

Regular Session, 2010
HOUSE BILL NO. 438
BY REPRESENTATIVE PEARSON

ACT No. 702

1 AN ACT

2 To amend and reenact R.S. 46:1095(B)(1) and (C) and to enact R.S. 33:2956, relative to
3 hospital service districts; to authorize and provide relative to investments of
4 foundations and similar entities created by the governing bodies of hospital service
5 districts; to provide relative to the appointment and term of service of certain
6 members of certain hospital service district boards of commissioners; and to provide
7 for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 33:2956 is hereby enacted to read as follows:

10 §2956. Investments by foundations and similar entities created by hospital service
11 districts

12 A. For purposes of this Section, unless the context clearly indicates
13 otherwise, the following terms shall have the following meanings:

14 (1) "Foundation" means a nonprofit or not-for-profit corporation or other
15 entity created by the board of commissioners or comparable governing body of a
16 hospital service district for the purpose of financial support of the facilities and
17 programs of the hospital service district.

18 (2) "Funds of the foundation" means money or other things of value donated
19 to the foundation to support the facilities, programs, and activities of the hospital
20 service district the foundation was created to support but shall not include any funds
21 donated or provided to the foundation by the district or by any facility or program
22 of the district.

23 (3) "Hospital service district" means a district created by local, special, or
24 general law or created by a parish or municipality pursuant to general law for the

1 purpose of owning and operating health care facilities, including but not limited to
2 hospitals, for the care of persons suffering from illness or disability, administering
3 other activities related to health care provision or promotion, and otherwise
4 promoting or providing health care services to the public.

5 B. Notwithstanding any provision of law to the contrary, any foundation may
6 invest funds of the foundation as provided by law for investment of funds of the
7 Louisiana State Employees Retirement System, including but not limited to R.S.
8 11:263 and 267; however, any such investment may be made only in compliance
9 with rules and regulations established by the board of directors or other governing
10 board of the foundation, in compliance with rules and regulations established by the
11 board of commissioners of the hospital service district, and in compliance with the
12 provisions of R.S. 11:263 and 267 and any other law which provides for investments
13 in which funds of the Louisiana State Employees Retirement System may be
14 invested.

15 Section 2. R.S. 46:1095(B)(1) and (C) are hereby amended and reenacted to read as
16 follows:

17 §1095. Board of commissioners; membership; appointment; terms; compensation;
18 removal

19 * * *

20 B. Each commission shall be composed as follows:

21 (1) Seven members shall be appointed by the chief executive officer of the
22 parish ~~subject to the approval of the parish governing authority~~. Each commissioner
23 shall demonstrate expertise in one or more of the following areas: medical litigation,
24 fundraising and philanthropy, accounting, business development, indigent care,
25 community relations, government relations, women's health, minority health,
26 geriatric medicine, nursing, any other medical field, or consumer advocacy.

27 * * *

28 C.(1) The members serving pursuant to ~~Paragraph (B)(1)~~ Paragraphs (B)(1)
29 and (2) of this Section shall serve ~~six-year terms after initial terms as provided in this~~
30 ~~Paragraph. One member shall serve an initial term of two years, two shall serve~~

1 ~~three years, three shall serve four years, and one shall serve six years, all as~~
2 ~~determined by lot at the first meeting of the board.~~

3 ~~(2) The member serving pursuant to Paragraph (B)(2) of this Section shall~~
4 ~~serve a six-year term after an initial term of one year.~~ at the pleasure of the chief
5 executive officer of the parish.

6 ~~(3)~~ (2) The members serving pursuant to Paragraphs (B)(3) through (7) of
7 this Section shall serve during their terms of office.

8 ~~(4)~~ (3) Any vacancy in the membership of the commission occurring by
9 reason of the expiration of term of office, death, resignation, disqualification, or
10 otherwise shall be filled in the same manner as the original appointment within thirty
11 days of such vacancy. If the appointing authority fails to fill the vacancy within
12 thirty days of such vacancy, the remaining members of the commission shall appoint
13 an interim successor to serve on the commission until the position is filled by the
14 appointing authority.

15 * * *

16 Section 3. It is the intent of the legislature in enacting this Act that for purposes of
17 R.S. 24:175 the provisions of Section 1 of this Act shall be severable from the provisions of
18 Section 2 of this Act, and that the provisions of Section 1 of this Act shall be given effect
19 if Section 2 of this Act or any provision thereof is held invalid.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____