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A bill to be entitled
 An act relating to the DeSoto County Hospital District;
 codifying special laws relating to DeSoto County Hospital
 District pursuant to section 189.429, Florida Statutes;
 providing legislative intent; codifying, repealing,
 amending, and reenacting chapters 65-1450, 69-1011, 71-
 605, 73-443, 78-498, 82-288, and 89-493, Laws of Florida;
 providing district status and boundaries; providing for
 applicability of chapter 189, Florida Statutes, and other
 general laws; providing a district charter; 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 DeSoto County Hospital District. 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.

Section 2. Chapters 65-1450, 69-1011, 71-605, 73-443, 78-
498, 82-288, and 89-493, Laws of Florida, relating to the DeSoto
County Hospital District, are codified, reenacted, amended, and
repealed as provided in this act.

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

28 Section 1. Creation; boundaries.--An independent special
29 district is created and incorporated to be known as the "DeSoto
30 County Hospital District," which district shall embrace and
31 include all of DeSoto County.

32 Section 2. Governing board.--The governing body of the
33 DeSoto County Hospital District shall be known as the "District
34 Hospital Board of DeSoto County" and shall consist of five
35 members who are not members of the medical profession. All
36 members shall be qualified electors and freeholders residing in
37 DeSoto County for more than 1 year prior to appointment.
38 Members of the district board are appointed by the Governor for
39 terms of 4 years each, ending on July 1. The Governor shall have
40 the power to remove any member of the district board for cause
41 and shall fill any vacancies that may occur therein for the
42 remainder of the term in which the vacancy occurred. The members
43 of the district board shall receive no salary but each shall be
44 paid the sum of \$120 per year as expense money; however, no
45 member shall be entitled to expense money unless he or she has
46 attended 75 percent of the regular meetings held by the board
47 during any year. Each member shall give bond to the Governor for
48 the faithful performance of his or her duties in the sum of at
49 least \$5,000 with a surety company qualified to do business in
50 this state as surety, which bond shall be approved and kept by
51 the Clerk of the Circuit Court of DeSoto County. Should the
52 secretary and treasurer be other than a member of the district
53 board, he or she shall give a like bond of at least \$5,000 for
54 the faithful performance of his or her duties. Premiums on bonds
55 shall be paid as part of the expenses of the district.

56 Section 3. Powers.--

57 (1) The District Board of DeSoto County Hospital District
 58 shall have all the powers of a body corporate, including the
 59 power to sue and be sued under the name of the DeSoto County
 60 Hospital District; to contract and be contracted with; to adopt
 61 and use a common seal and to alter same at pleasure; to acquire,
 62 purchase, hold, lease, mortgage, and convey such real and
 63 personal property as the board may deem proper or expedient to
 64 carry out the purposes of this act; to appoint and employ a
 65 superintendent and such other agents and employees as the board
 66 may deem advisable and to fix a compensation of all employees
 67 and to remove any appointees or employees; to insure the
 68 improvements, fixtures, and equipment against loss by fire,
 69 windstorm, or other coverage in such amounts as may be
 70 determined reasonable and proper; and to borrow money and issue
 71 evidence of indebtedness of the district therefor to carry out
 72 the provisions of this act in the manner hereinafter provided.

73 (2) The DeSoto County Hospital District is authorized and
 74 empowered to finance by any commercially reasonable means,
 75 including the issuance of industrial development or revenue
 76 bonds, the construction of additional medical facilities, the
 77 purchase of medical-care-related equipment, and such other
 78 classes of property in furtherance of the district's purposes.

