

**ORDINANCE NO. 01-18**

**AN ORDINANCE OF MANATEE COUNTY, FLORIDA, PROVIDING FOR THE MANATEE COUNTY HEALTH CARE SYSTEM TO PROVIDE MONIES FOR INDIGENT CARE AND OTHER HEALTH-RELATED PURPOSES WITHIN MANATEE COUNTY, FLORIDA; PROVIDING FOR A REIMBURSEMENT AGREEMENT WITH MANATEE MEMORIAL HOSPITAL, L.P.; AND PROVIDING FOR AN EFFECTIVE DATE.**

FILED FOR RECORD  
R.P. [unclear]  
CLERK OF COUNTY  
MAR 29 7 56 AM '01

**WHEREAS**, pursuant to Article VIII, Section 1(f) of the Constitution of the State of Florida, and Sections 125.01(w) and 125.66 of the Florida Statutes, Manatee County, Florida (the "County"), has all powers of local self-government, except the power over municipal ordinances, to perform functions and to render services in a manner not inconsistent with general or special law, and such power may be exercised by the enactment of County ordinances; and

**WHEREAS**, pursuant to Ordinance 84-16, as amended and supplemented by Ordinances 90-63 and 00-54 (the "Prior Ordinances"), Manatee County created the Manatee County Health Care System to provide monies for indigent care and other health-related purposes within Manatee County, Florida; and

**WHEREAS**, pursuant to the Prior Ordinances, Manatee County entered into an agreement with Manatee Hospital and Health Systems, Inc., for the provision of indigent care that was amended and extended; and

**WHEREAS**, Manatee Hospitals and Health Systems, Inc., sold Manatee Memorial Hospital to Manatee Memorial Hospital, L.P., a Florida limited partnership ("MMH"), and assigned, transferred and set over to Manatee Memorial Hospital, L.P., an indigent care agreement which provided for reimbursement for eligible services to qualified individuals, which agreement, as amended and authorized by the Prior Ordinances, terminated on September 1, 2000, but was amended and extended until February 28, 2001, pending negotiation of a long-term agreement; and

**WHEREAS**, on the 2<sup>nd</sup> day of February, 2000, the Board of County Commissioners of Manatee County, Florida, determined to maintain the Manatee County Health Care System and authorized negotiation of a new agreement with MMH; and

**WHEREAS**, the County is desirous of amending and restating Ordinance 84-16 in a manner consistent with the new indigent care agreement between the County and MMH attached hereto as Exhibit A, effective as of September 1, 2000 (the "Indigent Care Agreement").

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MANATEE COUNTY, FLORIDA, THAT:**

FILED  
2001 MAR 29 11 11 AM '01  
CLERK OF COUNTY  
MANATEE COUNTY, FLORIDA

**Section 1: Definitions.** As used in this Ordinance, the following words and terms shall have the following meanings, unless some other meaning is plainly intended:

“Board” shall mean the Board of County Commissioners of Manatee County, Florida.

“Clerk” shall mean the Clerk of the Circuit Court of Manatee County, Florida, Ex-Officio Clerk of the Board of County Commissioners of Manatee County, Florida.

“County” shall mean Manatee County, Florida.

“Deposit” shall mean deposits and allocations of monies into the Health Care System and among the funds therein.

“Eligible Services” shall mean those medical and surgical services described in Section 5.1 of the Indigent Care Agreement.

“General Health Care Fund” shall mean the Manatee County General Health Care Fund in the Health Care System created and maintained pursuant to Section 2 hereof.

“Health Care System” shall mean two (2) separate funds, which shall be (1) the Special Health Care Fund and (2) the General Health Care Fund.

“Hospital” shall mean Manatee Memorial Hospital, located in Manatee County, Florida.

“Investment Securities” shall mean permitted investments of County funds under the provisions of Florida law.

“MMH” shall mean Manatee Memorial Hospital, L.P., a Florida limited partnership.

“Qualified Individuals” shall mean those individuals who meet the criteria set forth in the Indigent Care Agreement.

“Indigent Care Agreement” shall mean the Agreement to Provide Reimbursement for Eligible Services to Qualified Individuals between the County and MMH effective as of September 1, 2000, which is attached hereto as Exhibit “A.”

“Special Health Care Fund” shall mean the Manatee County Special Health Care Fund maintained pursuant to this Ordinance.

**Section 2: Creation of the Health Care System.** The Manatee County Health Care System as created by the Prior Ordinances shall continue in effect subject to the conditions of this Ordinance. The Special Health Care Fund and the General Health Care Fund as created and established by the Prior Ordinances shall continue in effect as provided herein.

**Section 3: Deposits.** The balance in the Special Health Care Fund established under Prior Ordinances as of September 1, 2000, shall constitute the initial deposit. Thereafter, such additions to, earnings on, and withdrawals from such fund shall be as provided for in the Indigent Care Agreement.

**Section 4: Administration of System.** The Board hereby directs the Clerk to hold the Health Care System in trust for the purposes of this Ordinance and to administer and invest the monies on deposit in the Health Care System, as provided herein.

