

PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS

BOARD APPOINTMENT SUMMARY

Revised

Meeting Date: December 18, 2012

Department: Administration

Board: Health Council of Southeast Florida, Inc.

I. EXECUTIVE BRIEF

Motion & Title: Staff recommends motion to approve: appointment of one (1) individual to the Health Council of Southeast Florida, Inc. for a two (2)-year term commencing December 18, 2012.

<u>Appoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Frank Hayden	6	Health Care Consumer	Comm. Taylor Comm. Valeche Comm. Vana...

Summary: The Health Council of Southeast Florida, Inc. (Council) is a not-for-profit corporation established pursuant to Section 408.033, Florida Statutes, for the purpose of providing and coordinating health planning activities within Palm Beach, Martin, St. Lucie, Indian River and Okeechobee Counties. The Council consists of 12 members: six (6) representatives for Palm Beach County; two (2) members appointed by Martin County; two (2) members appointed by St. Lucie County; one (1) member appointed by Indian River County; and one (1) member appointed by Okeechobee County. The appointees must be representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude elected government officials. Mr. Hayden is the Chief Executive Officer of the Sickle Cell Foundation of Palm Beach County & Treasure Coast, Inc. The Foundation contracts with the Board of County Commissioners for Haitian Outreach (CDBG) and Sickle Cell case management (Financially Assisted Agencies Program). The Council provides no regulation, oversight, management, or policy-setting recommendations regarding the identified contracts. Disclosure of this contractual relationship at a duly noticed public meeting is being provided in accordance with the provisions of Sect. 2-443, of the Palm Beach County Code of Ethics. Countywide (TKF)

Background and Justification: The Council is generally charged with providing services that improve the health and quality of life for individuals living in the five (5) county service area. Specific powers identified in their bylaws include: establishing a system for gathering and analyzing data on characteristics of health problems; recommending goals and policies for improving health services; and preparing plans and procedures for attainment of health goals. With this appointment, the Council membership will include five (5) Caucasian females, two (2) Caucasian males, two (2) African-American males, and one (1) African-American female.

Attachments:

1. Boards/Committees Application and Verification of Eligibility Form
2. Current List of Board Members
3. Section 408.033, Florida Statutes

Recommended by:

12/11/12

Assistant County Administrator

Date

Legal Sufficiency:

12/11/12

Assistant County Attorney

Date

II. REVIEW COMMENTS

A. Other Department Review:

Department Director

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

*The information provided on this form will be used by County Commissioners and/or the entire Board in considering your nomination. This form **MUST BE COMPLETED IN FULL**. Answer "none" or "not applicable" where appropriate. Further, please attach a biography or résumé to this form.*

Section I (Department): (Please Print)

Board Name: Health Council of Southeast Florida Advisory Not Advisory

At Large Appointment or District Appointment /District #: _____

Term of Appointment: _____ Years. From: _____ To: _____

Seat Requirement: _____ Seat #: _____

*Reappointment or New Appointment

or to complete the term of _____ Due to: resignation other

Completion of term to expire on: _____

*When a person is being considered for reappointment, the number of previous disclosed voting conflicts during the previous term shall be considered by the Board of County Commissioners: _____

Section II (Applicant): (Please Print)

APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT

Name: HAYDEN FESTUS FRANK
Last First Middle

Occupation/Affiliation: CEO - Sickle Cell Foundation of Palm Beach County & Treasure Coast, Inc.

Owner Employee Officer

Business Name: Sickle Cell Foundation of Palm Beach County & Treasure Coast, Inc

Business Address: 1600 No. Australian Avenue

City & State West Palm Beach, FL Zip Code: 33407

Residence Address: 11180 Cobblefield Road

City & State Wellington, FL Zip Code: 33449

Home Phone: (561) 792-0589 Business Phone: (561) 833-3113 Ext. _____

Cell Phone: (561) 374-3006 Fax (561) 659-4505 () _____

Email Address: _____

Mailing Address Preference: Business Residence

Have you ever been convicted of a felony: Yes _____ No

If Yes, state the court, nature of offense, disposition of case and date: _____

Minority Identification Code: Male Female
 Native-American Hispanic-American Asian-American African-American Caucasian

