

**PALM BEACH COUNTY  
BOARD OF COUNTY COMMISSIONERS**

**BOARD APPOINTMENT SUMMARY**

**Meeting Date:** February 3, 2015  
**Department:** Administration  
**Advisory Board:** Health Council of Southeast Florida, Inc.

**I. EXECUTIVE BRIEF**

**Motion & Title:** Staff recommends motion to approve: reappointment of one individual to the Health Council of Southeast Florida, Inc. for the term February 3, 2015 to September 30, 2016:

<u>Reappoint</u>	<u>Seat No.</u>	<u>Seat Requirement</u>	<u>Nominated By</u>
Patricia Avakian	5	Health Care Consumer	Vice Mayor Berger Comm. Valeche Comm. Burdick Comm. Abrams Comm. McKinlay Comm. Taylor

**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 twelve members: six representatives for Palm Beach County; two members appointed by Martin County; two members appointed by St. Lucie County; one member appointed by Indian River County; and one 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. Pat Avakian has served on the Council since 2013. She is eligible for reappointment and has expressed a desire to continue to serve. A memo dated January 8, 2015 was circulated to the Board of County Commissioners requesting support of Ms Avakian's reappointment or requesting additional nominations. No additional nominations were received Countywide (HH)

**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 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 reappointment, the diversity of the Palm Beach County representatives (6) include two Caucasian females, one Caucasian male, one African-American female, and two vacant positions.

**Attachments:**

1. Boards/Committees Application
2. Biography from Ms. Avakian
3. Attendance Record for Ms. Avakian
4. Memo to BCC dated January 8, 2015
5. Current List of Board Members
6. Section 408.033, Florida Statutes

**Recommended by:**  1/22/15  
**Assistant County Administrator** **Date**

**Legal Sufficiency:**  1/26/15  
**Assistant County Attorney** **Date**

II. REVIEW COMMENTS

A. Other Department Review:

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Department Director

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

The information provided on this form will be used in considering your nomination. Please **COMPLETE SECTION II IN FULL**. Answer "none" or "not applicable" where appropriate. **Please attach a biography or résumé to this form.**

**Section I (Department):** (Please Print)

Board Name: Health Council of Southeast Florida, Inc. Advisory  Not Advisory

At Large Appointment or  District Appointment /District #: \_\_\_\_\_

Term of Appointment: 2 Years. From: TBD To: TBD

Seat Requirement: Health Care Consumer Seat #: 5

\*Reappointment or  New Appointment

or  to complete the term of N/A Due to:  resignation  other

Completion of term to expire on: N/A

**Section II (Applicant):** (Please Print)

**APPLICANT, UNLESS EXEMPTED, MUST BE A COUNTY RESIDENT**

Name: AVARIAN PAT  
Last First Middle

Occupation/Affiliation: \_\_\_\_\_  
Owner  Employee  Officer

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City & State \_\_\_\_\_ Zip Code: \_\_\_\_\_

Residence Address: 178 SOMERSET I

City & State WPB, FL Zip Code: 33417

Home Phone: 561 689 3176 Business Phone: ( ) Ext. \_\_\_\_\_

Cell Phone: 561 596-0715 Fax: ( )

Email Address: pat.avakian@yahoo.com

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>Example: (R#XX-XX/PO XX)</u>	<u>Parks &amp; Recreation</u>	<u>General Maintenance</u>	<u>10/01/00-09/30/2100</u>
_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE



NOT APPLICABLE/  
(Governmental Entity)



**ETHICS TRAINING:** All board members are required to read and complete training on Article XIII, the Palm Beach County Code of Ethics, and read the State Guide to the Sunshine Amendment. **Article XIII, and the training requirement can be found on the web at: <http://www.palmbeachcountyethics.com/training.htm>.** Ethics training is on-going, and pursuant to PPM CW-P-80 is required before appointment, and upon reappointment.

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 on 12/22 2014  
 \_\_\_\_\_ 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: Pat Avakian Printed Name: PAT AVAKIAN Date: 12/22/14

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](http://www.palmbeachcountyethics.com) or contact us via email at [ethics@palmbeachcountyethics.com](mailto:ethics@palmbeachcountyethics.com) or (561) 233-0724.

**Return this FORM to:**  
**Patty Hindle, County Administration**  
**301 North Olive Avenue, Suite 1101, West Palm Beach, FL 33401**  
**Phone: (561) 355-3229/ Email: [phindle@pbcgov.org](mailto:phindle@pbcgov.org)**

**Section III (Commissioner, if applicable):**

Appointment to be made at BCC Meeting on: \_\_\_\_\_

Commissioner's Signature: Mary Lou Bess Date: 1-22-15

Pursuant to Florida's Public Records Law, this document may be reviewed and photocopied by members of the public.