79 Section 4. Officers; meetings; records.--There shall be a
 80 chair of the district board elected annually. The district board
 81 may elect one of its members to serve as secretary and treasurer
 82 or it may appoint some person not a member of the district board
 83 to serve in that capacity. In the absence of the chair or his or

84 her inability to act at any regular meeting, warrants may be
85 signed by any other member of the district board selected by the
86 members present as chair pro tem. Three members shall constitute
87 a quorum, and a vote of at least two members shall be necessary
88 to the transaction of any business of the district. A regular
89 meeting of the board shall be held annually. Additional meetings
90 may be called by a majority of the board upon advance notice as
91 provided by section 189.417, Florida Statutes. The members shall
92 cause true and accurate minutes and records to be kept of all
93 business transacted by them and shall keep full, true, and
94 complete books of account and minutes, which minutes, records,
95 and books of account shall at all reasonable times be open and
96 subject to inspection; and any person desiring to do so may make
97 or procure copies of the minutes, records, or books of account,
98 or such portions thereof as he or she may desire; however, such
99 records shall not include personnel and medical records of a
100 private and confidential nature. The district board shall be
101 empowered to destroy any of its records, together with any of
102 the records of the hospitals owned and operated by the district
103 board, if the records are photographed or microfilmed prior to
104 their destruction.

105 Section 5. Hospital facilities.--The district board is
106 authorized to establish, construct, lease, operate, and maintain
107 any hospital or related medical care facility as, in its
108 opinion, shall be necessary for the use of the people of the
109 district. Said hospital or medical care facility shall be
110 established, constructed, leased, operated, and maintained for
111 the preservation of the public health, for the public good, and

112 for the use of the public of the district. The maintenance of
113 any hospital or related medical care facility within the
114 district is hereby found and declared to be a public purpose and
115 necessary for the preservation of the public health, the public
116 use, and the welfare of the district and inhabitants thereof.
117 The location of any hospital or related medical care facility
118 shall be determined by the district board. The district board is
119 authorized to accept any and all gifts, loans, or advancements
120 for the purchase of property, real or personal, for the
121 construction, equipping, and maintenance of any hospital or
122 related medical care facility established or acquired by the
123 district board.

124 Section 6. Nurses' school.--The district board is
125 authorized at any time in its discretion to establish and
126 maintain in connection with any hospital, and as a part thereof,
127 a training school for nurses and, upon completion of a
128 prescribed course of training, shall give a diploma to nurses
129 who have satisfactorily completed the course. The district board
130 is authorized to set up all rules and regulations necessary for
131 the operation of a nurses' training school and to make all
132 necessary expenditures in connection therewith.

133 Section 7. Eminent domain.--The district board shall have
134 the power of eminent domain and may thereby condemn and acquire
135 any real or personal property within the territorial limits of
136 the district which the district board may deem necessary for the
137 use of the district. Such power of condemnation shall be
138 exercised in the same manner as is now provided by general law

139 for the exercise of power of eminent domain by cities and towns
 140 of the state.

141 Section 8. Indebtedness; short term.--The district board
 142 may incur short-term indebtedness on behalf of the district.
 143 Such indebtedness shall be in an amount determined by the
 144 district board to be the most advantageous to the district at
 145 the time of incurring such indebtedness and at a rate of
 146 interest pursuant to section 215.84, Florida Statutes.

147 Section 9. Certificates of indebtedness.--The district
 148 board is authorized to issue certificates of this hospital
 149 district in such form and denomination, and bearing such rates
 150 of interest, for the purpose of raising funds to establish,
 151 maintain, operate, and construct any hospital or related medical
 152 care facility as the district board determines to be necessary
 153 for the hospital district.

154 (1) Any certificates issued by the district board shall:

155 (a) Bear rates of interest not to exceed 5 1/2 percent per
 156 annum.

157 (b) Become due not more than 30 years from the date of
 158 issuance. Certificates may be made redeemable upon such terms
 159 and conditions as the district board may in its judgment deem
 160 appropriate.

161 (c) Be in an aggregate amount not to exceed \$750,000.

162 (2) The principal and interest on the certificates herein
 163 authorized shall, up to \$50,000 annually, be payable from
 164 racetrack funds accruing annually to DeSoto County and
 165 specifically allocated to the hospital district pursuant to

166 chapter 550, Florida Statutes, and chapter 65-1105, Laws of
 167 Florida.