Section II Continued:

CONTRACTUAL RELATIONSHIPS: Pursuant to Article XIII, Sec. 2-443 of the Palm Beach County Code of Ethics, advisory board members are prohibited from entering into any contract or other transaction for goods or services with Palm Beach County. Exceptions to this prohibition include awards made under sealed competitive bids, certain emergency and sole source purchases, and transactions that do not exceed \$500 per year in aggregate. These exemptions are described in the Code. This prohibition does not apply when the advisory board member's board provides no regulation, oversight, management, or policy-setting recommendations regarding the subject contract or transaction and the contract or transaction is disclosed at a public meeting of the Board of County Commissioners. **To determine compliance with this provision, it is necessary that you, as a board member applicant, identify all contractual relationships between Palm Beach County government and you as an individual, directly or indirectly, or your employer or business.** This information should be provided in the space below. If there are no contracts or transactions to report, please verify that none exist. Staff will review this information and determine if you are eligible to serve or if you may be eligible for an exception or waiver pursuant to the code.

<u>Contract/Transaction No.</u>	<u>Department/Division</u>	<u>Description of Services</u>	<u>Term</u>
<u>Ex: (R#XX-XXXX/PO XXX)</u>	<u>Parks & Recreation</u>	<u>General Maintenance</u>	<u>10/01/11-09/30/12</u>
<u>R2012-1402</u>	<u>Dept. of Economic Sustainability</u>	<u>Sickle Cell Case Mgmt</u>	<u>10/1/12-9/30/13</u>
<u>Have not yet receive the No.</u>	<u>Community Services Dept.</u>	<u>Haitian Outreach Project</u>	<u>10/1/12-9/30/13</u>

(Attach Additional Sheet(s), if necessary)

OR NONE

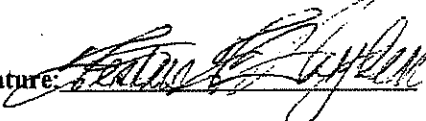
All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the Guide to the Sunshine Amendment prior to appointment/reappointment. Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>. Keep in mind this requirement is on-going.

By signing below I acknowledge that I have read, understand, and agree to abide by Article XIII, the Palm Beach County Code of Ethics, and I have received the required Ethics training (in the manner checked below):

- By watching the training program on the Web, DVD or VHS
 By attending a live presentation given on _____, 20____

AND

By signing below I acknowledge that I have read, understand and agree to abide by the Guide to the Sunshine Amendment & State of Florida Code of Ethics:

*Applicant's Signature:  Printed Name: Festus Frank Hayden Date: _____

Any questions and/or concerns regarding Article XIII, the Palm Beach County Code of Ethics, please visit the Commission on Ethics website www.palmbeachcountyethics.com or contact us via email at ethics@palmbeachcountyethics.com or (561) 233-0724.

Return this FORM to:
 {Insert Liaison Name Here}, {Insert Department/Division Here}
 {Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature:  Date: 12/4/12

**PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
BOARDS/COMMITTEES APPLICATION**

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Occupation/Affiliation: CEO – Sickle Cell Foundation of Palm Beach County & Treasure Coast, Inc.

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Email Address: _____

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Have you ever been convicted of a felony: Yes _____ No X

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Minority Identification Code: Male Female
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(Attach Additional Sheet(s), if necessary)

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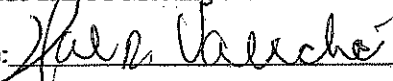
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Appointment to be made at BCC Meeting on _____

Commissioner's Signature:  Date: 12/10/12

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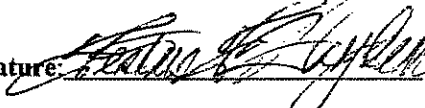
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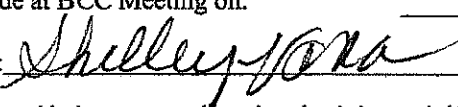
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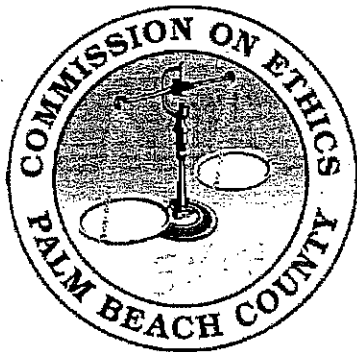
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{Insert Address Here}

