

ACT No. 857

SENATE BILL NO. 758 (Substitute of Senate Bill No. 571 by Senator Mills)

BY SENATOR MILLS AND REPRESENTATIVES BARRAS, STUART BISHOP, CHAMPAGNE, HENSGENS, HUVAL, NANCY LANDRY, TERRY LANDRY, LEBAS, NORTON, ORTEGO, PIERRE AND ROBIDEAUX

1 AN ACT

2 To enact Chapter 10-D of Title 46 of the Louisiana Revised Statutes of 1950, to be
3 comprised of R.S. 46:1191 through 1196, relative to a healthcare service district
4 within Department of Health and Hospitals' Region IV; to provide such authority to
5 create the healthcare service district; to provide for the governing board for the
6 healthcare service district; to provide for the membership of the governing board and
7 for the appointment, terms, and compensation of the board; and to provide for related
8 matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. Chapter 10-D of Title 46 of the Louisiana Revised Statutes of 1950,
11 comprised of R.S. 46:1191 through 1196 is hereby enacted to read as follows:

12 **CHAPTER 10-D. HEALTHCARE SERVICE DISTRICT - DEPARTMENT**
13 **OF HEALTH AND HOSPITALS' REGION IV**

14 **§1191. Legislative intent**

15 **It is the intent of the legislature to allow the governing authority of the**
16 **parish or the governing authorities of parishes that are located within the**
17 **Department of Health and Hospitals' Region IV, upon their own initiative, to**
18 **form and create a healthcare service district to support the provision of**
19 **inpatient and outpatient healthcare services within the Department of Health**
20 **and Hospitals' Region IV.**

21 **§1192. Definitions**

22 **As used in this Chapter and unless the context clearly requires**
23 **otherwise:**

1 (1) " Department" means the Department of Health and Hospitals.

2 (2) "District" means the healthcare service district authorized in this
3 Chapter.

4 (3) "Governing board" means the governing board of the healthcare
5 service district.

6 (4) "Secretary" means the secretary of the Department of Health and
7 Hospitals.

8 §1193. Authority

9 The governing authority of a parish or the governing authorities of the
10 parishes that are located within the department's Region IV, upon their own
11 initiative, are hereby authorized and empowered to form and create a
12 healthcare service district.

13 §1194. Purpose

14 The purpose of the healthcare service district and the governing board
15 created under the provisions of this Chapter shall be:

16 (1) To identify local public sources of revenue or expenditure that may
17 be used by the department as state match to draw down federal matching funds
18 for the provision of healthcare services for the low income and uninsured
19 population of the district. Notwithstanding any other provision of law to the
20 contrary, the district or governing board shall have no authority or governance
21 of the hospital service districts and shall have no authority to collect or cause to
22 be collected any hospital service district monies, funds, or assets.

23 (2) To participate, so far as circumstances may warrant, in any activity
24 designed and conducted to promote the general health of the community.

25 (3) To promote and support graduate medical education activities in the
26 respective communities.

27 (4) To cooperate with other institutions and agencies engaged in
28 providing hospital and outpatient health services to residents of the district for
29 the purpose of improving access to care for residents of the district.

30 §1195. Powers and duties of governing board

1 A. In addition to the duties defined elsewhere in this Chapter, the
2 governing board shall have the duty and authority:

3 (1) To represent the public interest in supporting healthcare services in
4 the district.

5 (2) To advise on issues concerning the provision of healthcare services
6 for the low income and uninsured population of the district.

7 (3) To conduct public hearings and share public input on the
8 community's priorities for the provision of healthcare services in the district.

9 (4) To appoint the necessary standing and special committees that may
10 be necessary to carry out the purposes of this Chapter.

11 (5) To enter into contracts, agreements, or cooperative endeavors with
12 the state and its political subdivisions and with any public or private
13 association, corporation, business entity or person to promote the public
14 purposes of the district.

15 B. The secretary of the department shall review each such agreement,
16 including a plan for the use of state Medicaid and disproportionate share
17 dollars. If the secretary finds that the agreement and plans are sufficient to
18 support medical care for low income and uninsured population of the district
19 and the funds are eligible for federal matching funds to be reimbursed, he shall
20 verify that finding to the governing board.

21 C. The governing board shall collect or cause to be collected all public
22 monies identified by the district as available for the purpose of serving as state
23 match for federal matching funds to ensure the provision of healthcare services
24 delivered for the low income and uninsured population of the district.

25 D. The department shall make available for reimbursement these local
26 and federally matched funds to the designated providers in the district to ensure
27 the continued provision of healthcare services for the low income and uninsured
28 population of the district.

29 E. Neither the division of administration nor the department shall
30 displace, replace, or supplant state appropriations from the state general fund

1 or other state funds designated for the district.

2 F. The governing board shall submit any reports or information related
3 to the healthcare service district to the secretary of the department or the
4 Senate and House committees on health and welfare upon request of the
5 secretary or the chairman of either committee.

6 §1196. Governing board; membership; appointment; terms; compensation

7 A.(1) For a district created pursuant to this Chapter, the district shall be
8 governed by a governing board.

9 (2)The governing board shall be comprised of the following members:

10 (a) The president of each parish governing authority within the
11 department's Region IV, or his designee.

12 (b)The secretary of the Department of Health and Hospitals, or his
13 designee.

14 (c) The executive director of the Louisiana Hospital Association, or his
15 designee.

16 (d) The executive director of the Greater Lafayette Chamber of
17 Commerce, or his designee.

18 (e) The hospital administrator for University Medical Center, or his
19 designee.

20 B. All appointees shall serve terms of three years. No board member
21 shall serve more than two three-year consecutive terms.

22 C. A vacancy on a governing board shall be filled in the same manner as
23 required for the original appointment.

24 D. Each governing board member shall serve without compensation but
25 shall be reimbursed for expenses and mileage at the same rate set by the
26 division of administration for state employees for each day in actual attendance
27 at governing board meetings or for representing the governing board in an
28 official governing board-approved activity.

29 E. The chairman shall be elected by a majority vote of the governing
30 board. The term of the chairman shall be established under the governing

1 board's bylaws.

2 F. The governing board shall adopt bylaws to provide for its governance
3 within ninety days of being established. Such bylaws shall include but not be
4 limited to:

5 (1) Procedures for the election of governing board officers, including
6 terms of office and methods and grounds for removal. Governing board officers
7 shall include, at a minimum, a chairman, treasurer, and secretary.

8 (2) Procedures and grounds for the removal of any governing board
9 member. Grounds for removal shall include the conviction of a felony. Grounds
10 for removal may include failure to meet board attendance requirements, as
11 provided in the bylaws.

12 G. All governing board members of the district shall be subject to the
13 Code of Governmental Ethics. No member of the governing board or of his
14 immediate family shall own or have any interest in any public or private
15 organization, business, company, or entity conducting business of any kind with
16 the district. The prohibition provided for in this Subsection shall not prohibit
17 members of the governing board from having contracts or employment
18 agreements with healthcare institutions or organizations whose purpose is
19 directly related to health care.

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____