

By: Homer

H.B. No. 2825

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the powers and duties of the Hopkins County Hospital
3 District.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 3, Chapter 43, Acts of the 57th
6 Legislature, 1st Called Session, 1961, is amended to read as
7 follows:

8 Sec. 3. The board of directors consists of seven (7)
9 directors who serve staggered three-year terms. A director shall
10 continue to serve until a successor has been duly elected or
11 appointed and qualified. No person shall be appointed or elected as
12 a member of the board of directors of said hospital district unless
13 he is a resident and a qualified voter thereof and unless at the
14 time of such election or appointment he shall be more than
15 twenty-one (21) years of age. An employee of the Hopkins County
16 Hospital District may not serve as a director of that district. Each
17 member of the board of directors shall qualify by executing the
18 constitutional oath of office and shall execute a good and
19 sufficient bond for One Thousand Dollars (\$1,000) payable to said
20 district conditioned upon the faithful performance of his duties,
21 and such oaths and bonds shall be deposited with the depository bank
22 of the district for safekeeping.

23 The board of directors shall elect a president, a vice
24 president, and a secretary. A majority of the full membership of the

1 board of directors shall constitute a quorum and a concurrence of a
2 majority shall be sufficient in all matters pertaining to the
3 business of the district. All vacancies in the office of director
4 shall be filled for the unexpired term by appointment of the
5 remainder of the board of directors. In the event the number of
6 directors shall be reduced to less than the number that constitutes
7 a majority for any reason, the remaining directors shall
8 immediately call a special election to fill said vacancies, and
9 upon failure to do so a district court may, upon application of any
10 voter or taxpayer of the district, issue a mandate requiring that
11 such election be ordered by the remaining directors.

12 A regular election of directors shall be held each year on the
13 ~~[first Saturday in]~~ May uniform election date under Section 41.001,
14 Election Code. Notice of the ~~[of each year and notice of such]~~
15 election shall be published in a newspaper of general circulation
16 in the district in accordance with Section 4.003, Election Code
17 ~~[county one (1) time at least ten (10) days prior to the date of~~
18 ~~election]~~. Any person desiring that person's ~~[his]~~ name to be
19 printed on the ballot as a candidate for director shall file an
20 application with the secretary of the board of directors of the
21 district in accordance with Chapter 144, Election Code. ~~[Such~~
22 ~~application shall be filed with such secretary at least forty-five~~
23 ~~(45) days prior to the date of election.]~~

24 SECTION 2. Section 6A, Chapter 43, Acts of the 57th
25 Legislature, 1st Called Session, 1961, is amended to read as
26 follows:

27 Sec. 6A. (a) The board shall determine the type, number,

1 and location of buildings required to establish and maintain office
2 facilities for health care providers [~~staff physicians~~] as
3 necessary to provide adequate health [~~medical~~] care services.

4 (b) The board may acquire property and equipment and
5 construct facilities for the district for use by health care
6 providers [~~staff physicians~~] and may mortgage or pledge the
7 property, facilities, or equipment acquired as security for the
8 payment of the purchase or construction price.

9 (c) The board, on behalf of the district, may lease the
10 office facilities and equipment to health care providers [~~staff~~
11 ~~physicians~~] or may sell or otherwise dispose of the property,
12 facilities, or equipment.

13 SECTION 3. Section 8A, Chapter 43, Acts of the 57th
14 Legislature, 1st Called Session, 1961, is amended by amending
15 Subsection (c) and adding Subsection (d) to read as follows:

16 (c) The board may provide financial inducements, including
17 income subsidies or guarantees and reimbursement of relocation
18 expenses, to a full-time medical intern or a [~~resident~~] physician
19 [~~serving in a hospital~~] who contractually agrees to reside and
20 practice in Hopkins County and to provide care and treatment to its
21 needy residents. [~~The financial inducements may include income~~
22 ~~subsidies or guarantees and reimbursement of relocation expenses.~~
23 ~~The board may offer the financial inducements only to attract~~
24 ~~qualified physicians who possess medical expertise that is not~~
25 ~~available in the county.]~~

26 (d) The board may employ physicians, dentists, or other
27 health care providers as the board considers necessary for the

1 district's efficient operation. This subsection does not authorize
2 the board to supervise or control the practice of medicine or permit
3 the unauthorized practice of medicine, as prohibited by Subtitle B,
4 Title 3, Occupations Code.

5 SECTION 4. Section 9, Chapter 43, Acts of the 57th
6 Legislature, 1st Called Session, 1961, is amended to read as
7 follows:

8 Sec. 9. The fiscal year of the hospital district
9 [~~authorized to be established by the provisions hereof~~] shall
10 commence on October 1st of each year and end on the thirtieth (30th)
11 day of September of the following year. The district directors
12 shall cause an annual independent audit to be made of the books and
13 records of the district, such audit to be made covering such fiscal
14 year, and the same shall be filed [~~with the Comptroller of Public~~
15 ~~Accounts of the State of Texas and~~] at the office of the district
16 not later than December 31st of each year.

17 The board of directors shall each year cause a budget to be
18 prepared showing the proposed expenditures and disbursements and
19 the estimated receipts and collections for the following fiscal
20 year and shall hold a public hearing on the proposed budget after
21 publication of a notice of hearing in a newspaper of general
22 circulation in the county at least once not less than ten (10) days
23 prior to the date set for the hearing. Any person who is a resident
24 [~~taxpayer~~] of the district shall have the right to appear at the
25 time and place designated in the notice and be heard with reference
26 to any item shown in the proposed budget. The proposed budget shall
27 also show the amount of taxes required to be levied and collected

1 during such fiscal year and upon final approval of the budget, the
2 board of directors shall levy such tax as may be required and
3 certify the tax rate for such year to the county tax assessor and
4 collector as provided in Section 5 hereof, and it shall be the duty
5 of the said tax assessor and collector to assess and collect such
6 tax.

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2007.