Section III (Commissioner, if applicable):

Appointment to be made at BCC Meeting on:

Commissioner's Signature:  Date: 12/13/12



**ACKNOWLEDGEMENT OF RECEIPT
PALM BEACH COUNTY CODE OF ETHICS
TRAINING FOR MUNICIPAL EMPLOYEES,
ELECTED/APPOINTED OFFICIALS AND
ADVISORY BOARD MEMBERS**

Legal Name: FESTUS FRANK HAYDEN (Please print clearly)

Employee Identification Number: _____

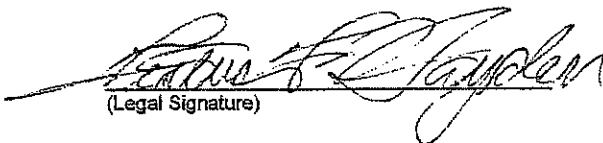
Department/Board: Health Council of Southeast Florida

Check those items that apply

I acknowledge that I have read a copy of the Palm Beach County Code of Ethics (printed or posted on the intranet/internet) and completed additional training by:

- Watching the Code of Ethics Training Program on the Intranet/Internet.**
- Watching the Code of Ethics Training Program on DVD.**
- Attending a live presentation given on _____, 20__.**

I understand that I am responsible for understanding and abiding by the Palm Beach County Code of Ethics as I conduct my assigned duties during my term of employment. I also understand that the information in this policy is subject to change. Policy changes will be communicated to me by my supervisor or through official notices.


(Legal Signature)

(Date)

Employees: *Submit signed form to your Department Head*
Department Heads: *Submit signed forms to Records, Human Resources*
Advisory Board Members: *Submit signed forms to Appropriate Municipal Representative*

**PLEASE SUBMIT THIS FORM TO APROPRIATE PARTY AS HIGHLIGHTED ABOVE
PLEASE DO NOT SUBMIT THIS FORM TO THE COMMISSION ON ETHICS**

2633 Vista Parkway, West Palm Beach, FL 33411 561.233.0724 FAX: 561.233.0735
Hotline: 877.766.5920 E-mail: ethics@palmbeachcountyethics.com
Website: www.palmbeachcountyethics.com

Frank Hayden
11180 Cobblefield Road
Wellington, Florida 33449
(561) 792-0589 (h) (561) 374-3006 (cell)
Frankfhayden@aol.com

February 2010 to February 2011

Procurement Director, AECOM's National Network of Highway Projects, Trinidad

- Provide project management services to the Government of the Republic of Trinidad and Tobago as part of the first phase of the country's \$2.44 billion National Network of Highways. The first phase of the project entails the construction of approximately 125 miles of highways, highway extensions, new freeways, and a new causeway.
- Provide comprehensive procurement support for the implementation of Phase 1 where there are six design-build packages.
- Review and approve language for proposals and any changes to that language. Place advertisement for solicitations.
- Develop and implement evaluation and negotiating strategies. Negotiate contracts.
- Review proposals submitted and make recommendations.
- Oversee and provide support for local supplier diversity and local business outreach activities.

January 2001 to February 2010

**Director of Procurement, South Florida Water Management District
West Palm Beach, Florida**

- Provide comprehensive responsive procurement support to District programs, projects, and activities.
- Oversee and provide for the health of District capabilities to support supplier diversity and small business outreach activities by increasing small business participation by fifteen (15%) on District contracts (developed small business program).
- Manage in response to Governing Board direction, applicable state and federal laws, and District procedures.
- Direct and manage District-wide procurement, contracting and supplier diversity activities to ensure responsiveness, accountability and cost effectiveness in a jurisdiction comprised of sixteen counties.
- Develop and administer annual operating budget (\$3.2 million) for the Procurement Department.
- Drive strategic development by developing relationships with businesses and government officials, develop and retain clientele, provide and coordinate presentations.

