



27 facilities; providing applicability; providing an  
 28 effective date.

29  
 30 Be It Enacted by the Legislature of the State of Florida:

31  
 32 Section 1. Section 3 of chapter 2011-256, Laws of Florida,  
 33 is amended to read:

34 Section 1. This act may be cited as the "Citrus County  
 35 Hospital and Medical Nursing and Convalescent Home Act."

36 Section 2. As used in this act, the following words and  
 37 terms have the following meanings:

38 (1) "Citrus County Hospital Board," "hospital board," and  
 39 "board" means the Citrus County Hospital Board.

40 (2) "County" means Citrus County.

41 (3) "County hospital and medical nursing and convalescent  
 42 homes" includes hospitals, medical care facilities, clinics, and  
 43 other allied medical care units.

44 (4) "Indigent care" means medically necessary health care  
 45 provided to Citrus County residents who are determined to be  
 46 qualified pursuant to the provisions of the Florida Health Care  
 47 Responsibility Act, section 154.304(9), Florida Statutes, and  
 48 the Florida Health Care Indigency Eligibility Certification  
 49 Standards, Florida Administrative Code, rule 59H-1.0035(30).

50 (5) "Operate" includes build, construct, maintain, repair,  
 51 alter, expand, equip, lease pursuant to and consistent with the  
 52 provisions of this act, finance, and operate.

53 (6) "Property" means real and personal property of every  
54 nature whatsoever.

55 (7) "State" means the State of Florida.

56 Section 3. (1) There is hereby created the Citrus County  
57 Hospital Board, an independent special district, and by that  
58 name the board may sue and be sued, plead and be impleaded,  
59 contract and be contracted with, acquire and dispose of property  
60 or any interest therein, and have an official seal. The board is  
61 created as a public nonprofit corporation without stock and is  
62 composed of and governed by the five members herein provided  
63 for, to be known as trustees. The hospital board is hereby  
64 constituted and declared to be an agency of the county and  
65 incorporated for the purpose of operating hospitals, medical  
66 nursing homes, and convalescent homes in the county. The  
67 hospital board shall consist of five trustees appointed by the  
68 Governor, and, upon this act becoming a law, the present members  
69 will automatically become trustees and shall constitute the  
70 board. Their respective terms of office shall be the term each  
71 member is presently serving. All subsequent appointments, upon  
72 the expiration of the present terms, shall be for terms of 4  
73 years each. Upon the expiration of the term of each trustee, the  
74 successor shall be appointed by the Governor. Likewise, any  
75 vacancy occurring shall be filled by appointment by the Governor  
76 for the unexpired term. Each appointment by the Governor is  
77 subject to approval and confirmation by the Senate.

78 (2) The trustees of the board shall elect from among its

79 members a chair, a vice chair, and a secretary-treasurer, who  
80 shall each hold office for a period of 1 year. Each trustee  
81 shall execute a bond in the penal sum of \$5,000 with a good and  
82 sufficient surety of a surety company authorized under the laws  
83 of the state to become surety, payable to the Citrus County  
84 Hospital Board, conditioned upon the faithful performance of the  
85 duties of the trustee, which bonds shall be approved by the  
86 remaining trustees of the board and shall be filed with the  
87 Board of County Commissioners of Citrus County. The premiums on  
88 such bonds shall be paid by the hospital board.

89 (3) The hospital board shall comply with the applicable  
90 requirements of chapter 280, Florida Statutes, and part IV of  
91 chapter 218, Florida Statutes.

92 (4) Any and all funds so deposited shall be withdrawn by a  
93 check or warrant signed by two trustees of the hospital board,  
94 of which one shall be the chair, vice chair, or secretary-  
95 treasurer. No check or warrant exceeding the sum of \$25,000  
96 shall be delivered to the payee without approval thereof shown  
97 in the minutes of the hospital board meeting.

98 Section 4. The trustees of the board shall receive no  
99 compensation for their services. Three trustees shall constitute  
100 a quorum of the hospital board for the purpose of conducting its  
101 business and exercising its powers and for all other purposes.  
102 Action may be taken by the board only upon a vote in the  
103 affirmative of three trustees thereof.

