

1-1 By: Springer (Senate Sponsor - Fallon) H.B. No. 886
1-2 (In the Senate - Received from the House April 15, 2019;
1-3 April 16, 2019, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 9, 2019, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 9, 2019, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 1-8 | X | | | |
| 1-9 | X | | | |
| 1-10 | X | | | |
| 1-11 | X | | | |
| 1-12 | X | | | |
| 1-13 | X | | | |
| 1-14 | X | | | |

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the Muenster Hospital District.
1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-19 SECTION 1. Section 1067.051(a), Special District Local Laws
1-20 Code, is amended to read as follows:
1-21 (a) The district consists of seven [~~nine~~] elected
1-22 directors.
1-23 SECTION 2. Sections 1067.055(a), (b), (d), and (e), Special
1-24 District Local Laws Code, are amended to read as follows:
1-25 (a) The board shall elect one of the directors as [a]
1-26 president and one director as vice president-secretary [a vice
1-27 president from among its members].
1-28 (b) The vice president-secretary [board] shall act as
1-29 [appoint] a secretary of the board [, who need not be a director].
1-30 (d) The president [~~is the chief executive officer of the~~
1-31 ~~district and]~~ has the same right to vote as any other director.
1-32 (e) If the president is absent or fails and declines to act,
1-33 the vice president-secretary [vice president] shall perform the
1-34 president's duties and exercise the president's powers under this
1-35 chapter.
1-36 SECTION 3. The heading to Section 1067.057, Special
1-37 District Local Laws Code, is amended to read as follows:
1-38 Sec. 1067.057. CHIEF EXECUTIVE OFFICER [DISTRICT
1-39 ADMINISTRATOR]; ASSISTANT TO CHIEF EXECUTIVE OFFICER
1-40 [ADMINISTRATOR].
1-41 SECTION 4. Sections 1067.057(a), (b), (c), and (d), Special
1-42 District Local Laws Code, are amended to read as follows:
1-43 (a) The board shall appoint a qualified person to be known
1-44 as the chief executive officer of the district [administrator].
1-45 (b) The board may appoint an assistant to the chief
1-46 executive officer [administrator].
1-47 (c) The chief executive officer [district administrator]
1-48 and any assistant to the chief executive officer [administrator]
1-49 serve at the will of the board and are entitled to the compensation
1-50 determined by the board.
1-51 (d) The board may require the chief executive officer
1-52 [district administrator], before assuming the chief executive
1-53 officer's [administrator's] duties, to execute a bond payable to
1-54 the district in an amount set by the board of not less than \$5,000
1-55 that:
1-56 (1) is conditioned on the faithful performance of the
1-57 chief executive officer's [administrator's] duties; and
1-58 (2) contains other conditions the board may require.
1-59 SECTION 5. Section 1067.058, Special District Local Laws
1-60 Code, is amended to read as follows:
1-61 Sec. 1067.058. GENERAL DUTIES OF CHIEF EXECUTIVE OFFICER

2-1 [~~DISTRICT ADMINISTRATOR~~]. Subject to the limitations prescribed by
 2-2 the board, the chief executive officer [~~district administrator~~]
 2-3 shall:

- 2-4 (1) supervise the work and activities of the hospital;
- 2-5 and
- 2-6 (2) direct the affairs of the district.

2-7 SECTION 6. Sections 1067.059(a) and (b), Special District
 2-8 Local Laws Code, are amended to read as follows:

2-9 (a) The board, with the chief executive officer [~~district~~
 2-10 ~~administrator~~], may appoint to the staff any doctors the board
 2-11 considers necessary for the efficient operation of the district.

2-12 (b) The board may employ technicians, nurses, and other
 2-13 employees as considered necessary for the efficient operation of
 2-14 the hospital or may provide that the chief executive officer
 2-15 [~~district administrator~~] has the authority to admit or employ those
 2-16 persons.