December 2005 to January 2006

**Director Government Affairs, South Florida Water Management District
West Palm Beach, Florida**

- Served the Director of Policy and Legislation as a strategic leader of coordination efforts with local governments, caucuses, delegations and special interest groups.
- Served as liaison to local governments to assist in them in the development, funding and implementation of small and large-scale water resource projects.
- Prepared reports for the District's leadership and Director of Policy and Legislation, updating them of the status of intergovernmental efforts monthly.
- Represented the District at county commission meetings; caucus meetings; state agency and special interest group meetings – and reported on these meetings.
- Represents Governing Board/ District Leadership Team/Executive Director positions and policies to local governments.

December 1998 to April 2001

**Public Affairs Manager, City of Detroit, Water and Sewerage Department
Detroit, Michigan**

- Represented the Department in contacts with the public, system subscribers, customers, the media, consultants, contractors, vendors, City of Detroit agencies and representatives of state, local, and federal government.
- Planned, developed and implemented a comprehensive program of public relations, marketing, community involvement, promotional activities and media relations to effect and improve understanding by the public, employees and customers of the objectives, achievements and core competencies of the department.

October 1995 to December 1998

**Contracts and Grants Manager, City of Detroit, Water and Sewerage Department
Detroit, Michigan**

- Designed and oversaw implementation of strategic procurement strategies in keeping with utility strategic plans and approved annual Capital Improvement Program goals.
- Planned and implemented a strategy to grow contract awards from \$60 million a year to \$300 million a year.
- Implemented design/build and design/build/maintain contract model documents, consultant pre-qualification selection program, evaluation, and development of Detroit and Small Business Enterprise initiatives for the City's first-ever alternative delivery programs: Water Works Park Water Treatment Plant II and Department-Wide Instrumentation, Control and Computer System Program.
- Represented the Department in administrative contacts with municipal departments and outside public and private agencies.
- Directed the selection and installation of computer hardware and software designed to support research, analysis, information management, and financial planning.
- Responsible for the activities involved in managing and administering Minority and Women's Business Enterprise (M/WBE) Advocacy Unit, Construction Unit, and State Revolving Loan Unit.

Education

1973-1979

University of Michigan, Dearborn, Michigan. Bachelor of General Studies, Political Science.

1971-1973

Wayne County Community College, Detroit, Michigan. Associates of Arts, Political Science.

Military Service

United States Air Force, 1967-1971, Honorable Discharge

Organizational Affiliations

2006-2010 Palm Beach County School Advisory Boundary Council Member
2004-2006 Paragon, Board of Directors
2008-2010 Florida Regional Minority Business Development Council, Board Member
1996-2006 American Water Works Association - Water for People, Board of Directors
1997-2006 Wayne County Community College, Board of Trustees, Chairman
1988-1992 Board Member - Detroit Board of Education
1988-1992 Board Member - National School Boards Association



PALM BEACH COUNTY
BOARD OF COUNTY COMMISSIONERS
HEALTH COUNCIL OF SOUTHEAST FLORIDA, INC.

I. AUTHORITY :

Chapter 82-182, Laws of Florida 1982; and F.S. 408.033.

II. APPOINTING BODY :

III. COMPOSITION, QUALIFICATIONS, TERMS & REMOVAL :

The local Health Council shall consist of twelve (12) members: six (6) representatives for Palm Beach County; one (1) member appointed by Indian River County, two (2) members appointed by Martin County, one (1) member appointed by Okeechobee County, and two (2) members appointed by St. Lucie County. Appointees shall be representatives of health care providers, health care purchasers, and non-governmental health care consumers, not to exclude elected government officials. A majority of the Council members must be health care purchasers and health care consumers and the Council must include a representative number of persons over 60 years of age. Appointments shall be for a term of two (2) years and be eligible for reappointment. Any member of the Council appointed by PBC may be removed by the BCC for misfeasance, malfeasance or willful neglect of duty.

