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LEGISLATIVE ACTION

Senate

House

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Floor: WD/2R

03/09/2012 04:44 PM

Senator Hays moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 4 of chapter 2002-348, Laws of Florida,
as amended by chapter 2004-460, Laws of Florida, and section 5
of that chapter, are amended to read:

Section 4. POWERS, FUNCTIONS, AND DUTIES.—

A. Eminent domain.—The North Lake County Hospital District,
through its board of trustees, has the power of eminent domain.

B. General Powers.—The Board of Trustees of the North Lake
County Hospital District has all the powers of a body corporate,
including the power to sue and be sued under the name of the



973138

14 North Lake County Hospital District; to contract and be
15 contacted with; to adopt and use a common seal; and to acquire,
16 purchase, hold, lease, and convey such real and personal
17 property as the board of trustees deems proper or expedient to
18 carry out the purposes of this act.

19 C. Ad valorem taxation.—The Board of Trustees of the North
20 Lake County Hospital District may levy an ad valorem tax in the
21 district of up to 1 mill on the dollar of the value of all
22 nonexempt property within that area of Lake County which
23 comprises the North Lake County Hospital District. Such tax
24 shall be paid into the district fund.

25 D. Tax proceeds to charitable foundations; hospitals.—All
26 future tax proceeds generated from within the Northeast
27 Territory, less one-half of the amount reserved annually by the
28 board to pay for maintenance and services for the board, shall
29 be paid by the board of trustees to Florida Hospital Waterman,
30 Inc., or other entity determined by Florida Hospital Waterman,
31 Inc., if it so desires in order to maximize moneys received,
32 upon written request by Florida Hospital Waterman, Inc., that
33 the funds are needed for health care. All future proceeds
34 generated from within the Northwest Territory, less one-half of
35 the amount reserved annually by the board to pay for maintenance
36 and services for the board, shall be paid by the board of
37 trustees to Leesburg Regional Medical Center, Inc., or other
38 entity determined by Leesburg Regional Medical Center, Inc., if
39 it so desires in order to maximize moneys received, upon written
40 request by Leesburg Regional Medical Center, Inc., that the
41 funds are needed for health care. Funds that are not used for
42 maintenance and services of the board of the district may be



973138

43 used only to offset the cost of uncompensated care for services
44 provided to residents of Lake County who are indigent or who are
45 Medicaid patients. For purposes of this paragraph, the term
46 "indigent person" includes a person who does not have health
47 insurance and whose household income does not exceed 200 percent
48 of the federal poverty level.

49 E. LifeStream Behavioral Center.—Leesburg Regional Medical
50 Center, Inc., and Florida Hospital Waterman, Inc., have brought
51 to the attention of their respective boards that LifeStream
52 Behavioral Center should be entitled to receive the following
53 sums, after submission of a written request by LifeStream
54 Behavioral Center certifying that the funds are needed for
55 indigent health care. The request shall be made to Florida
56 Hospital Waterman, Inc., and Leesburg Regional Medical Center,
57 Inc. Florida Hospital Waterman, Inc., and Leesburg Regional
58 Medical Center, Inc., shall pay the following sums to LifeStream
59 Behavioral Center from their respective share of tax funds
60 collected and received by Florida Hospital Waterman, Inc., and
61 Leesburg Regional Medical Center, Inc.

62 1. For each calendar year ~~after calendar year 1993,~~
63 LifeStream Behavioral Center shall be paid \$100,000 or 1/20 of ~~±~~
64 ~~mill of~~ the tax moneys due Florida Hospital Waterman, Inc., from
65 the Northeast Territory, whichever is greater, plus \$100,000 or
66 1/20 of ~~1 mill of~~ the tax moneys due Leesburg Regional Medical
67 Center, Inc., from the Northwest Territory, whichever is
68 greater. If Florida Hospital Waterman, Inc., or Leesburg
69 Regional Medical Center, Inc., refuses to pay LifeStream
70 Behavioral Center the funds due under this section in any given
71 year, during the next fiscal year of the Board of Trustees of



973138

72 the North Lake County Hospital District, the Board of Trustees
73 of the North Lake County Hospital District shall directly pay
74 LifeStream Behavioral Center an amount equal to the funds
75 withheld during the previous year by the subject provider
76 payable from funds that would otherwise be payable to the
77 subject provider.