Revised 01/14/2014

**Section II Continued:**

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_____	_____	_____	_____
_____	_____	_____	_____

(Attach Additional Sheet(s), if necessary)  
OR

NONE



NOT APPLICABLE/  
(Governmental Entity)



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Commissioner's Signature: Hal R. Valeche Date: 1/13/15

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Revised 01/14/2014

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Commissioner's Signature: Paul H. Surdick Date: 1-9-2015

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Commissioner's Signature: S. Abrams (b) \_\_\_\_\_ Date: 1/8/15

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Revised 01/14/2014

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Commissioner's Signature: Melissa McKelvey Date: 1/9/15

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Revised 01/14/2014



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Commissioner's Signature: [Signature] Date: 1/8/15

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Revised 01/14/2014

Pat Avakian biography

Pat was born in New Jersey where she grew up on the recently decimated "Jersey Shore". She majored in mathematics at Simmons College in Boston, Mass., and holds a masters degree in Accounting and Finance from Fairleigh Dickinson University.

Always employed in the area of Medical Office Management, Pat worked for more than twenty years as the Practice Administrator for an eighteen physician, five office, 110 employee practice in New Jersey. After relocating to south Florida in 2003, she worked as the Business Manager for a local freestanding surgery center. She retired in 2012.

In New Jersey Pat sat on an informal state committee to consider various types of health care policies for the small business community. She was a member of the Planning Board in Bradley Beach, NJ as well as Campaign Treasurer for several local politicians. In Florida, she serves as Treasurer of her condominium association, volunteers at the county court house, and sits on the board of The Health Council of Southeast Florida.

## **Patty Hindle**

---

**From:** LaShaundra Highsmith [LHighsmith@HCSEF.org]  
**Sent:** Wednesday, January 07, 2015 2:12 PM  
**To:** Patty Hindle  
**Subject:** RE: Reappointment

As far as I know, I believe that she may have only missed one meeting.

**LaShaundra T. Highsmith**  
Administrative Coordinator  
**Health Council of Southeast Florida**  
T 561.844.4220 ext. 3500  
F 561.844.3310  
E [lhighsmith@hcsef.org](mailto:lhighsmith@hcsef.org)  
W [www.hcsef.org](http://www.hcsef.org)

---

**From:** Patty Hindle [mailto:PHindle@pbccgov.org]  
**Sent:** Wednesday, January 07, 2015 1:27 PM  
**To:** LaShaundra Highsmith  
**Subject:** RE: Reappointment

Thanks, LaShaundra. Based on this did she make all or most of the meetings? Do you know how many she may have missed?

---

**From:** LaShaundra Highsmith [mailto:LHighsmith@HCSEF.org]  
**Sent:** Wednesday, January 07, 2015 1:00 PM  
**To:** Patty Hindle  
**Subject:** RE: Reappointment

Good afternoon Patty,

Here's Pat's attendance. Please let me know if you should need additional information. Thanks!

**Pat Avakian HCSEF Board Meeting Attendance**

2/20/2013  
4/18/2013  
6/20/2013  
8/15/2013  
10/24/2013  
2/20/2014  
4/17/2014  
6/19/2014  
8/21/2014  
12/18/2014

**LaShaundra T. Highsmith**

Administrative Coordinator

**Health Council of Southeast Florida**



**County Administration**

P.O. Box 1989  
West Palm Beach, FL 33402-1989  
(561) 355-2030  
FAX: (561) 355-3982  
www.pbcgov.com



**Palm Beach County  
Board of County  
Commissioners**

- Shelley Vana, Mayor
- Mary Lou Berger, Vice Mayor
- Hal R. Valeche
- Paulette Burdick
- Steven L. Abrams
- Melissa McKinlay
- Priscilla A. Taylor

**County Administrator**

Robert Weisman

"An Equal Opportunity  
Affirmative Action Employer"

printed on recycled paper

**MEMORANDUM**

**TO:** Mayor Shelley Vana and Members of the Board of County Commissioners

**THRU:** Jon Van Arnam, Assistant County Administrator

**FROM:** Patty Hindle, Agenda Coordinator   
County Administration

**DATE:** January 8, 2015

**RE:** Health Council of Southeast Florida, Inc.

The Health Council of Southeast Florida, Inc. is comprised of 12 members: six representatives appointed by Palm Beach County; one appointed representative each for Indian River County; and Okeechobee County; and two representatives each appointed by Martin County and St. Lucie County. Appointees shall be representatives of health care providers, health care purchasers, and non-governmental health care consumers. A majority of the Council must be health care purchasers and health care consumers, and the Council must include a representative number of persons over 60 years of age. The purpose of the Council is to assess, plan and advise for the health needs in the above counties; establish a system for gathering and analyzing data on characteristics of health problems in the counties and recommend goals and polices for developing and improving health services. Members serve two year terms.

One of Palm Beach County's representatives, Ms. Patricia Avakian's (Health Care Consumer) current term will expire on January 14, 2015. Ms. Avakian is eligible for reappointment and has expressed a desire to continue to serve.