EXTENDED COMPOSITION :

IV. MEETINGS :

Third Thursday of the month at 4:00p.m., 600 Sandtree Drive, Ste. 101, Palm Beach Gardens, FL 33403

V. FUNCTIONS :

For the purpose of defining health service needs and assisting health care facilities, health care providers and hospices to develop programs of service that will assure the best possible health service to the community.

* indicates a member having an action pending

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

CONTACT PERSON

ADDRESS

None

Andrea Stephenson

600 Sandtree Dr Ste 101
Palm Beach Gardens FL 33403
Phone # 561-844-4220 Ex. 18

County Administration

Jon Van Arnam, Asst. Cty Adm

301 N Olive Ave Ste 1101 Governmental Center
West Palm Beach FL 33401
Phone # 561-355-2740

* indicates a member having an action pending



HEALTH COUNCIL OF SOUTHEAST FLORIDA, INC.

SEAT ID	CURRENT MEMBER	ROLE TYPE	RACE CODE	GENDER	BUSINESS / HOME PHONE	SEAT REQUIREMENT	APPOINT DATE	REAPPOINT DATE	EXPIRE DATE
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Appointed By : Indian River County Commission

1	Vacant	Member				Health Care Provider			/
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NOMINATED BY :

Appointed By : Martin County Commission

2	Anita Cocoves NONE-NONE 2401 E Monterey Rd Stuart FL 34996	Member	LN CA	F	772-419-6932	Health Care Purchaser	11/18/2011		11/17/2013
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NOMINATED BY :

3	Edward Fischman, C-North County Foot & Ankle 901 W Indiantown Rd Ste 15 Jupiter FL 33458	Member	CA	M	561-745-8700	Health Care Provider	05/24/2011		05/23/2013
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NOMINATED BY :

Appointed By : Okeechobee Cty Commissioners

4	Tiffany Collins NONE-NONE 1728 NW 9th Ave Okeechobee FL 34972	Member	LN CA	F	863-462-5761	PBC Health Care Provider	04/04/2011		04/04/2013
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NOMINATED BY :

* indicates a member having an action pending

Appointed By - PBC County Commission

5 Lillian DeCicco Member AA F -- Health Care Consumer 02/04/1997
 1311 W 25th St
 Juno Beach FL 33408

NOMINATED BY :

6 Vacant Member Health Care Consumer 03/14/2013

NOMINATED BY :

7 M. Douglas Sigman Member CA 561-881-8612 Health Care Provider 12/02/2008 03/15/2011 03/14/2013
 508 Bay Rd
 North Palm Beach FL
 33408

NOMINATED BY :

8 Mary Jo "Joey" Bulfin Member CA F 561-882-6476 Health Care Provider 04/17/2012 04/16/2014
 St. Mary'S Medical Center
 901 45th St
 West Palm Beach FL
 33407

NOMINATED BY :

* indicates a member having an action pending

Appointed By : BCC County Commission

9 Marnie Poncy Member CA F 561-747-7000 X115 Health Care Purchaser 08/25/1992 04/17/2012 04/16/2014
Joseph C. Kempe, PA
941 N Highway A-1-A
Jupiter FL 33477

NOMINATED BY :

10 Vacant Member Health Care Purchaser

NOMINATED BY :

Appointed By : St. Lucie County Commission

11 Daniel Regis Member ~~UN~~ M 772-497-4211 Health Care Consumer 08/16/2011 08/19/2013
NONE-NONE
2414 SE Melaleuca Blvd
Port St Lucie FL 32960
AA

NOMINATED BY :

12 Donna Dubois Member ~~UN~~ F 772-341-0001 Health Care Provider 08/16/2011 08/19/2013
NONE-NONE
2547 Creekside Dr
Ft Pierce FL 34981
CA

NOMINATED BY :

* indicates a member having an action pending

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The 2012 Florida Statutes

[Title XXIX](#)

PUBLIC HEALTH

[Chapter 408](#)

HEALTH CARE ADMINISTRATION

[View Entire Chapter](#)**408.033 Local and state health planning.—****(1) LOCAL HEALTH COUNCILS.—**

