

Bill No. CS for SB 2312

Barcode 023236

CHAMBER ACTION

Senate

House

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Comm: RCS
04/25/2006 10:28 AM

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The Committee on Government Efficiency Appropriations (Posey)
recommended the following amendment:

Senate Amendment (with directory and title amendments)

On page 8, between lines 13 and 14,

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),

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1 may levy, by ordinance subject to approval by a majority vote
 2 of the electors of the county voting in a referendum to be
 3 held November 7, 2006, an indigent care surtax at a rate that
 4 may not exceed 0.5 percent.

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

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

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 18 FOR THE. . . .CENTS TAX
 19 AGAINST THE. . . .CENTS TAX
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21 (c)1. The ordinance adopted by the governing body
 22 providing for the imposition of the surtax must set forth a
 23 plan for providing health care services to qualified
 24 residents, as defined in paragraph (d). The plan and
 25 subsequent amendments to it shall fund a broad range of health
 26 care services for indigent persons and the medically poor,
 27 including, but not limited to, primary care and preventive
 28 care, as well as hospital care. It shall emphasize a
 29 continuity of care in the most cost-effective setting, taking
 30 into consideration a high quality of care and geographic
 31 access. Where consistent with these objectives, it shall

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1 include, without limitation, services rendered by physicians,
 2 clinics, community hospitals, mental health centers, and
 3 alternative delivery sites, as well as at least one regional
 4 referral hospital where appropriate. It shall provide that
 5 agreements negotiated between the county and providers shall
 6 include reimbursement methodologies that take into account the
 7 cost of services rendered to eligible patients, recognize
 8 hospitals that render a disproportionate share of indigent
 9 care, provide other incentives to promote the delivery of
 10 charity care, and require cost containment, including, but not
 11 limited to, case management. The plan must also include
 12 innovative health care programs that provide cost-effective
 13 alternatives to traditional methods of service delivery and
 14 funding.

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

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

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

14 1. Qualified as indigent persons as certified by the
 15 authorizing county;

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

26 3. Participating in innovative, cost-effective
 27 programs approved by the authorizing county.

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

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1 funds of the authorizing county. The clerk of the circuit
2 court shall:

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

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

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

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

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

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

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30 ===== DIRECTORY CLAUSE AMENDMENT =====

31 And the directory clause is amended as follows:

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1 On page 2, line 1, delete that line

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3 and insert:

4 Section 1. Subsections (1) and (7) and paragraph (e)

5 of

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

9 And the title is amended as follows:

10 On page 1, line 29, after the semicolon,

11

12 insert:

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

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