

SENATE BILL NO. 32

BY SENATOR HEWITT

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AN ACT

To amend and reenact Section 2.1(B), (C)(3), (G)(1), (2), and (3), and (J)(1) and to enact Section 2.1(C)(4), all as enacted by Act No. 562 of the 2003 Regular Session of the Legislature, as amended by Act No. 1214 of the 2003 Regular Session of the Legislature, Act No. 682 of the 2004 Regular Session of the Legislature, Act No. 178 of the 2007 Regular Session of the Legislature, and Act No. 141 of the 2011 Regular Session of the Legislature, relative to St. Tammany Hospital Service District No. 2; to provide for state senator responsibilities for ensuring the proper appointment of all members of the nominating committee and appointing authority; to provide for nominating committee and appointing authority member residency requirements; to provide for terms of appointing authority members; to provide criteria for medical staff appointee eligibility to serve on the board of commissioners; to provide for permissible contract and subcontract practices by licensed physicians nominated or appointed to serve on the board of commissioners; to provide for a per diem and maximum number of meetings per month increase for the board of commission members; and to provide for related matters.

Notice of intention to introduce this Act has been published.

Be it enacted by the Legislature of Louisiana:

Section 1. Section 2.1(B), (C)(3), (G)(1), (2), and (3), and (J)(1) are hereby amended and reenacted and Section 2.1(C)(4) is hereby enacted, all as enacted by Act No. 562 of the 2003 Regular Session of the Legislature, as amended by Act No. 1214 of the 2003 Regular Session of the Legislature, Act No. 682 of the 2004 Regular Session of the Legislature, Act No. 178 of the 2007 Regular Session of the Legislature, and Act No. 141 of the 2011 Regular Session of the Legislature, to read as follows:

1 §2.1. Board of commissioners; nomination; appointment; terms; vacancies; officers;  
 2 meetings; compensation; St. Tammany Parish Hospital Service  
 3 District No. 2

4 \* \* \*

5 B. Nominees for the board of commissioners positions, except those named  
 6 by the Slidell Memorial Hospital medical staff, shall be chosen by a permanent  
 7 nominating committee as provided in this Subsection. The entities appointing  
 8 members of the nominating committee shall submit a copy of their initial  
 9 appointments to the state senator representing the majority of Wards 6, 7, 8, and 9  
 10 of St. Tammany Parish. Once the members of the nominating committee have been  
 11 appointed, the state senator representing the majority of Wards 6, 7, 8, and 9 of St.  
 12 Tammany Parish shall call the initial meeting of the nominating committee within  
 13 ten days after receipt of the appointment of the ninth member of the committee. **The**  
 14 **state senator shall be responsible for ensuring the proper appointment of all**  
 15 **members of the nominating committee and appointing authority pursuant to**  
 16 **this Section, calling and providing proper notice of all meetings of the**  
 17 **nominating committee and the appointing authority, and maintaining all**  
 18 **appropriate documentation of the nominating committee and the appointing**  
 19 **authority. The nominating committee shall appoint annually a chairman to**  
 20 **conduct meetings of the committee.**

21 (1) A permanent nominating committee shall be named within thirty days  
 22 after the effective date of this Subsection (June 27, 2003) and when a board vacancy  
 23 occurs and shall be composed as follows:

24 (a) Three persons appointed jointly by the mayor and the city council of  
 25 Slidell **who reside within the city limits of Slidell.**

26 (b) Three persons appointed jointly by the parish president and the parish  
 27 governing authority of St. Tammany Parish **who reside within the geographical**  
 28 **boundaries of St. Tammany Parish Hospital Service District No. 2.**

29 (c) Three persons appointed jointly by the legislative delegation comprised  
 30 of all state representatives and senators who represent all or part of Wards 6, 7, 8, or

1 9 of St. Tammany Parish. The legislative delegation shall choose among nominees  
2 of the Slidell Memorial Hospital medical staff.

3 (2) All members of the nominating committee shall serve terms of three  
4 years, except for initial terms beginning on the effective date of the Act which  
5 originated as Senate Bill No. 1119 of the 2003 Regular Session of the Legislature  
6 (SB 1119 became Act 562 which took effect on June 27, 2003), and determined by  
7 lot at the first meeting of the committee, as follows:

8 (a) Three shall serve until July 1, 2004.

9 (b) Three shall serve until July 1, 2005.

10 (c) Three shall serve until July 1, 2006.