104 Section 5. The Citrus County Hospital Board as hereby

105 created shall be for the purpose of operating, in Citrus County,  
106 public hospitals, medical nursing homes, and convalescent homes,  
107 primarily and chiefly for the benefit of the citizens and  
108 residents of Citrus County. Authority is hereby given to the  
109 board to build, erect, expand, equip, maintain, operate, alter,  
110 change, lease pursuant to and consistent with the provisions of  
111 this act, and repair public hospitals, medical nursing homes,  
112 and convalescent homes in Citrus County. The corporation is  
113 authorized, when rooms and services are available, without  
114 detriment or deprivation to the citizens and residents of Citrus  
115 County, to extend the hospitalization and medical nursing home  
116 and convalescent home services provided by such hospitals,  
117 medical nursing homes, and convalescent homes to patients from  
118 adjoining and other counties of Florida and from other states,  
119 upon the payment of the cost of such hospitalization, medical  
120 nursing home services, and convalescent home services as may be  
121 determined by the trustees of the hospital board. The board  
122 shall have the power and authority to operate an ambulance  
123 system and ambulance services and to charge all patients for all  
124 services rendered in any facility owned or operated by the  
125 hospital board, including the ambulance facility. The board may  
126 charge a patient interest on the patient's account; sell,  
127 discount, or assign such account to a bank, finance company,  
128 collection agency, or other type of collection facility; accept  
129 promissory notes or other types of debt obligations from a  
130 patient; assign or discount such accounts receivable, notes, or

131 other obligations; require a patient to guarantee the payment of  
 132 an existing account or note; require a guarantee of payment  
 133 before admitting a patient; and receive and assign any  
 134 assignment of all types of insurance proceeds. In addition to  
 135 all other powers, the board shall have the power and authority  
 136 to:

137 (1) Provide for the payment of indigent care services by  
 138 private health care providers in the county, or to partner with  
 139 other entities such as the Department of Health, in furtherance  
 140 of the hospital board's public purpose and the necessity for the  
 141 preservation of the public health and welfare of the residents  
 142 of the county by the hospital board.

143 (2) Develop and implement a county health plan.

144 (3) In its discretion, create an irrevocable community  
 145 trust or foundation to manage the proceeds of a lease of the  
 146 hospital and its facilities to a private for-profit entity.

147 (a) The board may create and staff an irrevocable  
 148 community trust or foundation to manage the proceeds of a lease  
 149 of the hospital and its facilities to a private for-profit  
 150 entity if such lease results in net proceeds that exceed  
 151 existing debt associated with the hospital and its facilities  
 152 for loans, notes, revenue bonds, or other bond obligations and a  
 153 reasonable estimate of the board's administrative costs and  
 154 costs to facilitate, manage, or enforce the lease and its  
 155 covenants for the term of the lease. Such proceeds and any  
 156 interest derived therefrom may be appropriated by the

157 irrevocable community trust or foundation only for the medically  
 158 related needs of citizens and residents of Citrus County.

159 (b) The governing body of the community trust or  
 160 foundation must include at least two members who are citizens of  
 161 Citrus County who shall be elected on a nonpartisan, countywide  
 162 basis to serve a single 4-year term, except, for purposes of  
 163 establishing staggered terms, the term of one initial citizen  
 164 member shall be for 2 years. A citizen member may not serve more  
 165 than one term on the governing body of the irrevocable community  
 166 trust or foundation. Any vacancy occurring during a term of  
 167 office for a citizen member shall be filled by appointment of  
 168 the board for the remainder of the unexpired portion of the  
 169 term. Upon the request of the board, the Supervisor of Elections  
 170 for Citrus County shall conduct elections to fill the seats of  
 171 the citizen members of the governing body of the irrevocable  
 172 community trust or foundation.

173 (c) The irrevocable community trust or foundation shall be  
 174 considered a quasi-governmental entity and must comply with all  
 175 disclosure, accountability, ethics, and government-in-the-  
 176 sunshine requirements which apply both to governmental entities  
 177 and to their elected and appointed officials.

178 (d) The irrevocable community trust or foundation is  
 179 subject to the audit authority of the Clerk of the Court for  
 180 Citrus County.

