

SECOND REGULAR SESSION

HOUSE BILL NO. 1664

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PETERS.

3629H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 205.160 and 205.190, RSMo, and to enact in lieu thereof two new sections relating to the establishment of hospitals.

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

Section A. Sections 205.160 and 205.190, RSMo, are repealed and two new sections
2 enacted in lieu thereof, to be known as sections 205.160 and 205.190, to read as follows:

205.160. The county commissions of the several counties of this state, both within
2 and outside such counties, except in counties of the third or fourth classification (other than
3 the county in which the hospital is located) where there already exists a hospital organized
4 pursuant to ~~chapters 96,~~ **chapter 205** ~~or 206~~; provided, however, that this exception shall
5 not prohibit the continuation of existing activities otherwise allowed by law, are hereby
6 authorized, as provided in sections 205.160 to 205.340, to establish, construct, equip,
7 improve, extend, repair and maintain public hospitals and engage in health care activities, and
8 may issue bonds therefor as authorized by the general law governing the incurring of
9 indebtedness by counties.

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

5 2. No trustee shall receive any compensation for his or her services performed, but a
6 trustee may receive reimbursement for any cash expenditures actually made for personal
7 expenses incurred as such trustee, and an itemized statement of all such expenses and money

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.

8 paid out shall be made under oath by each of such trustees and filed with the secretary and
9 allowed only by the affirmative vote of all of the trustees present at a meeting of the board.

10 3. The board of hospital trustees shall make and adopt such bylaws, rules and
11 regulations for its own guidance and for the government of the hospital as may be deemed
12 expedient for the economic and equitable conduct thereof, not inconsistent with sections
13 205.160 to 205.340 and the ordinances of the city or town wherein such public hospital is
14 located. The board shall provide by regulation for the bonding of the chief executive officer
15 and may require a bond of the treasurer of the board and of any employee of the hospital as it
16 deems necessary. The costs of all bonds required shall be paid out of the hospital fund.
17 Except as provided in subsection 4 of this section, it shall have the exclusive control of the
18 deposit, investment, and expenditure of all moneys collected to the credit of the hospital fund,
19 and of the purchase of site or sites, the purchase or construction of any hospital buildings, and
20 of the supervision, care and custody of the grounds, rooms or buildings purchased,
21 constructed, leased or set apart for that purpose; provided, that all moneys received for such
22 hospital shall be credited to the hospital and deposited into the depository thereof for the sole
23 use of such hospital in accordance with the provisions of sections 205.160 to 205.340. All
24 funds received by each such hospital shall be paid out only upon warrants ordered drawn by
25 the treasurer of the board of trustees of said county upon the properly authenticated vouchers
26 of the hospital board.

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

45 same or other subjects upon such terms and conditions as the parties may agree.
46 Notwithstanding any other law to the contrary, the county commission in any noncharter
47 county of the first classification wherein such hospital is located may separately negotiate and
48 enter into contractual agreements with the lessee as a condition of approval of any lease
49 authorized pursuant to this subsection.

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

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

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

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

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