

SENATE BILL 2669

By Bailey

AN ACT to amend Chapter 49 of the Private Acts of 1999; as amended by Chapter 115 of the Private Acts of 2000; Chapter 31 of the Private Acts of 2007 and Chapter 24 of the Private Acts of 2011; and any other acts amendatory thereto, relative to the Cookeville Regional Medical Center Authority.

WHEREAS, the City Council of the City of Cookeville, Tennessee, wishes to request the deletion of the requirement that joint ownership arrangements of Cookeville Regional Medical Center Authority within Putnam and Clay County must be on city owned property; and

WHEREAS, the City Council of the City of Cookeville, Tennessee, wishes to request that all joint ownership arrangements must be approved by the City Council of the City of Cookeville; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 49 of the Private Acts of 1999, as amended by Private Chapter 115 of the Private Acts of 2000, and any other acts amendatory thereto, is amended by deleting Section 9 in its entirety and substituting instead:

The Board of Trustees shall have the responsibility and authority to control and operate the hospital, clinical and health care facilities described herein; to receive all revenues derived from such facilities, and any donations or grants; to disburse all such monies to discharge the financial obligations related to the facilities described in this act and otherwise as determined by the Board of Trustees; to exercise the powers granted to private act hospital authorities under 1996 Tenn. Pub. Acts, Ch. 778; to make contracts for goods and services; to establish policies, rules and regulations governing the operation of said hospital, its uses and its management; to define the duties and establish the compensation of the administrator; to regulate admissions to said hospital,

clinical and health care facilities and establish reasonable rates and charges for the services rendered by such facilities; and to collect and receipt for the same. All monies of the authority shall be disbursed in accordance with the rules and regulations adopted and determined by the Board of Trustees, by check signed by the facility administrator. Notwithstanding any other provisions of law, the authority of the Board of Trustees to enter into joint ownership arrangements with other providers relative to health care facilities shall be limited to those joint ownership arrangements approved by a majority vote of the Cookeville City Council and subject to the terms and conditions, or limitations, as the Cookeville City Council may prescribe in said approval. Further, except for Putnam and Clay County, the authority of the Board of Trustees to enter into joint ownership arrangements with other providers relative to health care facilities shall be limited to those health care facilities that are located on the campus of Cookeville Regional Medical Center. For purposes of this Act, the campus of Cookeville Regional Medical Center shall include real property owned by the City of Cookeville and on which are located hospital, clinical or health care facilities. All joint ownership arrangements shall be governed by and comply with all other provisions and limitations set forth in Chapter 49 of the Private Acts of 1999, as amended by Chapter 115 of the Private Acts of 2000, Chapter 31 of the Private Acts of 2007, and Chapter 24 of the Private Acts of 2011, including the limitations from borrowing money in its own name without prior vote of the Cookeville City Council and limitations with respect to the acquisition and ownership of real property as provided in Chapter 115 of the Private Acts of 2000, and the limitations of members of the Board of Trustees engaging in financial transactions with any joint venture entity as provided in Chapter 24 of the Private Acts of 2011. Said restrictions must be contained in any joint ownership arrangement contract, as well as any charter, articles of incorporation, bylaws, operating agreement and any other organizing document for any entity created in furtherance of such joint ownership arrangement.

In the exercise of its power, Cookeville Regional Medical Center may acquire, manage, lease, purchase, sell, contract for or otherwise participate solely or with others

in the ownership or operation of hospital, medical or health program properties and facilities subject to the limitations set forth in Chapter 49 of the Private Acts of 1999 and Chapter 115 of the Private Acts of 2000.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Cookeville City Council. Its approval or nonapproval shall be proclaimed by the presiding officer of the Cookeville City Council and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.