(a) Local health councils are hereby established as public or private nonprofit agencies serving the counties of a district. The members of each council shall be appointed in an equitable manner by the county commissions having jurisdiction in the respective district. Each council shall be composed of a number of persons equal to 1½ times the number of counties which compose the district or 12 members, whichever is greater. Each county in a district shall be entitled to at least one member on the council. The balance of the membership of the council shall be allocated among the counties of the district on the basis of population rounded to the nearest whole number; except that in a district composed of only two counties, no county shall have fewer than four members. The appointees shall be representatives of health care providers, health care purchasers, and nongovernmental health care consumers, but not excluding elected government officials. The members of the consumer group shall include a representative number of persons over 60 years of age. A majority of council members shall consist of health care purchasers and health care consumers. The local health council shall provide each county commission a schedule for appointing council members to ensure that council membership complies with the requirements of this paragraph. The members of the local health council shall elect a chair. Members shall serve for terms of 2 years and may be eligible for reappointment.

(b) Each local health council may:

1. Develop a district area health plan that permits each local health council to develop strategies and set priorities for implementation based on its unique local health needs.
2. Advise the agency on health care issues and resource allocations.
3. Promote public awareness of community health needs, emphasizing health promotion and cost-effective health service selection.
4. Collect data and conduct analyses and studies related to health care needs of the district, including the needs of medically indigent persons, and assist the agency and other state agencies in carrying out data collection activities that relate to the functions in this subsection.
5. Monitor the onsite construction progress, if any, of certificate-of-need approved projects and report council findings to the agency on forms provided by the agency.
6. Advise and assist any regional planning councils within each district that have elected to address health issues in their strategic regional policy plans with the development of the health element of the plans to address the health goals and policies in the State Comprehensive Plan.
7. Advise and assist local governments within each district on the development of an optional health plan element of the comprehensive plan provided in chapter 163, to assure compatibility with the health goals and policies in the State Comprehensive Plan and district health plan. To facilitate the

implementation of this section, the local health council shall annually provide the local governments in its service area, upon request, with:

- a. A copy and appropriate updates of the district health plan;
 - b. A report of hospital and nursing home utilization statistics for facilities within the local government jurisdiction; and
 - c. Applicable agency rules and calculated need methodologies for health facilities and services regulated under s. 408.034 for the district served by the local health council.
8. Monitor and evaluate the adequacy, appropriateness, and effectiveness, within the district, of local, state, federal, and private funds distributed to meet the needs of the medically indigent and other underserved population groups.
 9. In conjunction with the Department of Health, plan for services at the local level for persons infected with the human immunodeficiency virus.
 10. Provide technical assistance to encourage and support activities by providers, purchasers, consumers, and local, regional, and state agencies in meeting the health care goals, objectives, and policies adopted by the local health council.
 11. Provide the agency with data required by rule for the review of certificate-of-need applications and the projection of need for health services and facilities in the district.
- (c) Local health councils may conduct public hearings pursuant to s. 408.039(3)(b).
 - (d) Each local health council shall enter into a memorandum of agreement with each regional planning council in its district that elects to address health issues in its strategic regional policy plan. In addition, each local health council shall enter into a memorandum of agreement with each local government that includes an optional health element in its comprehensive plan. Each memorandum of agreement must specify the manner in which each local government, regional planning council, and local health council will coordinate its activities to ensure a unified approach to health planning and implementation efforts.
 - (e) Local health councils may employ personnel or contract for staffing services with persons who possess appropriate qualifications to carry out the councils' purposes. However, such personnel are not state employees.
 - (f) Personnel of the local health councils shall provide an annual orientation to council members about council member responsibilities.
 - (g) Each local health council may accept and receive, in furtherance of its health planning functions, funds, grants, and services from governmental agencies and from private or civic sources and to perform studies related to local health planning in exchange for such funds, grants, or services. Each council shall, no later than January 30 of each year, render an accounting of the receipt and disbursement of such funds received by it to the Department of Health.
- (2) FUNDING.—
- (a) The Legislature intends that the cost of local health councils be borne by assessments on selected health care facilities subject to facility licensure by the Agency for Health Care Administration, including abortion clinics, assisted living facilities, ambulatory surgical centers, birthing centers, clinical laboratories except community nonprofit blood banks and clinical laboratories operated by practitioners for exclusive use regulated under s. 483.035, home health agencies, hospices, hospitals, intermediate care facilities for the developmentally disabled, nursing homes, health care clinics, and multiphasic testing centers and by assessments on organizations subject to certification by the agency pursuant to chapter 641, part III, including health maintenance organizations and prepaid health clinics. Fees

