

Regular Session, 2012

SENATE BILL NO. 758 (Substitute of Senate Bill No. 571 by Senator Mills)

BY SENATOR MILLS

HOSPITALS. Provides for a health care service district within Department of Health and Hospitals' Region IV. (8/1/12)

AN ACT

To enact Chapter 10-D of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1191 through 1197, relative to a health care service district within Department of Health and Hospitals' Region IV; to provide such authority to create the health care service district; to provide for the governing board for the health care service district; to provide for the membership of the governing board and for the appointment, terms, and compensation of the board; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. Chapter 10-D of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1191 through 1197 is hereby enacted to read as follows:

CHAPTER 10-D. HEALTH CARE SERVICE DISTRICT - DEPARTMENT OF HEALTH AND HOSPITALS' REGION IV

§1191. Legislative intent

It is the intent of the legislature to allow the governing authority of the parish or the governing authorities of parishes that are located within the Department of Health and Hospitals' Region IV, upon their own initiative, to

1 form and create a health care service district to support the provision of
2 inpatient and outpatient health care services within the Department of Health
3 and Hospitals' Region IV.

4 §1192. Definitions

5 As used in this Chapter and unless the context clearly requires
6 otherwise:

7 (1) "Department" means the Department of Health and Hospitals.

8 (2) "District" means the health care service district authorized in this
9 Chapter.

10 (3) "Governing board" means the governing board of the health care
11 service district.

12 (4) "Secretary" means the secretary of the Department of Health and
13 Hospitals.

14 §1193. Authority

15 The governing authority of a parish or the governing authorities of the
16 parishes that are located within the department's Region IV, upon their own
17 initiative, are hereby authorized and empowered to form and create a health
18 care service district.

19 §1194. Purpose

20 The purpose of the health care service district and the governing board
21 created under the provisions of this Chapter shall be:

22 (1) To identify local public sources of revenue or expenditure that may
23 be used by the department as state match to draw down federal matching funds
24 for the provision of health care services for the low income and uninsured
25 population of the district.

26 (2) To participate, so far as circumstances may warrant, in any activity
27 designed and conducted to promote the general health of the community.

28 (3) To promote and support graduate medical education activities in the
29 respective communities.

1 (4) To cooperate with other institutions and agencies engaged in
2 providing hospital and outpatient health services to residents of the district for
3 the purpose of improving access to care for residents of the district.

4 §1195. Powers and duties of governing board

5 A. In addition to the duties defined elsewhere in this Chapter, the
6 governing board shall have the duty and authority:

7 (1) To represent the public interest in supporting health care services in
8 the district.

9 (2) To advise on issues concerning the provision of health care services
10 for the low income and uninsured population of the district.

11 (3) To conduct public hearings and share public input on the
12 community's priorities for the provision of health care services in the district.

13 (4) To appoint the necessary standing and special committees that may
14 be necessary to carry out the purposes of this Chapter.

15 (5) To enter into contracts, agreements, or cooperative endeavors with
16 the state and its political subdivisions and with any public or private
17 association, corporation, business entity or person to promote the public
18 purposes of the district.

19 B. The secretary of the department shall review each such agreement,
20 including a plan for the use of state Medicaid and disproportionate share
21 dollars. If the secretary finds that the agreement and plans are sufficient to
22 support medical care for low income and uninsured population of the district
23 and the funds are eligible for federal matching funds to be reimbursed, he shall
24 verify that funding to the governing board.

25 C. The governing board shall collect or cause to be collected all public
26 monies identified by the district as available for the purpose of serving as state
27 match for federal matching funds to ensure the provision of health care services
28 delivered for the low income and uninsured population of the district.

29 D. The department shall make available for reimbursement these local

1 and federally matched funds to the designated providers in the district to ensure
2 the continued provision of health care services for the low income and
3 uninsured population of the district.

4 E. Neither the division of administration nor the department shall
5 displace, replace, or supplant state appropriations from the state general fund
6 or other state funds designated for the district.

7 F. The governing board shall submit any reports or information related
8 to the health care service district to the secretary of the department or the
9 Senate and House committees on health and welfare upon request of the
10 secretary or the chairman of either committee.

11 **§1197. Governing board; membership; appointment; terms; compensation**

12 A.(1) For a district created pursuant to this Chapter, the district shall be
13 governed by a governing board.

14 (2)The governing board shall be comprised of the following members:

15 (a) The president of each parish governing authority within the
16 department's Region IV, or his designee.

17 (b)The secretary of the Department of Health and Hospitals, or his
18 designee;

19 (c) The executive director of the Louisiana Hospital Association, or his
20 designee.

21 (d) The executive director of the Greater Lafayette Chamber of
22 Commerce, or his designee.

23 (e) The hospital administrator for University Medical Center, or his
24 designee.

25 B. All appointees shall serve terms of three years. No board member
26 shall serve more than two three-year consecutive terms.

27 C. A vacancy on a governing board shall be filled in the same manner as
28 required for the original appointment.

29 D. Each governing board member shall serve without compensation but

1 shall be reimbursed for expenses and mileage at the same rate set by the
 2 division of administration for state employees for each day in actual attendance
 3 at governing board meetings or for representing the governing board in an
 4 official governing board-approved activity.

5 E. The chairman shall be elected by a majority vote of the governing
 6 board. The term of the chairman shall be established under the governing
 7 board's bylaws.

8 F. The governing board shall adopt bylaws to provide for its governance
 9 within ninety days of being established. Such bylaws shall include but not be
 10 limited to:

11 (1) Procedures for the election of governing board officers, including
 12 terms of office and methods and grounds for removal. Governing board officers
 13 shall include, at a minimum, a chairman, treasurer, and secretary.

14 (2) Procedures and grounds for the removal of any governing board
 15 member. Grounds for removal shall include the conviction of a felony. Grounds
 16 for removal may include failure to meet board attendance requirements, as
 17 provided in the bylaws.

18 G. All governing board members of the district shall be subject to the
 19 Code of Governmental Ethics. No member of the governing board or of his
 20 immediate family shall own or have any interest in any public or private
 21 organization, business, company, or entity conducting business of any kind with
 22 the district.

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Christopher D. Adams.

DIGEST

Proposed law provides a health care service district within the Department of Health and Hospitals' Region IV.

Proposed law provides the governing authorities of parishes that are located within DHH Region IV, upon their own initiative, to form and create a health care service district to support the provision of inpatient and outpatient health care services of the DHH Region IV.

Proposed law provides the purposes of the health care service district and the district's

governing board.

Proposed law provides the governing board shall have the duty and authority:

1. To represent the public interest in supporting health care services in the district.
2. To advise on issues concerning the provision of health care services for the low income and uninsured population of the district.
3. To conduct public hearings and share public input on the community's priorities for the provision of health care services in the district.
4. To appoint the necessary standing and special committees that may be necessary to carry out the purposes of proposed law.
5. For public purposes of the district, to enter into contracts, agreements, or cooperative endeavors with the state and its political subdivisions and with any public or private association, corporation, business entity or person.

Proposed law provides for the governing board of the district and additionally provides for the membership, appointment, terms, and compensation of governing board members.

Effective August 1, 2012.

(Adds R.S. 46:1191 through 1197)