

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1616

97TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES MUNTZEL (Sponsor), JONES (50), ROWDEN,
WEBBER AND KELLY (45) (Co-sponsors).

5607H.02P

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 205.190, RSMo, and to enact in lieu thereof one new section relating to county hospital trustees.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 205.190, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 205.190, to read as follows:

205.190. 1. The trustees shall, within ten days after their appointment or election, qualify by taking the oath of civil officers and organize as a board of hospital trustees by the election of one of their number as chairman, one as secretary, one as treasurer, and by the election of such other officers as they may deem necessary.

2. No trustee shall receive any compensation for his or her services performed, but a trustee may receive reimbursement for any cash expenditures actually made for personal expenses incurred as such trustee, and an itemized statement of all such expenses and money paid out shall be made under oath by each of such trustees and filed with the secretary and allowed only by the affirmative vote of all of the trustees present at a meeting of the board.

3. The board of hospital trustees shall make and adopt such bylaws, rules and regulations for its own guidance and for the government of the hospital as may be deemed expedient for the economic and equitable conduct thereof, not inconsistent with sections 205.160 to 205.340 and the ordinances of the city or town wherein such public hospital is located. The board shall provide by regulation for the bonding of the chief executive officer and may require a bond of the treasurer of the board and of any employee of the hospital as it deems necessary. The costs

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 of all bonds required shall be paid out of the hospital fund. Except as provided in subsection 4
17 of this section, it shall have the exclusive control of the deposit, investment, and expenditure of
18 all moneys collected to the credit of the hospital fund, and of the purchase of site or sites, the
19 purchase or construction of any hospital buildings, and of the supervision, care and custody of
20 the grounds, rooms or buildings purchased, constructed, leased or set apart for that purpose;
21 provided, that all moneys received for such hospital shall be credited to the hospital and
22 deposited into the depository thereof for the sole use of such hospital in accordance with the
23 provisions of sections 205.160 to 205.340. All funds received by each such hospital shall be paid
24 out only upon warrants ordered drawn by the treasurer of the board of trustees of said county
25 upon the properly authenticated vouchers of the hospital board.

26 4. The trustees shall have authority, both within and outside the county, except in
27 counties of the third or fourth classification (other than the county in which the hospital is
28 located) where there already exists a hospital organized pursuant to chapters 96, 205 or 206;
29 provided that this exception shall not prohibit the continuation of existing activities otherwise
30 allowed by law, to operate, maintain and manage a hospital and hospital facilities, and to make
31 and enter into contracts, for the use, operation or management of a hospital or hospital facilities;
32 to engage in health care activities; to make and enter into leases of equipment and real property,
33 a hospital or hospital facilities, as lessor or lessee, regardless of the duration of such lease;
34 provided that any lease of substantially all of the hospital, as the term "hospital" is defined in
35 section 197.020, wherein the board of trustees is lessor shall be entered into only with the
36 approval of the county commission wherein such hospital is located and provided that in a
37 county of the second, third or fourth classification, the income to such county from such lease
38 of substantially all of the hospital shall be appropriated to provide health care services in the
39 county; and further to provide rules and regulations for the operation, management or use of a
40 hospital or hospital facilities. Any agreement entered into pursuant to this subsection pertaining
41 to the lease of the hospital, as herein defined, shall have a definite termination date as negotiated
42 by the parties, but this shall not preclude the trustees from entering into a renewal of the
43 agreement with the same or other parties pertaining to the same or other subjects upon such
44 terms and conditions as the parties may agree. Notwithstanding any other law to the contrary,
45 the county commission in any noncharter county of the first classification wherein such hospital
46 is located may separately negotiate and enter into contractual agreements with the lessee as a
47 condition of approval of any lease authorized pursuant to this subsection.

48 5. The board of hospital trustees shall have power to appoint a suitable chief executive
49 officer and necessary assistants and fix their compensation, and shall also have power to remove
50 such appointees; and shall in general carry out the spirit and intent of sections 205.160 to
51 205.340 in establishing and maintaining a county public hospital.

52 6. The board of hospital trustees may establish and operate a day care center to provide
53 care exclusively for the children of the hospital's employees. A day care center established by
54 the board shall be licensed pursuant to the provisions of sections 210.201 to 210.245. The
55 operation of a day care center shall be paid for by fees or charges, established by the board, and
56 collected from the hospital employees who use its services. The board, however, is authorized
57 to receive any private donations or grants from agencies of the federal government intended for
58 the support of the day care center.

59 7. The board of hospital trustees shall hold meetings at least once each month, shall keep
60 a complete record of all its proceedings; and three members of the board shall constitute a
61 quorum for the transaction of business.

62 8. One of the trustees shall visit and examine the hospital at least twice each month and
63 the board shall, during the first week in January of each year, file with the county commission
64 of the county a report of its proceedings with reference to such hospital and a statement of all
65 receipts and expenditures during the year; and shall at such time certify the amount necessary to
66 maintain and improve the hospital for the ensuing year.

67 **9. Notwithstanding subsection 4 of this section with respect to trustees both within**
68 **and outside a county where there already exists a hospital organized under chapter 96, 205**
69 **or 206, and so long as the trustees in both counties consent, trustees in any county of the**
70 **first classification with more than one hundred fifty thousand but fewer than two hundred**
71 **thousand inhabitants and any county of the third classification without a township form**
72 **of government and with more than sixteen thousand but fewer than eighteen thousand**
73 **inhabitants and with a city of the third classification with more than eight thousand but**
74 **fewer than nine thousand inhabitants as the county seat shall be allowed to:**

75 **(1) Operate, maintain, and manage a hospital and hospital facilities and to make**
76 **and enter into contracts for the use, operation, or management of a hospital or hospital**
77 **facilities;**

78 **(2) Engage in health care activities; or**

79 **(3) Make and enter into leases of equipment and real property, a hospital or**
80 **hospital facilities, as lessor or lessee, regardless of the duration of such lease.**

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