

By: Chisum

H.B. No. 1413

A BILL TO BE ENTITLED

AN ACT

relating to the powers and duties of the Castro County Hospital District.

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

SECTION 1. Sections 1013.052 and 1013.062, Special District Local Laws Code, are amended to read as follows:

Sec. 1013.052. NOTICE OF ELECTION. Notice [~~Not earlier than the 30th day or later than the 10th day before the date~~] of an election of directors [~~, notice of the election~~] shall be published [~~one time~~] in a newspaper of general circulation in Castro County in accordance with Section 4.003, Election Code.

Sec. 1013.062. RECRUITMENT OF MEDICAL STAFF AND EMPLOYEES.

(a) The board may spend district money, enter into agreements, and take other necessary action to recruit physicians and other persons to serve as medical staff members or district employees, including:

(1) advertising and marketing;

(2) paying travel, recruitment, and relocation expenses;

(3) providing a loan or scholarship to a physician or a person who:

(A) is currently enrolled in health care education courses at an institution of higher education; and

(B) contractually agrees to become a district employee or medical staff member; and

1           (4) providing on a rent-free basis or subsidizing the  
2 cost of office space or other facilities for a health care  
3 professional, including a physician.

4           (b) The board may employ physicians or other health care  
5 providers as the board considers necessary for the efficient  
6 operation of the district.

7           (c) This section may not be construed as authorizing the  
8 board to supervise or control the practice of medicine, as  
9 prohibited by Subtitle B, Title 3, Occupations Code.

10           (d) The board may employ a physician and retain all or part  
11 of the professional income generated by the physician for medical  
12 services provided at the hospital and other health facilities owned  
13 or operated by the hospital if the hospital satisfies the  
14 requirements of this subchapter.

15           (e) The board shall:

16                   (1) appoint a chief medical officer, who may be a  
17 member of the hospital's medical staff; and

18                   (2) adopt, maintain, and enforce policies to ensure  
19 that a physician employed by the hospital exercises the physician's  
20 independent medical judgment in providing care to patients at the  
21 hospital.

22           (f) The policies adopted under this section must include:

23                   (1) policies relating to:

24                           (A) credentialing;

25                           (B) quality assurance;

26                           (C) utilization review;

27                           (D) peer review; and

1           (E) medical decision-making; and

2           (2) the implementation of a complaint mechanism to  
3 process and resolve complaints regarding interference or attempted  
4 interference with a physician's independent medical judgment.

5           (g) For all matters relating to the practice of medicine,  
6 each physician employed by the hospital under this subchapter shall  
7 ultimately report to the chief medical officer of the hospital.

8           (h) The policies adopted under this section:

9           (1) must be approved by the chief medical officer of  
10 the hospital; and

11           (2) shall control and prevail in the event of a  
12 conflict with any other policies of a hospital under this  
13 subchapter.

14           (i) The chief medical officer shall immediately report to  
15 the Texas Medical Board any action or event that the chief medical  
16 officer reasonably and in good faith believes constitutes a  
17 compromise of the independent medical judgment of a physician in  
18 caring for a patient.

19           SECTION 2. Subchapter E, Chapter 1013, Special District  
20 Local Laws Code, is amended by adding Sections 1013.209 and  
21 1013.210 to read as follows:

22           Sec. 1013.209. ADDITIONAL MEANS OF SECURING REPAYMENT OF  
23 BONDS. In addition to the authority to issue general obligation  
24 bonds and revenue bonds under this subchapter, the board may  
25 provide for the security and payment of district bonds from a pledge  
26 of a combination of ad valorem taxes as authorized by Section  
27 1013.202 and revenue and other sources authorized by Section

1 1013.206.

2 Sec. 1013.210. USE OF BOND PROCEEDS. The district may use  
3 the proceeds of bonds issued under this subchapter to pay:

4 (1) any expense the board determines is reasonable and  
5 necessary to issue, sell, and deliver the bonds;

6 (2) interest payments on the bonds during a period of  
7 acquisition or construction of a project or facility to be provided  
8 through the bonds, not to exceed five years;

9 (3) costs related to the operation and maintenance of  
10 a project or facility to be provided through the bonds:

11 (A) during an estimated period of acquisition or  
12 construction, not to exceed five years; and

13 (B) for one year after the project or facility is  
14 acquired or constructed;

15 (4) costs related to the financing of the bond funds,  
16 including debt service reserve and contingency funds;

17 (5) costs related to the bond issuance;

18 (6) costs related to the acquisition of land or  
19 interests in land for a project or facility to be provided through  
20 the bonds; and

21 (7) costs of construction of a project or facility to  
22 be provided through the bonds, including the payment of related  
23 professional services and expenses.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2011.