

## **BILL ANALYSIS**

Senate Research Center

H.B. 3448  
By: Swinford (Bivins)  
Intergovernmental Relations  
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Engrossed

### **DIGEST**

Since its creation in 1969, the Moore County Hospital District has undergone several changes. The enabling legislation is archaic and does not include updated requirements regarding the board of directors. H.B. 3448 would amend enabling legislation of the Moore County Hospital District.

### **PURPOSE**

As proposed, H.B. 3448 amends enabling legislation of the Moore County Hospital District.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 4, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to define “medical staff.” Sets forth the composition of the board of directors (board) of the Moore County Hospital District (district). Requires a member of the board to be a member of the medical staff, and must vacate the position if no longer a staff member. Requires the board to prescribe the procedures by which the medical staff of the district’s hospital shall select a board member. Deletes text requiring the commissioners court in certain counties to declare a hospital district and appoint the members of the district’s board of directors. Deletes requirement that each member of the board execute a bond conditioned upon the performance of the member’s duties, and to take an oath. Makes conforming and nonsubstantive changes.

SECTION 2. Amends Section 5, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to require the administrator or manager to execute a \$500,000, rather than a \$5,000, bond payable to the district, and conditioned upon the perform of the person’s duties. Authorizes the board of directors to contract with any public or private entity, including a county, municipality, hospital district, or any other political subdivision, or a charitable organization, to provide health care or related serves inside or outside of the district. Deletes language that authorizes the board to contract with a political subdivision in regards to providing health services. Makes a conforming change.

SECTION 3. Amends Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, by adding Section 5A, as follows:

Sec. 5A. Sets forth public entities from whom the board must require a reimbursement. Authorizes the board to contract with those entities and other entities to provide care and treatment of a sick, diseased, or injured person. Authorizes the board to contract with certain public entities and charitable organizations to provide emergency mobile services or the needs of inhabitants in or outside of the district.

SECTION 4. Amends Section 6, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to establish that any resident, rather than any property taxpayer, of the district shall have the right to participate in a budget hearing. Authorizes the board to have authority to make budget changes as in their sole judgment and discretion, applicable federal and state law warrants and allows, and is in the interest of the residents of the district.

SECTION 5. Amends Section 7(a), Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to establish that the board has the power and authority to issue and sell bonds, certificates of obligation,

or any other type of financing authorized by the laws of this state, including that type of financing authorized by Chapter 271, Local Government Code.

SECTION 6. Amends Section 10, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to authorize all contracts for construction or purchases involving the expenditure of more than \$15,000, rather than \$2,000, to be made only after advertising in the manner provided by Chapter 271B, Local Government Code. Deletes language requiring certain contracts to provide for the entire obligation of the district to be retired within five years from the date of the contract. Makes conforming changes.

SECTION 7. Amends Section 11, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to require the board to name one or more depositories, rather than banks within its boundaries to serve as depository, for the funds of the district. Requires all funds of the deposit to remain on deposit, unless something herein authorizes the board to place a portion of the funds in certain forms of deposit.

SECTION 8. Amends Section 15, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to require all taxes of the district to be assessed and collected on appraisal district tax values, rather than county tax values. Deletes text prohibiting the tax rate from exceeding two percent of the amounts collected and collecting more than \$5,000. Deletes text requiring the funds to be deposited in the officers' salary fund. Deletes a provision that requires tax residues to be deposited for assessing and collecting. Makes conforming and nonsubstantive changes.

SECTION 9. Amends Section 17, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to require the district to adopt an application procedure to determine the eligibility for assistance, as provided by Section 61.053, Health and Safety Code, and to make conforming and nonsubstantive changes.

SECTION 10. Amends Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, to define "long-term lease." Prohibits the board from selling a hospital owned and operated by the district, including real property, or a lease under certain conditions. Sets forth requirement of a lease notice under Subsection (b)(2).

SECTION 11. Requires the board of directors of the district whose terms expire in 2000 to appoint two directors to serve terms expiring April 1, 2002, and one director to serve a term expiring April 1, 2003. Requires the Moore County Commissioners Court to appoint one director to serve a term expiring April 1, 2003, and two directors to serve terms expiring April 1, 2004, to succeed the directors whose terms expire 2001. Provides that subsequent appointments by the Moore County Commissioners Court serve three-year terms.

SECTION 12. Requires the medical staff of the district hospital to appoint one director in the manner provided by Section 4, Chapter 287, Acts of the 61st Legislature, Regular Session, 1969, as soon as possible after the effective date of this Act.

SECTION 13. Makes application of this Act prospective.

SECTION 14. Effective date: September 1, 1999.

SECTION 15. Emergency clause.