

House Bill No. 1055

An act relating to the Lee County Trauma Services District, an independent district; providing for establishment of the Lee County Trauma Services District for the purpose of financially supporting trauma services in Lee County; providing that such trauma services shall be provided through a designated Level II Trauma Center; providing for a governing board; providing for officers of the governing board; providing for audit of books; providing for quarterly meetings; prescribing the powers and duties of the board; stating a public purpose; providing for a budget; providing severability; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. District; creation, jurisdiction, and purpose.—The Lee County Trauma Services District is hereby created as an independent special district, pursuant to chapter 189, Florida Statutes, encompassing all the territory comprising Lee County, Florida, and shall be established for all the purposes set forth in this act, including, but not limited to, financially supporting the provision of trauma services in Lee County, which trauma services shall be defined as comprehensive emergency medical services for victims of trauma and trauma-related injuries, provided by the State of Florida designated Level II Trauma Center operated by Lee Memorial Health System.

Section 2. Governing board; establishment, officers, meeting.—(1) The governing body of the Lee County Trauma Services District shall be composed of the members of the Board of Directors of the Lee Memorial Health System, a political entity, as duly constituted by law and any amendments thereto, and shall be called the Board of Directors of the Lee County Trauma Services District.

(2) The Board of Directors of the Lee County Trauma Services District shall have the same officers as those officers of the Board of Directors of the Lee Memorial Health System.

(3) The Board of Directors of the Lee County Trauma Services District shall meet no less than quarterly at such date, time, and place as may be fixed by the board. Proper notice of such meetings shall be filed and given, minutes shall be kept in accordance with general law, and all meetings of the board shall be open to the public.

(4) The Board of Directors of the Lee County Trauma Services District shall serve without compensation.

Section 3. Powers, functions, and duties.—

(1) The Board of Directors of the Lee County Trauma Services District shall have the powers, functions, and duties set forth in this act, in addition

to such powers, functions, and duties as may be set forth in chapter 189, Florida Statutes, as same may be amended from time to time.

(2) The District is hereby authorized to operate and conduct the business of the District and, consistent therewith, shall have the following powers:

(a) The board is authorized to pay all expenses of operation of the District and all other necessary expenses incurred, including the fees and expenses of attorneys retained by the board or the management of the District, in the transaction of the business of the District, and in carrying out and accomplishing the purposes of this act.

(b) The Lee County Trauma Services District may sue and be sued in the name of Lee County Trauma Services District, provided that in any suit, a change in personnel of the board shall not abate the suit, which shall proceed as if such change had not taken place. In all suits against the Lee County Trauma Services District, service or process shall be had on any officer of the board or its legal representative.

(c) To the fullest extent permitted by state law, the board may make, or authorize its management to make, contracts.

(d) To provide for the financial support for the District, the board is authorized to accept gifts, bequests, grants, endowments, and conveyances from any source for the use and benefit of the Lee County Trauma Services District.

(e) The board may, or may authorize its management to, settle or compromise any claim, suit, or action brought against the Lee County Trauma Services District or any of its subsidiaries or affiliated organizations, or any of its directors, officers, or employees when such claim, suit, or action arises out of such directors', officers', or employees' acts or omissions in the course of employment or the performance of official duties, consistent with the provisions of the Florida Waiver of Sovereign Immunity Act, as such act may be in effect at the time of such settlement or compromise.

(f) The board may take action consistent with the efficient and effective operation of the Lee County Trauma Services District or the trauma center provided for by this act, consistent with the Constitution and laws of the State of Florida.

Section 4. Public purpose.—The operation and maintenance of the Lee County Trauma Services District and the operation of health facilities provided for in this act are declared to be a public purpose.

Section 5. Financial planning, budgets, notice, audits, report.—

(1) The fiscal year of the Lee County Trauma Services District shall be the same as that of the Lee Memorial Health System. The board shall prepare a tentative budget for the District covering its planned and proposed operation and requirements for the ensuing fiscal year. The budget shall set forth the proposed expenditures of the District for operation and maintenance of the Level II Trauma Center and payment for trauma-related physi-

cian services and for the conduct of the affairs of the District generally. The budget shall be in such form as the board may decide.

(2) The budget shall also include the estimated amount obligated for commitments which have been made but not completed, shall indicate the estimated balance of unobligated funds which shall be on hand at the beginning of the fiscal year, and shall indicate the estimated amount to be raised.

(3) The provision of notice to the public and the opportunity for public comment regarding the district budget shall be as provided by general law.

(4) The books and accounts of the Lee County Trauma Services District shall be audited annually by an independent certified public accountant selected by the board of the District. The report of such audit shall be open for inspection by the public.

(5) The District shall prepare and submit reports, budgets, and audits in accordance with chapter 189, Florida Statutes.

Section 6. Amendments.—The district charter created by this act shall be amended only by special act of the Legislature.

Section 7. It is declared to be the legislative intent that if any section, subsection, sentence, clause, provision, or part thereof of this act is held invalid, unenforceable, or unconstitutional, it shall not affect the remainder of the act, and the remainder of the act shall remain in force and effect as if the invalid portion had not been enacted.

Section 8. This act shall take effect upon becoming a law.

Approved by the Governor July 16, 2003.

Filed in Office Secretary of State July 16, 2003.