78 2. Notwithstanding any of the provisions of this act, the
79 obligation to pay tax revenues to LifeStream Behavioral Center
80 under this act shall permanently terminate in the year:

81 a. When a countywide health taxing district is created and
82 funded pursuant to chapter 154, Florida Statutes, the countywide
83 health taxing district provides for reimbursement on an
84 accountability basis to medical providers for medical, hospital,
85 and emergency care, including psychiatric care provided to
86 indigents residing within the county, and the countywide health
87 taxing district actually reimburses LifeStream Behavioral Center
88 for medical services in an amount greater than or equal to the
89 tax revenues received under the provisions of this act in 1
90 calendar year; or

91 b. If LifeStream Behavioral Center, for any reason, loses,
92 relinquishes, or forfeits its accreditation as a hospital.

93
94 Any reimbursement for medical services paid to LifeStream
95 Behavioral Center by any future countywide health taxing
96 district shall be deducted from the amount of tax revenues to be
97 paid under this act. It is the intent of this act that the tax
98 revenue payments provided for LifeStream Behavioral Center in
99 this act be reduced by the same amount that is actually paid to
100 the hospital by the countywide taxing district.



973138

101 F. Annual financial report.—Leesburg Regional Medical
102 Center Charitable Foundation, Inc., and its parent corporation;
103 Florida Hospital Waterman Foundation, Inc., and its parent
104 corporation; and LifeStream Behavioral Center shall each file
105 annual independently audited financial statements with the North
106 Lake County Hospital District.

107 G. Semiannual patient data reports.—Leesburg Regional
108 Medical Center Charitable Foundation, Inc., and its parent
109 corporation; Florida Hospital Waterman Foundation, Inc., and its
110 parent corporation; and LifeStream Behavioral Center shall each
111 file semiannual reports with the North Lake County Hospital
112 District documenting:

113 1. The number of patients for which tax proceeds under this
114 section are used;

115 2. The total cost of patient care to Lake County residents
116 who are indigent or who are Medicaid patients;

117 3. The total cost of the uncompensated care provided to
118 Lake County residents who are indigent or who are Medicaid
119 patients;

120 4. The amount of ad valorem tax proceeds spent on providing
121 care to Lake County residents who are indigent or who are
122 Medicaid patients; and

123 5. Any other records or information reasonably required by
124 the district relating to medical costs and expenditures of the
125 proceeds of the ad valorem tax proceeds. Such records or
126 information may not contain personal patient-identifying
127 information and shall be redacted to protect patient
128 confidentiality.

129 H.G. Collection of taxes.—It is the duty of the Property



973138

130 Appraiser of Lake County to assess, and the Tax Collector of
131 Lake County to collect, the ~~1-mill~~ tax levied by the Board of
132 Trustees of the North Lake County Hospital District upon the
133 taxable property in the district. The tax collector shall
134 collect such tax as levied by the board of trustees in the same
135 manner as other taxes are collected and shall pay the same over
136 to the Board of Trustees of the North Lake County Hospital
137 District within the time and in the manner prescribed by law for
138 the payment of the Tax Collector of Lake County taxes to the
139 county depository. It is the duty of the Department of Revenue
140 to assess all such property in accordance with section 193.085,
141 Florida Statutes. The amount of each county or state taxes and
142 the taxes for the district shall be assessed by the officer
143 respectively as are county taxes upon such property, and such
144 tax shall be remitted by the collecting officer to the Board of
145 Trustees of the North Lake County Hospital District. All such
146 taxes shall be held by the Board of Trustees of the North Lake
147 County Hospital District and paid out by them for purposes of
148 this act.

149 I.H. Expenses.—The Board of Trustees of the North Lake
150 County Hospital District may pay from the funds of the district
151 all expenses of the organization of such Board of Trustees and
152 all expenses necessarily incurred with the development of the
153 district as well as all other reasonable and necessary expenses,
154 including the fees and expenses of a certified public accountant
155 and an attorney as needed in the transaction of the business of
156 the district in carrying out and accomplishing the purposes of
157 this act. The board shall include in its annual budget a reserve
158 in an amount deemed necessary by the board for its yearly



973138

159 expenses.

