

FIRST REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 376
97TH GENERAL ASSEMBLY

Reported from the Committee on Veterans' Affairs and Health, March 14, 2013, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

1809S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 206.110, RSMo, and to enact in lieu thereof one new section relating to the powers of hospital districts.

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

Section A. Section 206.110, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 206.110, to read as follows:

206.110. 1. A hospital district, both within and outside such district, except in counties of the third or fourth classification (other than within the district boundaries) where there already exists a hospital organized pursuant to chapters 96, 205 or this chapter; provided, however, that this exception shall not prohibit the continuation or expansion of existing activities otherwise allowed by law, shall have and exercise the following governmental powers, and all other powers incidental, necessary, convenient or desirable to carry out and effectuate the express powers:

(1) To establish and maintain a hospital or hospitals and hospital facilities, and to construct, acquire, develop, expand, extend and improve any such hospital or hospital facility including medical office buildings to provide offices for rental to physicians and dentists on the district hospital's medical or dental staff, and the providing of sites therefor, including offstreet parking space for motor vehicles;

(2) To acquire land in fee simple, rights in land and easements upon, over or across land and leasehold interest in land and tangible and intangible personal property used or useful for the location, establishment, maintenance, development, expansion, extension or improvement of any hospital or hospital facility. The acquisition may be by dedication, purchase, gift, agreement, lease, use or adverse possession or by condemnation;

21 (3) To operate, maintain and manage a hospital and hospital facilities,
22 and to make and enter into contracts, for the use, operation or management of a
23 hospital or hospital facilities; to engage in health care activities; and to make and
24 enter into leases of equipment and real property, a hospital or hospital facilities,
25 as lessor or lessee, regardless of the duration of such lease; and to provide rules
26 and regulations for the operation, management or use of a hospital or hospital
27 facilities. Any agreement entered into pursuant to this subsection pertaining to
28 the lease of the hospital shall have a definite termination date as negotiated by
29 the parties, but this shall not preclude the trustees from entering into a renewal
30 of the agreement with the same or other parties pertaining to the same or other
31 subjects upon such terms and conditions as the parties may agree;

32 (4) To fix, charge and collect reasonable fees and compensation for the use
33 or occupancy of the hospital or any part thereof, or any hospital facility, and for
34 nursing care, medicine, attendance, or other services furnished by the hospital or
35 hospital facilities, according to the rules and regulations prescribed by the board
36 from time to time;

37 (5) To borrow money and to issue bonds, notes, certificates, or other
38 evidences of indebtedness for the purpose of accomplishing any of its corporate
39 purposes, subject to compliance with any condition or limitation set forth in this
40 chapter or otherwise provided by the Constitution of the state of Missouri;

41 (6) To employ or enter into contracts for the employment of any person,
42 firm, or corporation, and for professional services, necessary or desirable for the
43 accomplishment of the corporate objects of the district or the proper
44 administration, management, protection or control of its property;

45 (7) To maintain the hospital for the benefit of the inhabitants of the area
46 comprising the district who are sick, injured, or maimed regardless of race, creed
47 or color, and to adopt such reasonable rules and regulations as may be necessary
48 to render the use of the hospital of the greatest benefit to the greatest number;
49 to exclude from the use of the hospital all persons who willfully disregard any of
50 the rules and regulations so established; to extend the privileges and use of the
51 hospital to persons residing outside the area of the district upon such terms and
52 conditions as the board of directors prescribes by its rules and regulations;

53 (8) To police its property and to exercise police powers in respect thereto
54 or in respect to the enforcement of any rule or regulation provided by the
55 ordinances of the district and to employ and commission police officers and other
56 qualified persons to enforce the same;

57 **(9) To lease to or allow for any institution of higher education to**
58 **use or occupy the hospital, any real estate or facility owned or leased**
59 **by the district or any part thereof for the purpose of health care**
60 **related and general education or training.**

61 2. The use of any hospital or hospital facility of a district shall be subject
62 to the reasonable regulation and control of the district and upon such reasonable
63 terms and conditions as shall be established by its board of directors.

64 3. A regulatory ordinance of a district adopted under any provision of this
65 section may provide for a suspension or revocation of any rights or privileges
66 within the control of the district for a violation of any such regulatory ordinance.

67 4. Nothing in this section or in other provisions of this chapter shall be
68 construed to authorize the district or board to establish or enforce any regulation
69 or rule in respect to hospitalization or the operation or maintenance of such
70 hospital or any hospital facilities within its jurisdiction which is in conflict with
71 any federal or state law or regulation applicable to the same subject matter.

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Bill

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