168 (3) The certificates so issued shall be and are hereby
 169 constituted as legal investments for any state, county,
 170 municipal, or other public funds, for any bank, savings bank,
 171 trustee, executor, administrator, guardian, or any trust of
 172 fiduciary funds whatsoever.

173 Section 10. Checks and warrants.--The funds of the
 174 district shall be paid out only upon warrants signed by the
 175 chair or chair pro tem of the district board and having thereto
 176 affixed the corporate seal of the district, which may be an
 177 impression thereon or a facsimile thereof; and no warrant shall
 178 be drawn or issued against funds of the district except for a
 179 purpose authorized by this act. No such warrant against funds of
 180 the district shall be drawn or issued until after the account or
 181 expenditure for which the same is to be given in payment has
 182 been ordered and approved by the district board at a meeting in
 183 which a quorum is present. The chair of the board is authorized
 184 to sign checks and warrants of the district by the facsimile
 185 signature machines for said purpose, provided that the checks
 186 and warrants are countersigned by the treasurer for the
 187 district.

188 Section 11. Expenses.--The district board is authorized to
 189 pay from the funds of the district all expenses of the
 190 organization of the district board and all expenses necessarily
 191 incurred with the formation of the district and all other
 192 reasonable and necessary expenses, including the fees and
 193 expenses of an attorney in the transaction of the business of

194 the district, and in carrying out and accomplishing the purposes
 195 of this act. This section, however, shall not be construed to
 196 limit or destroy any of the powers vested in the district board
 197 by any other section or provision of this act.

198 Section 12. Contracts; grants; donations.--Subject to such
 199 provisions and restrictions as may be set forth in the
 200 resolution authorizing or securing any bonds issued under the
 201 provisions of this act, the district board shall have power to
 202 enter into contracts with the Government of the United States or
 203 any agency or instrumentality thereof or with the state or any
 204 county, municipality, district, authority, or political
 205 subdivision thereof or any private corporation, partnership,
 206 association, or individual providing for or relating to the
 207 construction or acquisition of additions, extensions, and
 208 improvements to the hospital or related medical care facility
 209 and any other matters relevant thereto or otherwise necessary to
 210 effect the purposes of this act, and to receive and accept from
 211 any federal agency, state agency, or other public body grants or
 212 loans for or in aid of said purposes, and to receive and accept
 213 aid or contributions or loans from any other source of either
 214 money, property, labor, or other thing of value, to be held,
 215 used, and applied only for the purpose for which such grants,
 216 contributions, or loans may be made.

217 Section 13. Financial reports.--At least once each year
 218 the district board shall publish once in some newspaper
 219 published in the district a complete detailed annual statement
 220 of all moneys received and disbursed by the board since the
 221 creation of the district as to the first published statement and

222 since the last published statement as to any other year. The
 223 statement shall also show the several sources from which the
 224 funds were received and shall show the balance on hand at the
 225 time of the published statement. It shall show a complete
 226 statement of the financial condition of the district.

227 Section 14. Admission to facilities.--The hospital or
 228 related medical facilities established under this act shall be
 229 for the use and benefit of the residents of this district,
 230 subject to the rules, regulations, and charges prescribed by the
 231 district board which are in effect as of the date of admission
 232 of a patient or patients to such a hospital or related medical
 233 facility. Medical care and treatment for the indigent in the
 234 district shall be and remain the primary responsibility of
 235 DeSoto County, any authorization herein contained for treatment
 236 of indigents to the contrary notwithstanding, the district board
 237 of this district being granted the authority to refuse such
 238 admission of indigents when found by such district board not to
 239 be financially practicable with due regard to the general
 240 financial condition of the district. The district board is
 241 empowered to enter into and fulfill agreements with the Board of
 242 County Commissioners of DeSoto County for the admission and
 243 treatment of indigents upon such terms, costs, and charges as
 244 may be mutually agreed upon. The district board shall be
 245 authorized to accept moneys from any welfare funds provided for
 246 DeSoto County or moneys available to the indigent patients from
 247 a federal, state, or county agency or moneys available to DeSoto
 248 County from said governmental agencies for welfare and hospital
 249 purposes, for the payment of costs of treatment and care of