181 ~~Section 6. The board of county commissioners shall levy or~~  
 182 ~~cause to be levied each year beginning July 1, 1965, the millage~~

183 ~~certified to the board of county commissioners by the trustees~~  
 184 ~~of the board upon all taxable real and personal property in~~  
 185 ~~Citrus County, not including, however, homestead property that~~  
 186 ~~is exempt from general taxation by the Constitution of the State~~  
 187 ~~of Florida, for the purpose of erecting, building, equipping,~~  
 188 ~~maintaining, changing, altering, repairing, leasing, and~~  
 189 ~~operating the public hospital provided for in this act. Such tax~~  
 190 ~~shall be known as the hospital tax, and the property appraiser~~  
 191 ~~shall make such assessments and the tax collector shall collect~~  
 192 ~~such assessments when made. The money collected shall be paid~~  
 193 ~~monthly to the board. However, the annual tax levied under this~~  
 194 ~~section may not exceed 3 mills.~~

195       Section 6.7. The hospital board is hereby authorized and  
 196 empowered to own and acquire property by purchase, lease, gift,  
 197 grant, or transfer from the county, the state, or the Federal  
 198 Government, or any subdivision or agency thereof, or from any  
 199 municipality, person, partnership, or corporation and to  
 200 acquire, construct, maintain, operate, expand, alter, repair,  
 201 change, lease, finance, and equip hospitals, medical nursing  
 202 homes, convalescent homes, medical care facilities, and clinics  
 203 in the county.

204       Section 7.8. The hospital board is authorized and  
 205 empowered to enter into contracts with individuals,  
 206 partnerships, corporations, municipalities, the county, the  
 207 state or any subdivision or agency thereof, or the United States  
 208 of America or any subdivision or agency thereof to carry out the



209 purposes of this act.

210 Section 8.9. The hospital board is empowered to and shall  
211 adopt all necessary rules, regulations, and bylaws for the  
212 operation of hospitals, medical nursing homes, and convalescent  
213 homes; provide for the admission thereto and treatment of such  
214 charity patients who are citizens of the state and residents of  
215 the county for the preceding 2 years; set the fees and charges  
216 to be made for the admission and treatment therein of all  
217 patients; and establish the qualifications for members of the  
218 medical profession to be entitled to practice therein.

219 Section 9.10. The hospital board shall have the power to  
220 purchase any and all equipment that may be needed for the  
221 operation of hospitals, medical nursing homes, and convalescent  
222 homes and shall have the power to appoint and hire such agent or  
223 agents, technical experts, attorneys, and all other employees as  
224 are necessary for carrying out the purposes of this act,  
225 regardless of any lease to a not-for-profit corporation,  
226 including the hiring and maintenance of staff personnel as it  
227 may deem appropriate to assist the board in the discharge of its  
228 operational, financial, and statutory responsibilities, and in  
229 carrying out its fiduciary duties to the taxpayers of Citrus  
230 County, and to prescribe their salaries and duties. The board  
231 shall have the power to discharge all employees or agents when  
232 deemed necessary by the board for the carrying out of the  
233 purposes of this act.

234 Section 10.11. At the end of each fiscal year, the Citrus

235 County Hospital Board shall within 30 days file with the Clerk  
 236 of the Circuit Court of Citrus County a full, complete, and  
 237 detailed accounting of the preceding year and at the same time  
 238 shall file a certified copy of such financial report with the  
 239 Board of County Commissioners of Citrus County, which report  
 240 shall be recorded in the minutes of the board of county  
 241 commissioners. The board of county commissioners, at its  
 242 discretion and at the expense of the county, may publish and  
 243 report an accounting in a newspaper of general circulation in  
 244 Citrus County.

245 Section ~~11.12~~. In addition to all other implied and  
 246 express powers contained in this act, the board shall have the  
 247 express authority to negotiate loans to borrow money from any  
 248 state or federal agency for the purpose or purposes of  
 249 constructing, maintaining, repairing, altering, expanding,  
 250 equipping, leasing, and operating county hospitals, medical  
 251 nursing homes, convalescent homes, medical care facilities,  
 252 clinics, and all other types of allied medical care units.

253 Section ~~12.13~~. (1) In addition to all other implied and  
 254 express powers contained in this act, the board shall have the  
 255 express authority to borrow money, with or without issuing notes  
 256 therefor, for the purpose or purposes of constructing,  
 257 maintaining, repairing, altering, expanding, equipping, leasing,  
 258 and operating county hospitals, medical nursing homes,  
 259 convalescent homes, medical care facilities, clinics, and all  
 260 other types of allied medical care units. The board's authority

261 to borrow money, with or without issuing notes, shall be subject  
262 to the conditions of this act applying to the board's right to  
263 issue revenue bonds.