In addition to the health care consumer seat above, Palm Beach County has two vacancies on the Council. One seat for a health care provider and one seat for a health care purchaser. Descriptions of a health care provider, a health care purchaser and a health care consumer can be found on the next page:



A "Health care provider" is an individual who delivers health services or who is a member of an organization that delivers health services. Health care providers include but are not limited to physicians, medical doctors, osteopaths, dentists, podiatrists, nurses, chiropractors, physician assistants, dental assistants, mental health professionals and other allied health professionals, administrators and employees of health care institutions.

A "Health care purchaser" is an individual who is responsible for or an authorized member of an organization or agency which is responsible for the purchase of health services for a group of 25 or more individuals either directly or through acquisition of health insurance coverage. Health care purchasers as described above include, but are not limited to representatives of individual businesses, employer coalitions, governmental units, labor organizations, consumer groups and health insurers.

A "Non-governmental health care consumer" is an individual who is not a health care provider or a health care purchaser as defined above. Non-governmental health care consumers include but are not limited to elected government officials, members of the general public and representatives of consumer organizations.

The Council meets the third Thursday of each month at 4:00 p.m. at their headquarters in Palm Beach Gardens (600 Sandtree Drive, Suite 101). The diversity of Palm Beach County representatives, including Ms. Avakian is: one Caucasian male; two Caucasian females, one African-American female, and two vacant seats.

If you wish to support Ms. Avakian's reappointment, please sign and return the enclosed Boards/Committees Application. If you wish to have another nominee who meets the health care consumer seat requirement considered for appointment, or if you have a nominee(s) who meets the health care provider or health care purchaser seat requirement(s), please provide the nominee's contact information.

Staff intends to agenda Ms. Avakian's reappointment for February 3, 2015, so please return the signed form no later than January 21, 2015.

If you have any questions, please contact Patty Hindle at 355-3229 or me at 355-2740.

Enclosures:

- 1) Ms. Avakian's Application and Biography
- 2) Ms. Avakian's Attendance Record
- 3) Current Membership Roster
- 4) Section 408.033, Florida Statutes



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.

Attachment # 5

\* indicates a member having an action pending

VI. LIAISON INFORMATION :

LIAISON DEPARTMENT

Outside Entity

County Administration

CONTACT PERSON

LaShaundra T. Highsmith

Jon Van Arnam

ADDRESS

600 Sandtree Dr Ste 101  
Palm Beach Gardens FL 33403  
Phone # 561-844-4220 Ext. 3500

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  2401 E Monterey Rd Stuart FL 34996	Member	CA	F	772-419-6932	Health Care Purchaser	11/18/2011	11/18/2013	11/17/2015
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NOMINATED BY :

3	Edward Fischman, 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	05/24/2013	05/23/2015
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NOMINATED BY :

Appointed By : Okeechobee County Board of County Commissioners

4	Christine Bishop Brennan Eyecare  710 S Parrott Ave Okeechobee FL 34974	Member	CA	F	--	Health Care Provider	04/25/2014		04/24/2016
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NOMINATED BY :

\* indicates a member having an action pending



Appointed By: -Large/Palm Beach County Board of County Commissioners

5	Patricia "Pat" Avakian	Member	CA	F	561-689-3176	Health Care Consumer	01/15/2013		01/14/2015
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178 Somerset I  
West Palm Beach FL 33417

**NOMINATED BY :**

6	Addie L. Greene	Member	AA	F	56-184-50847	Health Care Consumer	08/19/2014		08/18/2016
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1617 Boardman Ave  
Mangonia Park FL 33407

**NOMINATED BY :**

7	Murray Douglas Sigman	Member	CA	M	561-881-8612	Health Care Provider	12/02/2008	05/07/2013	05/06/2015
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508 Bay Rd  
North Palm Beach FL 33408

**NOMINATED BY :**

8	Vacant	Member				Health Care Provider			/
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**NOMINATED BY :**

\* indicates a member having an action pending

Appointed By: Large/Palm Beach County Board of County Commissioners

9	Marnie R Poncy Joseph C. Kempe, PA	Member	CA	F	561-747-7300 X115	Health Care Purchaser	08/25/1992	05/20/2014	05/19/2016
	941 N Highway A-1-A Jupiter FL 33477								

NOMINATED BY :

10	Vacant	Member				Health Care Purchaser			01/14/2015
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NOMINATED BY :

Appointed By : St. Lucie County Board of County Commissioners

11	Vacant	Member				Health Care Consumer			/
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NOMINATED BY :

12	Vacant	Member				Health Care Provider			
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NOMINATED BY :

\* indicates a member having an action pending

Select Year:  

## The 2014 Florida Statutes

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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

[http://www.leg.state.fl.us/Statutes/index.cfm?App\\_mode=Display\\_Statute&Search\\_Strin...](http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_Strin...) 12/23/2014

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 Families, 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; s. 162, ch. 2014-19.

**Note.**—Former s. 381.703.

