 of Payments Made for Health Care Services at that time. Such
664 notice must specify the amount paid by the District, and it
665 shall constitute a lien upon any recovery to the extent allowed
666 by this section. The notice of payments made may be amended by
667 the District to reflect amounts paid by the District subsequent
668 to the filing of said notice.

669 (3) The amount of the lien created by this section shall
670 be the entire amount paid by the District pursuant to the Notice
671 of Payments Made for Health Care Services, as amended, less the
672 District's pro rata share of reasonable attorney's fees, costs,
673 and expenses of litigation for the claimant's attorney; however,
674 the amount of the lien created by this section shall in no event
675 be greater than two-thirds of the amount remaining from the
676 proceeds of judgment, settlement, or settlement agreement after
677 the deduction of attorney's fees and other reasonable costs and
678 expenses of litigation.

679 (4) No release or satisfaction of any judgment,
680 settlement, or settlement agreement shall be valid against such
681 lien unless the District joins therein or executes a release of
682 such lien.

683 (5) The District, when claiming a lien under this section,
684 shall cooperate with the claimant by producing such information



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685 as is reasonably necessary to prove the amount paid by the
686 District for health care services provided.

687 (6) The lien created by this act shall not preempt the
688 lien rights of any hospital in Palm Beach County created by
689 ordinance, special act, or general law. This act shall not
690 affect any subrogation rights of the District.

691 Section 11. Reorganized District-owned Hospitals.--The
692 District has the authority to reorganize any hospital it owns in
693 accordance with state law.

694 Section 12. Glades Rural Area Support Board. --The
695 District Board, in the exercise of its powers relative to the
696 planning and delivery of adequate health care facilities and
697 services for the citizens of Palm Beach County, particularly
698 medically needy citizens, and as otherwise stated in section 6,
699 may establish a Glades Rural Area Support Board ("Glades Support
700 Board") and may delegate certain authority to the Glades Support
701 Board for the planning of support for the provision of health
702 care in the Glades area, that area of Palm Beach County lying
703 West of the line between Range 39 East and Range 40 East, all
704 subject to the policies and procedures established by the
705 District Board. Among the powers that the District Board may
706 delegate to the Glades Support Board is some or all of the
707 District Board's authority to provide for tax support and
708 reimbursement to hospitals, physicians, and/or such other health
709 care providers or facilities for the medical care of medically
710 needy patients. If so requested by the District Board, the
711 Glades Support Board shall recommend to the District Board
712 amounts of reimbursement appropriate for hospitals, physicians,
713 and such other health care providers or facilities which provide
714 health care to eligible medically needy patients in the Glades



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715 area. The District Board may amend, rescind, modify, or suspend
 716 any or all of the delegated powers of the Glades Support Board
 717 at any time or from time to time, in the discretion of the
 718 District Board.

719 Section 13. Report to the County Commissioners and
 720 Legislative Delegation.--The District Board shall annually
 721 submit a report, including its budget, to the Palm Beach County
 722 Commissioners and to the Palm Beach County Legislative
 723 Delegation.

724 Section 14. No Effect.--If any provision of this act or
 725 the application thereof to any person or circumstance is held
 726 invalid or unconstitutional by any court of competent
 727 jurisdiction, the invalidity or unconstitutionality shall not
 728 affect other provisions or applications of the act which can be
 729 given effect without the invalid provision or application, and
 730 to this end the provisions of this act are declared severable.

731 Section 15. Remedial Act.--This act shall be construed as
 732 a remedial act and shall be liberally construed to promote the
 733 purpose for which it is intended.

734 Section 4. Chapters 87-450, 92-340, 93-382, 96-509, and
 735 2000-489, Laws of Florida, are repealed.

736 Section 5. This act shall take effect upon becoming a law.