

By: Jackson, Mike

S.B. No. 1344

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Angleton-Danbury Hospital District of Brazoria County, Texas.

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

SECTION 1. Section 1002.051(f), Special District Local Laws Code, is amended to read as follows:

(f) Directors serve staggered three-year terms. The district shall hold an election each year to elect the appropriate number of directors [~~two-year terms unless four-year terms are established under Section 285.081, Health and Safety Code. If the directors serve two-year terms, the terms of directors elected to odd-numbered positions expire in even-numbered years and the terms of directors elected to even-numbered positions expire in odd-numbered years~~].

SECTION 2. Section 1002.058, Special District Local Laws Code, is amended to read as follows:

Sec. 1002.058. [~~STAFF PHYSICIAN~~] OFFICE FACILITIES. (a) In this section, "licensed health care professional" means any person who is licensed or certified by or registered in this state to provide health care.

(b) The board shall determine the type, number, and location of buildings necessary to establish and maintain office facilities for [~~staff~~] physicians and other licensed health care professionals to provide adequate health [~~medical~~] care services.

1 (c) [~~(b)~~] The board may:

2 (1) acquire property and equipment and construct
3 facilities for the district for use by [~~staff~~] physicians and other
4 licensed health care professionals; and

5 (2) mortgage or pledge the property, equipment, or
6 facilities as security for the payment of the purchase price or
7 construction cost.

8 (d) [~~(c)~~] The board may lease the office facilities and
9 equipment to [~~staff~~] physicians and other licensed health care
10 professionals or may sell or otherwise dispose of the property,
11 facilities, and equipment.

12 SECTION 3. Subchapter C, Chapter 1002, Special District
13 Local Laws Code, is amended by adding Sections 1002.111 and
14 1002.112 to read as follows:

15 Sec. 1002.111. CONTRACTS FOR HEALTH CARE
16 SERVICES. (a) In this section, "licensed health care
17 professional" has the meaning assigned by Section 1002.058(a).

18 (b) The district may contract with physicians and other
19 licensed health care professionals to provide health care services,
20 including medical care, on behalf of the district.

21 (c) A physician or other licensed health care professional
22 is, while performing services under the contract at a facility
23 owned or operated by the district, an employee of the district
24 solely for purposes of Chapters 101 and 102, Civil Practice and
25 Remedies Code, and the district waives its sovereign immunity to
26 the extent provided by Section 101.025, Civil Practice and Remedies
27 Code.

1 (d) Notwithstanding Section 108.001(2), Civil Practice and
2 Remedies Code, a physician or other licensed health care
3 professional is, while performing services under the contract at a
4 facility owned or operated by the district, a public servant solely
5 for purposes of Chapter 108, Civil Practice and Remedies Code.

6 (e) This section does not authorize the district to
7 supervise or control the practice of medicine or permit the
8 unauthorized practice of medicine, as prohibited by Subtitle B,
9 Title 3, Occupations Code.

10 Sec. 1002.112. MEDICAL STAFF; WAIVER OF SOVEREIGN
11 IMMUNITY. (a) A physician who is a member of the district's
12 medical staff is, while performing services at a facility owned or
13 operated by the district, an employee of the district solely for
14 purposes of Chapters 101 and 102, Civil Practice and Remedies Code,
15 and the district waives its sovereign immunity to the extent
16 provided by Section 101.025, Civil Practice and Remedies Code.

17 (b) Notwithstanding Section 108.001(2), Civil Practice and
18 Remedies Code, a physician who is a member of the district's medical
19 staff is, while performing services at a facility owned or operated
20 by the district, a public servant solely for purposes of Chapter
21 108, Civil Practice and Remedies Code.

22 SECTION 4. Section 1002.251, Special District Local Laws
23 Code, is amended to read as follows:

24 Sec. 1002.251. DEPOSITORY. The [~~As soon as practicable~~
25 ~~after the creation election results favorably to the creation of~~
26 ~~the district, the]~~ board shall by resolution designate a bank
27 within the county as the district's depository, and all funds of the

1 district shall be secured in the manner provided for the security of
2 county funds. Such depository shall serve for a period of four
3 [~~two~~] years and until a successor has been selected.

4 SECTION 5. Section 1002.252(b), Special District Local Laws
5 Code, is amended to read as follows:

6 (b) To secure a loan or line of credit, the board may pledge:

7 (1) revenue of the district that is not pledged to pay
8 the district's bonded indebtedness;

9 (2) taxes to be imposed by the district in the next
10 12-month period that are not pledged to pay the principal of or
11 interest on district bonds; or

12 (3) district bonds that have been authorized but not
13 sold.

14 SECTION 6. (a) This section applies to the election of
15 directors of the Angleton-Danbury Hospital District of Brazoria
16 County, Texas, after the effective date of this Act,
17 notwithstanding other law.

18 (b) The director elected to Position No. 1 in 2008 shall
19 serve a three-year term. Each successor director elected to
20 Position No. 1 shall serve a three-year term.

21 (c) The director elected to Position No. 2 in 2009 shall
22 serve a two-year term. Each successor director elected to Position
23 No. 2 shall serve a three-year term.

24 (d) The director elected to Position No. 3 in 2008 shall
25 serve a two-year term. Each successor director elected to Position
26 No. 3 shall serve a three-year term.

27 (e) The directors elected to Position No. 4 in 2009 and 2011

1 shall each serve a two-year term. Each successor director elected
2 to Position No. 4 shall serve a three-year term.

3 (f) The directors elected to Position No. 5 in 2008 and 2010
4 shall each serve a two-year term. After the term expires in 2012,
5 each successor director elected to Position No. 5 shall serve a
6 three-year term.

7 (g) The director elected to Position No. 6 in 2009 shall
8 serve a two-year term. Each successor director elected to Position
9 No. 6 shall serve a three-year term.

10 (h) The director elected to Position No. 7 in 2008 shall
11 serve a two-year term. Each successor director elected to Position
12 No. 7 shall serve a three-year term.

13 (i) The director elected to Position No. 8 in 2009 shall
14 serve a three-year term. Each successor director elected to
15 Position No. 8 shall serve a three-year term.

16 (j) The directors elected to Position No. 9 in 2008 and 2010
17 shall each serve a two-year term. After the term expires in 2012,
18 each successor director elected to Position No. 10 shall serve a
19 three-year term.

20 SECTION 7. The change in law made by this Act applies only
21 to a cause of action that accrues on or after the effective date of
22 this Act. A cause of action that accrues before the effective date
23 of this Act is governed by the law in effect immediately before that
24 date, and that law is continued in effect for that purpose.

25 SECTION 8. This Act takes effect September 1, 2007.