

BILL ANALYSIS

Senate Research Center
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H.B. 886
By: Springer (Fallon)
Intergovernmental Relations
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Muenster Hospital District was created in the 59th Regular Session and updated in the 74th Regular Session. Current enabling legislation for the Muenster Hospital District carries a heavy administrative burden. H.B. 886 restructures the administration of Muenster Hospital District and is more efficient for taxpayers. H.B. 886 changes the number of directors from nine to seven, combines the position of vice president and secretary, and removes the president as the chief executive officer of the district and combines the position with the district administrator. The current Muenster Hospital District Board has approved the language changing in the enabling legislation.

H.B. 886 amends current law relating to the Muenster Hospital District.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1067.051(a), Special District Local Laws Code, to provide that the Muenster Hospital District (district) consists of seven, rather than nine, elected directors.

SECTION 2. Amends Sections 1067.055(a), (b), (d), and (e), Special District Local Laws Code, as follows:

- (a) Requires the board of directors of the district (board) to elect one of the directors as president and one director as vice president-secretary, rather than requiring the board to elect a president and a vice president from among its members.
- (b) Requires the vice president-secretary to act as a secretary of the board, rather than requiring the board to appoint a secretary, who need not be a director.
- (d) Provides that the president has the same right to vote as any other director, rather than providing that the president is the chief executive officer of the district and has the same right to vote as any other director.
- (e) Requires the vice president-secretary, rather than the vice president, if the president is absent or fails and declines to act, to perform the president's duties and exercise the president's powers under this chapter (Muenster Hospital District).

SECTION 3. Amends the heading to Section 1067.057, Special District Local Laws Code, to read as follows:

Sec. 1067.057. CHIEF EXECUTIVE OFFICER; ASSISTANT TO CHIEF EXECUTIVE OFFICER.

SECTION 4. Amends Sections 1067.057(a), (b), (c), and (d), Special District Local Laws Code, as follows:

(a) Requires the board to appoint a qualified person to be known as the chief executive officer of the district, rather than requiring the board to appoint a qualified person as district administrator.

(b) Authorizes the board to appoint an assistant to the chief executive officer, rather than authorizing the board to appoint an assistant administrator.

(c) Provides that the chief executive officer and any assistant to the chief executive officer, rather than the district administrator and any assistant to the administrator, serve at the will of the board.

(d) Authorizes the board to require the chief executive officer, before assuming the chief executive officer's duties, rather than the district administrator, before assuming the administrator's duties, to execute a bond payable to the district in an amount set by the board of not less than \$5,000 that:

(1) is conditioned on the faithful performance of the chief executive officer's duties, rather than is conditioned on the faithful performance of the administrator's duties; and

(2) makes no changes to this subdivision.

SECTION 5. Amends Section 1067.058, Special District Local Laws Code, as follows:

Sec, 1067.058. New heading: GENERAL DUTIES OF CHIEF EXECUTIVE OFFICER. Requires the chief executive officer, rather than the district administrator, subject to the limitations prescribed by the board, to supervise the work and activities of the hospital and direct the affairs of the district.

SECTION 6. Amends Sections 1067.059(a) and (b), Special District Local Laws Code, as follows:

(a) Authorizes the board, with the chief executive officer, rather than the district administrator, to appoint to the staff any doctors the board considers necessary for the efficient operation of the district.

(b) Authorizes the board to employ technicians, nurses, and other employees as considered necessary for the efficient operation of the hospital or to provide that the chief executive officer, rather than the district administrator, has the authority to admit or employ those persons.

SECTION 7. Amends Sections 1067.111(a), (b), (c), (d), and (e), Special District Local Laws Code, as follows:

(a) Requires the chief executive officer, rather than the district administrator, when an indigent patient who resides in the district is admitted to a district facility or a person who does not reside in the district is admitted as an emergency patient to a district facility, to have an inquiry made into the circumstances of the patient and certain of the patient's relatives.

(b) Provides that if the chief executive officer, rather than the district administrator, determines that the patient or those relatives cannot pay all or part of the costs of the care and treatment in the hospital, the amount of the costs that cannot be paid becomes a charge against the district as care for indigents.

(c) Requires the patients or those relatives, if the chief executive officer, rather than the district administrator, determines that the patient or those relatives can pay for all or part of the costs of the patient's care and treatment, to be ordered to pay the district a specified amount each week for the patient's support.

(d) Authorizes the chief executive officer, rather than the district administrator, to collect the amount from the patient's estate, or from any relative who is legally liable for the patient's support, in the manner provided by law for the collection of expenses of the last illness of a deceased person.

(e) Requires the board, if there is a dispute as to the ability to pay, or doubt in the mind of the chief executive officer, rather than the district administrator, to hold a hearing and, after calling witnesses, to resolve the dispute or doubt and issue any appropriate orders.

SECTION 8. Amends Section 1067.152(b), Special District Local Laws Code, to require the board to adopt a budget by acting on the budget proposed by the chief executive officer, rather than the district administrator.

SECTION 9. Amends Section 1067.205(b), Special District Local Laws Code, to require the vice president-secretary, rather than the board secretary, to attest the bonds as provided by Chapter 618 (Uniform Facsimile Signature of Public Officials Act), Government Code.

SECTION 10. Amends Sections 1067.307(b) and (c), Special District Local Laws Code, as follows:

(b) Requires the board, on the payment of all outstanding debts and obligations of the district, to order the vice president-secretary, rather than the secretary, to return to each district taxpayer the taxpayer's pro rata share of all unused tax money.

(c) Requires the board, if a taxpayer requests a certain credit, to direct the vice president-secretary, rather than the secretary, to transmit the money to the county tax assessor-collector.

SECTION 11. (a) Requires the board election district scheduled to be held in May 2020 to be held. Requires one director to be elected at that election and to serve a three-year term.

(b) Requires the board election scheduled to be held in May 2021 to be held, and requires three directors to be elected at that election. Requires the directors elected at that election to draw lots to determine which two directors serve three-year terms and which director serves a two-year term.

(c) Requires the board election of scheduled to be held in May 2022 to be held, and requires the three directors elected at that election to serve three-year terms.

(d) Requires the directors of elected at the elections scheduled to be held in May 2023, May 2024, and May 2025 to serve three-year terms.

SECTION 12. Effective date: upon passage or September 1, 2019.