2-17 SECTION 7. Sections 1067.111(a), (b), (c), (d), and (e),
 2-18 Special District Local Laws Code, are amended to read as follows:

2-19 (a) When an indigent patient who resides in the district is
 2-20 admitted to a district facility or a person who does not reside in
 2-21 the district is admitted as an emergency patient to a district
 2-22 facility, the chief executive officer [~~district administrator~~]
 2-23 shall have an inquiry made into the circumstances of:

- 2-24 (1) the patient; and
- 2-25 (2) the patient's relatives who are legally liable for
 2-26 the patient's support.

2-27 (b) If the chief executive officer [~~district administrator~~]
 2-28 determines that the patient or those relatives cannot pay all or
 2-29 part of the costs of the care and treatment in the hospital, the
 2-30 amount of the costs that cannot be paid becomes a charge against the
 2-31 district as care for indigents.

2-32 (c) If the chief executive officer [~~district administrator~~]
 2-33 determines that the patient or those relatives can pay for all or
 2-34 part of the costs of the patient's care and treatment, the patient
 2-35 or those relatives shall be ordered to pay the district a specified
 2-36 amount each week for the patient's support. The amount ordered must
 2-37 be proportionate to the person's financial ability and may not
 2-38 exceed the actual per capita cost of maintenance.

2-39 (d) The chief executive officer [~~district administrator~~]
 2-40 may collect the amount from the patient's estate, or from any
 2-41 relative who is legally liable for the patient's support, in the
 2-42 manner provided by law for the collection of expenses of the last
 2-43 illness of a deceased person.

2-44 (e) If there is a dispute as to the ability to pay, or doubt
 2-45 in the mind of the chief executive officer [~~district~~
 2-46 ~~administrator~~], the board shall hold a hearing and, after calling
 2-47 witnesses, shall:

- 2-48 (1) resolve the dispute or doubt; and
- 2-49 (2) issue any appropriate orders.

2-50 SECTION 8. Section 1067.152(b), Special District Local Laws
 2-51 Code, is amended to read as follows:

2-52 (b) The board shall adopt a budget by acting on the budget
 2-53 proposed by the chief executive officer [~~district administrator~~].

2-54 SECTION 9. Section 1067.205(b), Special District Local Laws
 2-55 Code, is amended to read as follows:

2-56 (b) The vice president-secretary [~~board secretary~~] shall
 2-57 attest the bonds as provided by Chapter 618, Government Code.

2-58 SECTION 10. Sections 1067.307(b) and (c), Special District
 2-59 Local Laws Code, are amended to read as follows:

2-60 (b) On the payment of all outstanding debts and obligations
 2-61 of the district, the board shall order the vice president-secretary
 2-62 [~~secretary~~] to return to each district taxpayer the taxpayer's pro
 2-63 rata share of all unused tax money.

2-64 (c) A taxpayer may request that the taxpayer's share of
 2-65 surplus tax money be credited to the taxpayer's county taxes. If a
 2-66 taxpayer requests the credit, the board shall direct the vice
 2-67 president-secretary [~~secretary~~] to transmit the money to the county
 2-68 tax assessor-collector.

2-69 SECTION 11. (a) The election of the board of directors of

3-1 the Muenster Hospital District scheduled to be held in May 2020 must
3-2 be held. One director shall be elected at that election and shall
3-3 serve a three-year term.

3-4 (b) The election of the board of directors of the Muenster
3-5 Hospital District scheduled to be held in May 2021 must be held, and
3-6 three directors shall be elected at that election. The directors
3-7 elected at that election shall draw lots to determine which two
3-8 directors serve three-year terms and which director serves a
3-9 two-year term.

3-10 (c) The election of the board of directors of the Muenster
3-11 Hospital District scheduled to be held in May 2022 must be held, and
3-12 the three directors elected at that election shall serve three-year
3-13 terms.

3-14 (d) The directors of the Muenster Hospital District elected
3-15 at the elections scheduled to be held in May 2023, May 2024, and May
3-16 2025 shall serve three-year terms.

3-17 SECTION 12. This Act takes effect immediately if it
3-18 receives a vote of two-thirds of all the members elected to each
3-19 house, as provided by Section 39, Article III, Texas Constitution.
3-20 If this Act does not receive the vote necessary for immediate
3-21 effect, this Act takes effect September 1, 2019.

3-22

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