assessed may be collected prospectively at the time of licensure renewal and prorated for the licensure period.

(b)1. A hospital licensed under chapter 395, a nursing home licensed under chapter 400, and an assisted living facility licensed under chapter 429 shall be assessed an annual fee based on number of beds.

2. All other facilities and organizations listed in paragraph (a) shall each be assessed an annual fee of \$150.

3. Facilities operated by the Department of Children and Family Services, the Department of Health, or the Department of Corrections and any hospital which meets the definition of rural hospital pursuant to s. 395.602 are exempt from the assessment required in this subsection.

(c)1. The agency shall, by rule, establish fees for hospitals and nursing homes based on an assessment of \$2 per bed. However, no such facility shall be assessed more than a total of \$500 under this subsection.

2. The agency shall, by rule, establish fees for assisted living facilities based on an assessment of \$1 per bed. However, no such facility shall be assessed more than a total of \$150 under this subsection.

3. The agency shall, by rule, establish an annual fee of \$150 for all other facilities and organizations listed in paragraph (a).

(d) The agency shall, by rule, establish a facility billing and collection process for the billing and collection of the health facility fees authorized by this subsection.

(e) A health facility which is assessed a fee under this subsection is subject to a fine of \$100 per day for each day in which the facility is late in submitting its annual fee up to the maximum of the annual fee owed by the facility. A facility which refuses to pay the fee or fine is subject to the forfeiture of its license.

(f) The agency shall deposit in the Health Care Trust Fund all health care facility assessments that are assessed under this subsection and shall transfer such funds to the Department of Health for funding of the local health councils. The remaining certificate-of-need application fees shall be used only for the purpose of administering the certificate-of-need program.

(3) DUTIES AND RESPONSIBILITIES OF THE AGENCY.—

(a) The agency is responsible for the coordinated planning of health care services in the state.

(b) The agency shall develop and maintain a comprehensive health care database for the purpose of health planning and for certificate-of-need determinations. The agency or its contractor is authorized to require the submission of information from health facilities, health service providers, and licensed health professionals which is determined by the agency, through rule, to be necessary for meeting the agency's responsibilities as established in this section.

(c) The Department of Health shall contract with the local health councils for the services specified in subsection (1). All contract funds shall be distributed according to an allocation plan developed by the department. The department may withhold funds from a local health council or cancel its contract with a local health council which does not meet performance standards agreed upon by the department and local health councils.

History.—s. 20, ch. 87-92; s. 40, ch. 88-380; s. 35, ch. 88-394; s. 1, ch. 89-104; s. 24, ch. 89-294; s. 2, ch. 89-296; s. 15, ch. 89-527; s. 2, ch. 91-48; s. 22, ch. 91-158; ss. 2, 104, ch. 91-282; s. 5, ch. 91-429; ss. 15, 17, ch. 92-33; s. 2, ch. 92-174; s. 66, ch. 92-289; s. 22, ch. 93-120; s. 11, ch. 93-129; s. 33, ch. 93-206; s. 8, ch. 93-267; s. 9, ch. 95-144; s. 29, ch. 95-210; s. 3, ch. 95-394; s. 11, ch. 97-79; s. 1, ch. 97-91; s. 35, ch. 97-103; s. 62, ch. 97-237; s. 175, ch. 99-8; s. 4, ch. 2000-256; s. 5, ch. 2000-318; s. 3, ch. 2004-383; s. 75, ch. 2006-197; s. 114, ch. 2010-102; s. 18, ch. 2012-160.

Note.—Former s. 381.703.