160 ~~J.I.~~ Financial disclosure, notice, and reporting
161 requirements.—At least once every year, the Board of Trustees of
162 the North Lake County Hospital District shall make and file with
163 the Clerk of the Circuit Court of Lake County a complete
164 financial statement of all money received and distributed by the
165 board since the development of the district as to the first
166 statement so filed, and since the last statement so filed as to
167 any other year. Such statements shall also show the several
168 sources from which the funds were received and shall show the
169 balance on hand at the time of the making of such statement. It
170 shall show a complete statement of the financial condition of
171 the district. Notice of the statement shall be filed with the
172 Clerk of the Circuit Court of Lake County and published in a
173 newspaper regularly published in Lake County, and the statement
174 shall be made available at all reasonable times to all residents
175 of the district for their inspection. The Board of Trustees of
176 the North Lake County Hospital District shall comply with all
177 financial disclosure and reporting requirements provided in
178 general law.

179 ~~K.J.~~ Preparation of budget.—The Board of Trustees of the
180 North Lake County Hospital District shall prepare an annual
181 balanced budget in accordance with generally accepted accounting
182 practices and in the manner prescribed by section 218.34,
183 Florida Statutes.

184 ~~L.K.~~ Liens and foreclosures.—Liens and foreclosure of liens
185 resulting from failure to pay ad valorem taxation shall be
186 treated as liens and foreclosures resulting from other ad
187 valorem taxes.



973138

188 Section 5. ESTABLISHMENT AND DISSOLUTION OF THE DISTRICT.—
189 The North Lake County Hospital District established pursuant to
190 section 189.4042, Florida Statutes, is reestablished by this act
191 as a special district under chapter 189, Florida Statutes. ~~The~~
192 ~~district may be dissolved by action of the Legislature.~~

193 A. Duration and continuation.—The district expires and
194 shall be dissolved at the end of its 2017 fiscal year without
195 further action by the Legislature. However, the district may be
196 continued for an additional 10 years if, in the 2016 general
197 election, a majority of the electors of the district voting in a
198 referendum called for that purpose approve its continuation. The
199 district is subject to a continuation vote in like manner every
200 10 years thereafter. If the district is dissolved without
201 further action by the Legislature, all property owned by the
202 district is transferred to, and all indebtedness of the district
203 shall be assumed by, Lake County upon such dissolution.

204 B. Referendum.—The Board of County Commissioners of Lake
205 County shall call, and the Supervisor of Elections of Lake
206 County shall conduct, in conjunction with the 2022 General
207 Election, a referendum on the following question:

209 CONTINUATION OF THE NORTH LAKE COUNTY HOSPITAL DISTRICT

210
211 Shall the independent special district known as the
212 North Lake County Hospital District having authority
213 to levy each year an ad valorem tax not to exceed 1
214 mill to fund indigent care to qualified residents of
215 the county be continued for another 10 years?

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973138

217 Yes

218

219 No

220

221 C. Nothing in this section precludes the dissolution of the
222 district by action of the Legislature.

223 Section 2. This act shall take effect upon becoming a law.

224

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

226 And the title is amended as follows:

227 Delete everything before the enacting clause

228 and insert:

229 A bill to be entitled

230 An act relating to the North Lake County Hospital
231 District; amending chapter 2002-348, Laws of Florida,
232 as amended; authorizing the North Lake County Hospital
233 District to reduce the rate of its ad valorem tax;
234 providing for the payment of the proceeds of the tax
235 to Florida Hospital Waterman, Inc., and Leesburg
236 Regional Medical Center, Inc., and their parent
237 corporations, and LifeStream Behavioral Center to
238 offset the costs of uncompensated care for services
239 provided to Lake County residents who are indigent or
240 who are Medicaid patients; defining the term "indigent
241 persons"; requiring Florida Hospital Waterman, Inc.,
242 Leesburg Regional Medical Center, Inc., and LifeStream
243 Behavioral Center to provide biannual reports on the
244 use of the tax proceeds to the Board of Trustees of
245 the North Lake County Hospital District; providing for



973138

246 the dissolution of the district on a certain date
247 unless the electors of the district voting in a
248 referendum approve the continuation of the district;
249 providing an effective date.