264 (2) The board shall have express authority to issue bonds,  
265 subject to approval at a referendum of the voters of the county,  
266 and to issue revenue bonds, without a referendum of the voters  
267 of the county, the proceeds of which shall be used for erecting,  
268 equipping, building, expanding, altering, changing, maintaining,  
269 operating, leasing, and repairing such hospitals, medical  
270 nursing homes, and convalescent homes. Such bonds, federal or  
271 state hospital loans, notes, or revenue bonds shall mature  
272 within 30 years after the year in which they are issued or made  
273 and shall be payable in such years and amounts as shall be  
274 approved by the board.

275 (3) The board shall determine the form of the loans,  
276 notes, bonds, and revenue bonds, including any interest coupons  
277 to be attached thereto, and the manner of executing them, and  
278 shall fix the denomination or denominations thereof and the  
279 place or places of payment of principal and interest, which may  
280 be at any bank or trust company within or without the state. In  
281 case a trustee whose signature or a facsimile of whose signature  
282 appears on any loan, note, bond, or revenue certificate or  
283 coupon ceases to be such trustee before the delivery thereof,  
284 such signature or facsimile shall nevertheless be valid and  
285 sufficient for all purposes the same as if the trustee had  
286 remained in office until such delivery. All loan agreements,

287 notes, bonds, and revenue bonds issued hereunder shall have and  
288 are hereby declared to have all the qualities and incidents of  
289 negotiable instruments under the negotiable instruments law of  
290 the state.

291 (4) Whenever the board passes a resolution approving the  
292 issuance of such bonds, the board shall call for an election  
293 and, subject to such election, permit the repayment of the bonds  
294 out of an annual levy not to exceed 1.5 mills per year. Such  
295 millage is included in the maximum millage of 3 mills per year.  
296 Subject to such limitations, such bonds shall be payable from  
297 the full faith and credit of the board.

298 (5) The loans, notes, and revenue bonds, together with the  
299 interest, shall be payable from gross or net receipts of the  
300 hospital board or any portion thereof.

301 (6) Such loans, notes, bonds, or revenue bonds shall not  
302 bear interest in excess of the maximum rate permitted by the  
303 laws of the state.

304 (7) The board may sell bonds, loans, notes, or revenue  
305 bonds in such manner, either at public or private sale, and for  
306 such price as it may determine to be for the best interest of  
307 the hospital board.

308 Section 13.14. The total amount of outstanding bonds of  
309 the hospital payable from ad valorem taxation at any one time  
310 shall not exceed an amount equal to 6 times the annual hospital  
311 tax, assuming such tax is based upon the yearly millage of 3  
312 mills.

313           Section 14.15. (1) The Citrus County Hospital Board shall  
 314 have the authority to enter into leases or contracts with a ~~not-~~  
 315 ~~for-profit~~ Florida corporation for the purpose of operating and  
 316 managing the hospital and any or all of its facilities of any  
 317 kind and nature.

318           (2) The Citrus County Hospital Board shall have the power  
 319 and authority to:

320           (a) Provide health care services to residents of the  
 321 county through the use of health care facilities not owned and  
 322 operated by the hospital board. The provision of such care is  
 323 hereby found and declared to be a public purpose and necessary  
 324 for the preservation of the public health and welfare of the  
 325 residents of the county.

326           (b) Maintain an office.

327           (c) Provide for reimbursement to hospitals, physicians, or  
 328 other health care providers or facilities, whether public or  
 329 private, and pay private physicians for indigent care.

330           (3) The hospital board is hereby restricted from  
 331 reimbursing any health care providers or facilities, including  
 332 hospitals and physicians, for their bad debts arising from those  
 333 patients who are not eligible for reimbursement under hospital  
 334 board guidelines. The hospital board, however, shall continue to  
 335 reimburse such health care providers for the medical care of  
 336 medically needy patients, to the extent of the hospital board's  
 337 financial resources, taking into account funds available from  
 338 other sources, including other governmental funding sources.

