

Bill No. CS for CS for SB 1766

Barcode 533870

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| | CHAMBER ACTION | |
| <u>Senate</u> | | <u>House</u> |

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Senator Fasano moved the following amendment:

Senate Amendment (with directory and title amendments)

On page 39, between lines 21 and 22,

insert:

(7) VOTER-APPROVED INDIGENT CARE SURTAX.--

(a)1. The governing body in each county that has a population of fewer than 800,000 residents may levy an indigent care surtax pursuant to an ordinance conditioned to take effect only upon approval by a majority vote of the electors of the county voting in a referendum. The surtax may be levied at a rate not to exceed 0.5 percent, except that if a publicly supported medical school is located in the county, the rate shall not exceed 1 percent.

2. Notwithstanding subparagraph 1., the governing body in each county that has, as of April 1, 2004, an estimated population of at least 300,000 but not more than 400,000 residents and levies the local government infrastructure surtax at the rate of 1 percent, pursuant to subsection (2), may levy, by ordinance subject to approval by a majority vote

Bill No. CS for CS for SB 1766

Barcode 533870

1 of the electors of the county voting in a referendum to be
2 held November 7, 2006, an indigent care surtax at a rate that
3 may not exceed 0.5 percent.

4 3.2. Notwithstanding subparagraphs 1. and 2.
5 ~~subparagraph 1.~~, the governing body of any county that has a
6 population of fewer than 50,000 residents may levy an indigent
7 care surtax pursuant to an ordinance conditioned to take
8 effect only upon approval by a majority vote of the electors
9 of the county voting in a referendum. The surtax may be levied
10 at a rate not to exceed 1 percent.

11 (b) A statement that includes a brief and general
12 description of the purposes to be funded by the surtax and
13 that conforms to the requirements of s. 101.161 shall be
14 placed on the ballot by the governing body of the county. The
15 following questions shall be placed on the ballot:

16
17 FOR THE. . . .CENTS TAX
18 AGAINST THE. . . .CENTS TAX
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20 (c)1. The ordinance adopted by the governing body
21 providing for the imposition of the surtax must set forth a
22 plan for providing health care services to qualified
23 residents, as defined in paragraph (d). The plan and
24 subsequent amendments to it shall fund a broad range of health
25 care services for indigent persons and the medically poor,
26 including, but not limited to, primary care and preventive
27 care, as well as hospital care. It shall emphasize a
28 continuity of care in the most cost-effective setting, taking
29 into consideration a high quality of care and geographic
30 access. Where consistent with these objectives, it shall
31 include, without limitation, services rendered by physicians,

Bill No. CS for CS for SB 1766

Barcode 533870

1 clinics, community hospitals, mental health centers, and
 2 alternative delivery sites, as well as at least one regional
 3 referral hospital where appropriate. It shall provide that
 4 agreements negotiated between the county and providers shall
 5 include reimbursement methodologies that take into account the
 6 cost of services rendered to eligible patients, recognize
 7 hospitals that render a disproportionate share of indigent
 8 care, provide other incentives to promote the delivery of
 9 charity care, and require cost containment, including, but not
 10 limited to, case management. The plan must also include
 11 innovative health care programs that provide cost-effective
 12 alternatives to traditional methods of service delivery and
 13 funding.

14 2. In addition to the uses specified or services
 15 required to be provided under this subsection, the ordinance
 16 adopted by a county that has a population of fewer than 50,000
 17 residents may pledge surtax proceeds to service new or
 18 existing bond indebtedness incurred to finance, plan,
 19 construct, or reconstruct a public or not-for-profit hospital
 20 in such county and any land acquisition, land improvement,
 21 design, or engineering costs related to such hospital, if the
 22 governing body of the county determines that a public or
 23 not-for-profit hospital existing at the time of issuance of
 24 the bonds authorized under this subparagraph would, more
 25 likely than not, otherwise cease to operate. The plan required
 26 under this paragraph may, by an extraordinary vote of the
 27 governing body of such county, provide that some or all of the
 28 surtax revenues and any interest earned must be expended for
 29 the purpose of servicing such bond indebtedness. Such county
 30 may also use the services of the Division of Bond Finance of
 31 the State Board of Administration pursuant to the State Bond

