

HOUSE BILL 1389

By Williams

AN ACT to amend Chapter 223 of the Private Acts of 1961; as amended by Chapter 49 of the Private Acts of 1999 and Chapter 115 of the Private Acts of 2000; and any other acts amendatory thereto, relative to the Cookeville Regional Medical Center.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 223 of the Private Acts of 1961, as amended by Chapter 49 of the Private Acts of 1999 and Chapter 115 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting Section 9 in its entirety and substituting instead the following:

SECTION 9. The Board of Trustees shall have the responsibility and authority to control and operate the hospital, clinical and health care facilities described herein; to receive all revenues derived from such facilities, and any donations or grants; and to disburse all such monies to discharge the financial obligations related to the facilities described in this act and otherwise as determined by the Board of Trustees; to exercise the powers granted to private act hospital authorities under 1996 Tenn. Pub. Acts, Ch. 778; to make contracts for goods and services; to establish policies, rules, and regulations governing the operation of the said hospital, its uses and management; and to define the duties and establish the compensation of the administrator; to regulate admissions to the said hospital, clinical and health care facilities and establish reasonable rates and charges for the services rendered by such facilities; and to collect and receipt for the same. All monies of the authority shall be disbursed in accordance with the rules and regulations adopted and determined by the Board of Trustees, by check signed by the facility administrator. Notwithstanding any other provisions of law,

the authority of the Board of Trustees to enter into joint ownership arrangements with other providers relative to health care facilities shall be limited to those joint ownership arrangements as approved by a majority vote of the Cookeville City Council and subject to such terms, conditions, or limitations as the Cookeville City Council may prescribe in said approval. All joint ownership arrangements shall be in accordance with this section, and any entity created in furtherance of any such arrangement, shall be governed by and comply with all other provisions and limitations set forth in Chapter 49 of the Private Acts of 1999, as amended by Chapter 115 of the Private Acts of 2000, Chapter 31 of the Private Acts of 2007, and Chapter 24 of the Private Acts of 2011, including the limitations on borrowing money in its own name without prior vote of the Cookeville City Council and limitations with respect to the acquisition and ownership of real property as provided in Chapter 115 of the Private Acts of 2000, and the limitations on members of the Board of Trustees engaging in financial transactions with any joint venture entity as provided in Chapter 24 of the Private Acts of 2011. Said restrictions shall be contained in any joint ownership arrangement contract, as well as any charter, articles of organization, bylaws, operating agreement, and any other organizing document for any entity created in furtherance of such joint ownership arrangement.

In the exercise of its power, the Cookeville Regional Medical Center may acquire, manage, lease, purchase, sell, contract for, or otherwise participate solely or with others in the ownership or operation of hospital, medical, or health program properties and facilities subject to the limitations set forth in Chapter 49 of the Private Acts of 1999 and Chapter 115 of the Private Acts of 2000.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Cookeville City Council. Its approval or nonapproval shall be proclaimed by the presiding officer of the Cookeville City Council and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.