339           Section ~~15.16~~. To ensure public oversight, accountability,  
 340 and public benefit, in addition to the requirements for any such  
 341 lease set forth in section 155.40, Florida Statutes:

342           (1) The not-for-profit corporation shall separately  
 343 account for the expenditure of all ad valorem tax moneys  
 344 provided to it by the Citrus County Hospital Board, including  
 345 maintaining them in a separate accounting fund. The expenditure  
 346 for all such public tax funds shall be approved in a public  
 347 meeting and separately accounted for annually by the not-for-  
 348 profit corporation in a report provided to the Citrus County  
 349 Hospital Board.

350           (2) The articles of incorporation, all amendments or  
 351 restatements of the articles of incorporation, all corporate  
 352 bylaws, all amendments or restatements of the corporate bylaws,  
 353 and all other governing documents of the not-for-profit  
 354 corporation shall be subject to the approval of the hospital  
 355 board, and any such documents that have not heretofore been  
 356 approved by the hospital board shall be submitted forthwith to  
 357 the hospital board for approval.

358           (3) The hospital board shall be the sole member of the  
 359 not-for-profit corporation.

360           (4) The hospital board shall independently approve any  
 361 plan of merger or dissolution of the not-for-profit corporation  
 362 pursuant to sections 617.1103 and 617.1402, Florida Statutes,  
 363 and may reject any such plan in its sole discretion.

364           (5) The members of the hospital board shall be voting

365 directors of the not-for-profit board of directors who  
366 constitute a majority of the voting directors of the not-for-  
367 profit corporation; and, to the extent that any governance  
368 documents of the not-for-profit corporation do not so presently  
369 provide, the not-for-profit corporation shall forthwith take all  
370 steps necessary to bring them into conformity with this majority  
371 membership requirement.

372 (6) All members of the not-for-profit board of directors  
373 shall be subject to approval by the hospital board, and any  
374 board members presently serving who have not heretofore been  
375 approved by the hospital board shall be submitted forthwith to  
376 the hospital board for approval.

377 (7) The chief executive officer of the not-for-profit  
378 corporation and his or her term of office and any extensions  
379 thereof shall be approved by the hospital board, and the  
380 hospital board may terminate the term of the chief executive  
381 officer of the not-for-profit corporation with or without cause  
382 in its sole discretion, subject to the terms of any and all  
383 then-existing contracts.

384 (8) The hospital board shall approve all borrowing of  
385 money by the not-for-profit corporation in any form and for any  
386 reason in an amount exceeding \$100,000, any additional loan  
387 indebtedness or leases in excess of \$1.25 million per instrument  
388 or contract, and all policies of the not-for-profit corporation  
389 that govern travel reimbursements and contract bid procedures.

390 (9) No annual operating and capital budget of the not-for-

391 profit corporation shall become effective until approved by the  
392 hospital board.

393 (10) Any capital project of the not-for-profit corporation  
394 having a value in excess of \$250,000 per project, and any  
395 nonbudgeted operative expenditure in excess of \$125,000 in the  
396 per annum aggregate, shall be approved by the hospital board.

397 (11) At the discretion of the hospital board, each and  
398 every year the not-for-profit corporation shall complete an  
399 independent audit of the fiscal management of the hospital by an  
400 auditor chosen by the hospital board, with the audit to be paid  
401 for by the not-for-profit corporation.

402 (12) All records of the not-for-profit corporation shall  
403 be public records unless exempt by law.

404 (13) Subject to the annual approved budget, the hospital  
405 board shall reimburse the not-for-profit corporation for  
406 indigent care pursuant to the Florida Health Care Responsibility  
407 Act and the Florida Indigent Certification Standards and shall  
408 take into account funds available from other sources, including  
409 other governmental funding sources.

410 (14) The provisions in this act and the hospital board's  
411 lease with the not-for-profit corporation shall be construed and  
412 interpreted as furthering the public health and welfare and the  
413 open government requirements of s. 24, Art. I of the State  
414 Constitution and sections 119.01 and 286.011, Florida Statutes.

415 (15) Any dispute between the hospital board and the not-  
416 for-profit corporation shall be subject to any court action



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417 pursuant to sections 164.101-164.1065, Florida Statutes.

418 Section 2. The amendments made by this act to section 5 of  
419 the charter of the Citrus County Hospital Board apply to leases  
420 entered into after January 1, 2014, with a for-profit Florida  
421 corporation.

422 Section 3. This act shall take effect upon becoming a law.