Bill No. CS for CS for SB 1766

Barcode 533870

1 Act to issue bonds under this subparagraph. A jurisdiction may
 2 not issue bonds under this subparagraph more frequently than
 3 once per year. Any county that has a population of fewer than
 4 50,000 residents at the time any bonds authorized in this
 5 subparagraph are issued retains the authority granted under
 6 this subparagraph throughout the terms of such bonds,
 7 including the term of any refinancing bonds, regardless of any
 8 subsequent increase in population which would result in such
 9 county having 50,000 or more residents.

10 (d) For the purpose of this subsection, the term
 11 "qualified residents" means residents of the authorizing
 12 county who are:

- 13 1. Qualified as indigent persons as certified by the
 14 authorizing county;
- 15 2. Certified by the authorizing county as meeting the
 16 definition of the medically poor, defined as persons having
 17 insufficient income, resources, and assets to provide the
 18 needed medical care without using resources required to meet
 19 basic needs for shelter, food, clothing, and personal
 20 expenses; not being eligible for any other state or federal
 21 program or having medical needs that are not covered by any
 22 such program; or having insufficient third-party insurance
 23 coverage. In all cases, the authorizing county shall serve as
 24 the payor of last resort; or
- 25 3. Participating in innovative, cost-effective
 26 programs approved by the authorizing county.

27 (e) Moneys collected pursuant to this subsection
 28 remain the property of the state and shall be distributed by
 29 the Department of Revenue on a regular and periodic basis to
 30 the clerk of the circuit court as ex officio custodian of the
 31 funds of the authorizing county. The clerk of the circuit

Bill No. CS for CS for SB 1766

Barcode 533870

1 court shall:

2 1. Maintain the moneys in an indigent health care
3 trust fund.

4 2. Invest any funds held on deposit in the trust fund
5 pursuant to general law.

6 3. Disburse the funds, including any interest earned,
7 to any provider of health care services, as provided in
8 paragraphs (c) and (d), upon directive from the authorizing
9 county.

10 4. Disburse the funds, including any interest earned,
11 to service any bond indebtedness authorized in this subsection
12 upon directive from the authorizing county, which directive
13 may be irrevocably given at the time the bond indebtedness is
14 incurred.

15 (f) Notwithstanding any other provision of this
16 section, a county may not levy local option sales surtaxes
17 authorized in subparagraph (a)2. ~~this subsection~~ and
18 subsections (2) and (3) in excess of a combined rate of 1.5
19 percent.

20 (g) Notwithstanding any other provision of this
21 section, a county may not levy local option sales surtaxes
22 authorized in subparagraphs (a)1. and 3. and subsections (2)
23 and (3) in excess of a combined rate of 1 percent or, if a
24 publicly supported medical school is located in the county or
25 the county has a population of fewer than 50,000 residents, in
26 excess of a combined rate of 1.5 percent.

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29 ===== DIRECTORY CLAUSE AMENDMENT =====

30 And the directory clause is amended as follows:

31 On page 36, lines 25-26, delete those lines

Bill No. CS for CS for SB 1766

Barcode 533870

1 and insert:

2 Section 16. Subsections (1) and (7) of section
3 212.055, Florida Statutes, are amended, and subsection (8) is
4 added to that

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7 ===== T I T L E A M E N D M E N T =====

8 And the title is amended as follows:

9 On page 5, line 18, after the semicolon,

10

11 insert:

12 authorizing the governing body of certain
13 counties to levy a voter-approved indigent care
14 surtax; providing conditions; prescribing the
15 maximum rate of the surtax; prescribing the
16 maximum rate of a combination of discretionary
17 sales surtaxes;

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