

By: Springer

H.B. No. 886

A BILL TO BE ENTITLED

AN ACT

relating to the Muenster Hospital District.

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

SECTION 1. Section 1067.051(a), Special District Local Laws Code, is amended to read as follows:

(a) The district consists of seven ~~[nine]~~ elected directors.

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

(a) The board shall elect one of the directors as ~~[a]~~ president and one director as vice president-secretary ~~[a vice president from among its members]~~.

(b) The vice president-secretary ~~[board]~~ shall act as ~~[appoint]~~ a secretary of the board ~~[, who need not be a director]~~.

(d) The president ~~[is the chief executive officer of the district and]~~ has the same right to vote as any other director.

(e) If the president is absent or fails and declines to act, the vice president-secretary ~~[vice president]~~ shall perform the president's duties and exercise the president's powers under this chapter.

SECTION 3. The heading to Section 1067.057, Special District Local Laws Code, is amended to read as follows:

Sec. 1067.057. CHIEF EXECUTIVE OFFICER ~~[DISTRICT ADMINISTRATOR]~~; ASSISTANT TO CHIEF EXECUTIVE OFFICER

1 ~~[ADMINISTRATOR]~~.

2 SECTION 4. Sections 1067.057(a), (b), (c), and (d), Special
3 District Local Laws Code, are amended to read as follows:

4 (a) The board shall appoint a qualified person to be known
5 as the chief executive officer of the district ~~[administrator]~~.

6 (b) The board may appoint an assistant to the chief
7 executive officer ~~[administrator]~~.

8 (c) The chief executive officer ~~[district administrator]~~
9 and any assistant to the chief executive officer ~~[administrator]~~
10 serve at the will of the board and are entitled to the compensation
11 determined by the board.

12 (d) The board may require the chief executive officer
13 ~~[district administrator]~~, before assuming the chief executive
14 officer's ~~[administrator's]~~ duties, to execute a bond payable to
15 the district in an amount set by the board of not less than \$5,000
16 that:

17 (1) is conditioned on the faithful performance of the
18 chief executive officer's ~~[administrator's]~~ duties; and

19 (2) contains other conditions the board may require.

20 SECTION 5. Section 1067.058, Special District Local Laws
21 Code, is amended to read as follows:

22 Sec. 1067.058. GENERAL DUTIES OF CHIEF EXECUTIVE OFFICER
23 ~~[DISTRICT ADMINISTRATOR]~~. Subject to the limitations prescribed by
24 the board, the chief executive officer ~~[district administrator]~~
25 shall:

26 (1) supervise the work and activities of the hospital;

27 and

1 (2) direct the affairs of the district.

2 SECTION 6. Sections 1067.059(a) and (b), Special District
3 Local Laws Code, are amended to read as follows:

4 (a) The board, with the chief executive officer [~~district~~
5 ~~administrator~~], may appoint to the staff any doctors the board
6 considers necessary for the efficient operation of the district.

7 (b) The board may employ technicians, nurses, and other
8 employees as considered necessary for the efficient operation of
9 the hospital or may provide that the chief executive officer
10 [~~district administrator~~] has the authority to admit or employ those
11 persons.

12 SECTION 7. Sections 1067.111(a), (b), (c), (d), and (e),
13 Special District Local Laws Code, are amended to read as follows:

14 (a) When an indigent patient who resides in the district is
15 admitted to a district facility or a person who does not reside in
16 the district is admitted as an emergency patient to a district
17 facility, the chief executive officer [~~district administrator~~]
18 shall have an inquiry made into the circumstances of:

19 (1) the patient; and

20 (2) the patient's relatives who are legally liable for
21 the patient's support.

22 (b) If the chief executive officer [~~district administrator~~]
23 determines that the patient or those relatives cannot pay all or
24 part of the costs of the care and treatment in the hospital, the
25 amount of the costs that cannot be paid becomes a charge against the
26 district as care for indigents.

27 (c) If the chief executive officer [~~district administrator~~]

1 determines that the patient or those relatives can pay for all or
2 part of the costs of the patient's care and treatment, the patient
3 or those relatives shall be ordered to pay the district a specified
4 amount each week for the patient's support. The amount ordered must
5 be proportionate to the person's financial ability and may not
6 exceed the actual per capita cost of maintenance.

7 (d) The chief executive officer [~~district administrator~~]
8 may collect the amount from the patient's estate, or from any
9 relative who is legally liable for the patient's support, in the
10 manner provided by law for the collection of expenses of the last
11 illness of a deceased person.

12 (e) If there is a dispute as to the ability to pay, or doubt
13 in the mind of the chief executive officer [~~district
14 administrator~~], the board shall hold a hearing and, after calling
15 witnesses, shall:

- 16 (1) resolve the dispute or doubt; and
17 (2) issue any appropriate orders.

18 SECTION 8. Section 1067.152(b), Special District Local Laws
19 Code, is amended to read as follows:

20 (b) The board shall adopt a budget by acting on the budget
21 proposed by the chief executive officer [~~district administrator~~].

22 SECTION 9. Section 1067.205(b), Special District Local Laws
23 Code, is amended to read as follows:

24 (b) The vice president-secretary [~~board secretary~~] shall
25 attest the bonds as provided by Chapter 618, Government Code.

26 SECTION 10. Sections 1067.307(b) and (c), Special District
27 Local Laws Code, are amended to read as follows:

1 (b) On the payment of all outstanding debts and obligations
2 of the district, the board shall order the vice president-secretary
3 [~~secretary~~] to return to each district taxpayer the taxpayer's pro
4 rata share of all unused tax money.

5 (c) A taxpayer may request that the taxpayer's share of
6 surplus tax money be credited to the taxpayer's county taxes. If a
7 taxpayer requests the credit, the board shall direct the vice
8 president-secretary [~~secretary~~] to transmit the money to the county
9 tax assessor-collector.

10 SECTION 11. (a) The election of the board of directors of
11 the Muenster Hospital District scheduled to be held in May 2020 must
12 be held. One director shall be elected at that election and shall
13 serve a three-year term.

14 (b) The election of the board of directors of the Muenster
15 Hospital District scheduled to be held in May 2021 must be held, and
16 three directors shall be elected at that election. The directors
17 elected at that election shall draw lots to determine which two
18 directors serve three-year terms and which director serves a
19 two-year term.

20 (c) The election of the board of directors of the Muenster
21 Hospital District scheduled to be held in May 2022 must be held, and
22 the three directors elected at that election shall serve three-year
23 terms.

24 (d) The directors of the Muenster Hospital District elected
25 at the elections scheduled to be held in May 2023, May 2024, and May
26 2025 shall serve three-year terms.

27 SECTION 12. This Act takes effect immediately if it

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1 receives a vote of two-thirds of all the members elected to each
2 house, as provided by Section 39, Article III, Texas Constitution.
3 If this Act does not receive the vote necessary for immediate
4 effect, this Act takes effect September 1, 2019.