

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1149

By: Griffin

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5  
6 AS INTRODUCED

7 An Act relating to public health; amending 63 O.S.  
8 2011, Section 3250.3, which relates to public trusts;  
deleting certain limitations; and providing an  
9 effective date.

10  
11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 63 O.S. 2011, Section 3250.3, is  
13 amended to read as follows:

14 Section 3250.3. A. 1. The Oklahoma Legislature finds that the  
15 delivery of health care services to the public including medically  
16 indigent persons will be enhanced through the establishment of  
17 community hospital public trust authorities and the creation of  
18 hospital districts pursuant to the Oklahoma Community Hospitals  
19 Public Trust Authorities Act.

20 2. The purpose of the Oklahoma Community Hospitals Public Trust  
21 Authorities Act is to provide maximum utilization and efficient  
22 administration in delivering health care services by hospital  
23 districts to the public including medically indigent persons, and to  
24 provide for supplemental Medicaid programs.

1 B. 1. A hospital or two or more hospitals ~~located within a~~  
2 ~~county or adjacent counties or located within a county or adjacent~~  
3 ~~counties~~ and a municipality may jointly create a public trust for  
4 the purposes of:

- 5 a. establishing a hospital district,
- 6 b. accessing and providing funding for coordination of  
7 the delivery of health care to the public including  
8 but not limited to programs that contribute to serving  
9 the medically indigent,
- 10 c. improving access to health care by the public,
- 11 d. coordinating the development of new health services in  
12 the hospital district,
- 13 e. considering various alternatives for integrating the  
14 services of the health care delivery system in the  
15 hospital district, and
- 16 f. providing for and supplementing Medicaid programs.

17 2. A hospital participating in the creation of a public trust  
18 must:

- 19 a. expend at least Fifty Thousand Dollars (\$50,000.00)  
20 annually providing care for medically indigent  
21 persons, and
- 22 b. have a system of inpatient and/or outpatient health  
23 care, trauma care, or emergency care services that is  
24 not limited to a specific modality of health care.

1           3. The boundaries of a community hospital public trust  
2 authority should be coextensive with the boundaries of a county or a  
3 group of member counties.

4           4. The county or counties or the county or counties and  
5 municipality in which a hospital district is established must  
6 approve and shall be the beneficiary of the public trust pursuant to  
7 the provisions of Sections 176 and 177 of Title 60 of the Oklahoma  
8 Statutes.

9           C. The instrument creating the public trust shall provide at a  
10 minimum:

11           1. The reasons for organizing and constituting a hospital  
12 district, including a statement that the community hospital public  
13 trust authority will comply with all applicable provisions of  
14 Sections 176 through 180.3 of Title 60 of the Oklahoma Statutes and  
15 the Oklahoma Community Hospitals Public Trust Authorities Act;

16           2. A statement that the public trust shall be separate and  
17 independent from the affairs of the beneficiary in all matters or  
18 activities authorized by the written instrument creating the public  
19 trust;

20           3. The names and corporate headquarters of each hospital  
21 located in the proposed hospital district;

22           4. The general patient loads of each hospital within the  
23 proposed hospital district and the anticipated number of medically  
24 indigent persons for whom medical services will be provided;

1           5. A concise description of the geographic boundaries to be  
2 embraced within the proposed hospital district;

3           6. A statement that the proposed hospital district is embracing  
4 only those lands within the proposed boundaries specified by  
5 paragraph 5 of this subsection which can reasonably and economically  
6 be served in the foreseeable future;

7           7. Assurance that all hospitals located within the hospital  
8 district which meet the eligibility criteria can participate in the  
9 public trust;

10          8. For the appointment, succession, powers, duties, terms and  
11 manner of removal of trustees;

12          9. For the appointment of at least five trustees as follows:

13           a. the chief executive officers of the hospitals  
14 participating in the community hospital public trust  
15 authority and may include the chief executive officers  
16 of hospitals located within the hospital district,

17           b. (1) one county commissioner or their designee from  
18 each beneficiary county which the hospital  
19 district embraces, appointed by the commissioners  
20 of each such county, and

21           (2) the chief administrative officer or his or her  
22 designee from a municipality in which the  
23 hospital district is situated, if such  
24

1                   municipality is the beneficiary of the public  
2                   trust, and

3           c.    one member appointed by the Governor who has no direct  
4           affiliation with any hospital participating in the  
5           community hospital public trust authority; provided,  
6           that if pursuant to the provisions of this paragraph  
7           the Board will have less than five members, the  
8           Governor shall appoint additional members; and

9           10.   The time and place of the regular meetings and the manner  
10          in which special meetings may be called.  A community hospital  
11          public trust authority shall keep a complete record of all its  
12          proceedings.

13          D.   As a condition precedent, each community hospital public  
14          trust authority must receive approval from the Attorney General that  
15          the public trust is in the proper form.

16          E.   A certified copy of the public trust agreement must be filed  
17          with the Secretary of State and with the court clerk of each  
18          beneficiary county and municipality.

19          F.   Each public trust established pursuant to the Oklahoma  
20          Community Hospitals Public Trust Authorities Act shall not be  
21          amended without a two-thirds (2/3) vote of approval of the trustees  
22          of such trust.

23          SECTION 2.  This act shall become effective November 1, 2016.

24          55-2-2180           AM           2/18/2016 6:51:53 PM