250 indigent residents of the district as shall be admitted. The
251 district board may collect from patients financially able such
252 charges as the district board may from time to time establish.
253 The district board may extend the privileges and use of the
254 hospital or clinic to nonresidents of the district who shall pay
255 the rates established by the district board upon such terms and
256 conditions as the district board may provide. However, residents
257 of the district wherein the hospital or clinic is located shall
258 have first claim to admission. The district board shall further
259 have the power to furnish and extend the benefits of the
260 hospital and clinic services and treatment to the homes of
261 indigent residents of the district. Each municipal corporation
262 situated within the district and the law enforcement agencies of
263 DeSoto County shall be liable to the district board for the
264 occupancy, care, medicine, and treatment of prisoners in the
265 custody of the municipal corporation or for county officers who
266 are admitted to any hospital operated by the district board.

267 Section 15. Regulation of physicians, staff members, and
268 practitioners.--Realizing that factors other than professional
269 must enter into the qualifications of those who practice
270 medicine and surgery, the district board is authorized to set up
271 rules, regulations, and bylaws for the operation of the hospital
272 and hospital staff. The district board is authorized to grant or
273 revoke licenses and privileges of staff members for practice in
274 and about any hospital or other medical care facility maintained
275 under this act, so that the welfare and health of patients and
276 the best interests of the facility may at all times be best
277 served. Privileges of staff membership and appointments thereto

278 may be authorized or granted by the district board. The district
 279 board is further authorized to set up rules and regulations for
 280 the control of all professional and nonprofessional employees of
 281 any hospital or other medical care facility, which terms shall
 282 include nurses on general duty or on private duty attending
 283 patients, and all parties in the facility as employees in any
 284 manner in attendance of patients.

285 Section 16. Insurance; board liability.--The district
 286 board may secure and keep in force in amounts it may determine,
 287 in companies duly authorized to do business in Florida,
 288 liability insurance covering vehicles, premises, and
 289 malpractice. In consideration of the premium at which each
 290 policy shall be written, it shall be a part of the policy
 291 contract between the district board and the insurer that the
 292 company shall not be entitled to the benefit of the defense of
 293 governmental immunity for the insured by reason of exercising a
 294 governmental function on any suit brought against the insured.

295 Section 17. Construction.--The provisions of this act
 296 shall be liberally construed for accomplishing the work
 297 authorized and provided for or intended to be and provided for
 298 by this act and, where strict construction would result in the
 299 defeat of the accomplishment of any part of the work authorized
 300 by this act and a liberal construction would permit or assist in
 301 the accomplishment thereof, the liberal construction of this act
 302 shall be chosen. This act shall not be deemed to repeal or
 303 supersede any other laws, but shall be supplemental authority to
 304 carry out the purposes of this act.

305 Section 18. Employee and pension benefits.--The DeSoto
306 County Hospital District is authorized and empowered to create
307 an employees' pension fund so as to provide for life and/or
308 disability and/or medical insurance for all or any of its
309 employees or officers on a group insurance, or other acceptable
310 plan, approved by the District Board of the DeSoto County
311 Hospital District and to establish and create by resolution an
312 employees' pension, hospitalization, and health plan, annuity,
313 and/or retirement plan for any and all groups of officers and
314 employees employed by the DeSoto County Hospital District and
315 qualifying for such plan, and to pay all or such portion of the
316 cost of any such employees' pension, hospitalization, and health
317 plan, annuity, and/or retirement plan from the funds available
318 to the district from its authorized sources, with the employees
319 defraying the balance thereof, if any, as said district board by
320 resolution may determine for any and all groups of officers and
321 employees employed by the DeSoto County Hospital District.

322 Section 4. Chapters 65-1450, 69-1011, 71-605, 73-443, 78-
323 498, 82-288, and 89-493, Laws of Florida, are repealed.

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