**Section 5: Health Care Advisory Committee.** The Health Care Advisory Committee as established by the Prior Ordinances shall monitor the uses of amounts in the Special Health Care Fund and the General Health Care Fund, and shall recommend to the Board appropriate expenditures for other health-related purposes in the County of the amounts on deposit in the General Health Care Fund. Upon the termination of the Indigent Care Agreement, the Health Care Advisory Committee shall monitor and shall make recommendations to the Board, with respect to the Health Care System.

**Section 6: Investments.** Monies in the Special Health Care Fund shall be invested in Investment Securities. Annually, up to seventy-five percent (75%) of the investment earnings generated by such Investment Securities may be withdrawn to make payments in accordance with the provisions of the Indigent Care Agreement and twenty-five percent (25%) of the investment earnings generated by such Investment Securities shall be deposited in the General Health Care Fund.

**Section 7: Use of Monies in the General Health Care Fund.** The monies on deposit in the General Health Care Fund may be appropriated, expended and pledged by the County for health-related purposes within the County, including appropriations to the Special Health Care Fund. Any investment earnings on monies in the General Health Care Fund shall remain therein and be used for the purposes of the General Health Care Fund.

**Section 8: Preservation of the Special Health Care Fund.** The monies on deposit in the Special Health Care Fund, exclusive of the monies to be deposited in the General Health Care Fund, shall be preserved and maintained in the Special Health Care Fund and shall be invested and reinvested as permitted in this Ordinance, and shall not be withdrawn during the term of the Indigent Care Agreement, except that monies therein may be withdrawn to make payments in accordance with the provisions of the Indigent Care Agreement.

**Section 9: Records.** The Clerk shall keep proper records and accounts (separate from all other records and accounts) in which complete and correct entries shall be made of transactions relating to the Health Care System.

**Section 10: Remaining Monies.** Upon the termination of the Indigent Care Agreement, any amounts on deposit in the Health Care System shall be used to generate income to provide health

care for residents of the County who are medically indigent or paupers, or shall be used for general health care needs of the residents of the County, as such are determined by the Board.

**Section 11: Effective Date.** Ordinance 90-63, as amended and supplemented by Ordinance 00-54, are repealed, except as may be required to avoid the impairment of any contract. This Ordinance shall become effective immediately upon its adoption in the manner provided by law.

ADOPTED, with a quorum present and voting this 13<sup>th</sup> day of March, 2001.

BOARD OF COUNTY COMMISSIONERS  
OF MANATEE COUNTY, FLORIDA

By: Joe McCluskey  
Chairman

ATTEST: R. B. SHORE



By: Robin Liberty, DC  
Clerk of the Circuit Court



STATE OF FLORIDA, COUNTY OF MANATEE  
This is to certify that the foregoing is a true and correct copy of the documents on file in my office.

Witness my hand and official seal this 21<sup>st</sup> day of

March, 2001

R. B. SHORE  
Clerk of Circuit Court

By: Kent Lindsey

DIVISIONS OF FLORIDA DEPARTMENT OF STATE  
Office of the Secretary  
Division of Administrative Services  
Division of Corporations  
Division of Cultural Affairs  
Division of Elections  
Division of Historical Resources  
Division of Library and Information Services  
Division of Licensing  
MEMBER OF THE FLORIDA CABINET



HISTORIC PRESERVATION BOARDS  
Historic Florida Keys Preservation Board  
Historic Palm Beach County Preservation Board  
Historic Pensacola Preservation Board  
Historic St. Augustine Preservation Board  
Historic Tallahassee Preservation Board  
Historic Tampa/Hillsborough County  
Preservation Board  
RINGLING MUSEUM OF ART

FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
Secretary of State  
DIVISION OF ELECTIONS

RECEIVED

MAR 29 2001

BOARD RECORDS

March 22, 2001

Honorable R. B. Shore  
Clerk of the Circuit Court and Comptroller  
Manatee County  
Post Office Box 1000  
Bradenton, Florida 34206

Attention: Janene Kearney, Deputy Clerk

Dear Mr. Shore:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your letter dated March 21, 2001 and certified copy of Manatee County Ordinance No. 01-18, which was filed in this office on March 22, 2001.

As requested, the original date stamped copy is being returned for your records.

Sincerely,

Liz Cloud, Chief  
Bureau of Administrative Code

LC/mp

Enclosure

Municipal Code Corporation  
info@mail.municode.com  
PO Box 2235  
Tallahassee, FL 32315-2235

Supplement 49 04/17/2001

We have received the following material through  
hard copy. Thank you for your assistance and  
cooperation.

Ordinance Nos. 01-18, 01-20 and 01-22.

800-262-2633 fax 850-575-8852 LRT

We can print Police and Sheriff's manuals.

Let us help you get your Manuals up-to-date.

Tired of mailing out Codes and Supplement?

We can distribute them for you for a minimal fee!

e-mail your ords to us at ords@mail.municode.com



APR 20 2001

**SWITCHBOARD**

TO:

Mr. R.B. "Chips" Shore

Clerk Of Circuit Court

Manatee County

PO Box 25400

Bradenton, FL 34206

**RECEIVED**

APR 23 2001

BOARD RECORDS

cc: B. Jyles, Audit,  
Muni. Code  
3/29/01  
R