11 (3) The nominating committee shall seek nominations from the community  
12 as a whole by widely publicizing the openings on the board of commissioners, shall  
13 seek nominations from a broad section of community organizations and shall obtain  
14 nominations from each of Wards 6, 7, 8, and 9 of St. Tammany Parish. Public  
15 interviews of the applicants shall be conducted.

16 (4) The nominating committee should make every reasonable effort to  
17 include in its nominations at least one person from each of the following categories:

18 (a) A member of the Louisiana State Bar Association in good standing ~~and~~  
19 ~~a member of its Health Law Section~~, who has considerable experience or expertise  
20 in hospital representation.

21 (b) A certified public accountant authorized to practice in Louisiana with a  
22 minimum of five years experience in audit and financial procedures of hospitals.

23 (c) A person with at least a bachelor's degree and five years of financial  
24 experience in commercial and bond work.

25 (d) An insurance executive with at least a bachelor's degree and five years of  
26 experience in the area of group benefits and managed care issues.

27 (e) A health professional with five years of experience in the previous ten  
28 years in either a hospital or other direct care setting.

29 (5) The nominating committee shall hold interviews in a public forum and as  
30 a result of the forum present to the appointing authority provided for in this

1 Subsection a list of a minimum of two and a maximum of three nominees for each  
 2 position to be filled and shall include nominees from Wards 6, 7, 8, and 9 of St.  
 3 Tammany Parish.

4 (6) Members of the nominating committee shall not be public officials.

5 (7) The members of the board of commissioners shall be appointed in a  
 6 public forum by the appointing authority from the list of nominees, within thirty days  
 7 of receipt of the list. The appointing authority shall be composed as follows:

8 (a) One appointee of the Slidell city council **who resides within the city**  
 9 **limits of Slidell.**

10 (b) One appointee of the mayor of Slidell **who resides within the city limits**  
 11 **of Slidell.**

12 (c) One appointee of the St. Tammany Parish council **who resides within the**  
 13 **geographical boundaries of St. Tammany Parish Hospital Service District No. 2.**

14 (d) One appointee of the St. Tammany Parish president **who resides within**  
 15 **the geographical boundaries of St. Tammany Parish Hospital Service District**  
 16 **No. 2.**

17 (e) One appointee of the governing authority of the town of Pearl River **who**  
 18 **resides within the corporate limits of Pearl River.**

19 (f) Two appointees of the legislative delegation comprised of all state  
 20 representatives and senators who represent all or part of Wards 6, 7, 8, or 9 of St.  
 21 Tammany Parish **who reside within the geographical boundaries of St. Tammany**  
 22 **Parish Hospital Service District No. 2.**

23 **(g) The appointing authority members, who are not elected officials, shall**  
 24 **serve terms of three years, except for the initial terms beginning on the effective**  
 25 **date of this Act, and determined by lot at the first meeting of the appointing**  
 26 **authority, as follows:**

27 **(i) Two shall serve until January 1, 2019.**

28 **(ii) Two shall serve until January 1, 2020.**

29 **(iii) One shall serve until January 1, 2021.**

30 **(h) Elected officials serving on the appointing authority may serve for a**

1 **term commensurate with their term of office.**

2 (8) The commission shall reflect at all times a cross-section of the citizens of  
3 Wards 6, 7, 8, and 9 of St. Tammany Parish, including at least one board of  
4 commissioners member from each ward. Every reasonable effort shall be made to  
5 achieve this objective through the cooperation of the nominating committee and the  
6 appointing authority.

7 C. The board of commissioners members from the Slidell Memorial Hospital  
8 medical staff shall be nominated and appointed as follows:

9 \* \* \*

10 (3) Medical staff appointees shall be ~~registered to vote in and residents and~~  
11 ~~domiciliaries of St. Tammany Parish~~ **active members of the medical staff of Slidell**  
12 **Memorial Hospital. Medical staff appointees are not required to reside within**  
13 **the geographical boundaries of St. Tammany Parish Hospital Service District**  
14 **No. 2.**

15 **(4)(a) Notwithstanding any other provision of law to the contrary, a**  
16 **licensed physician who is nominated or appointed to be, or is, a member or**  
17 **former member of the board of commissioners elected pursuant to this Section,**  
18 **is not prohibited from contracting, subcontracting with another provider who**  
19 **contracts, owning an interest in an entity that contracts, or accepting**  
20 **employment with Slidell Memorial Hospital, provided that the contract is**  
21 **related to the licensed physician's practice of medicine or expertise as a licensed**  
22 **physician. However, such licensed physician shall recuse himself from**  
23 **participating in any transaction before the board relating to any contracts**  
24 **permitted by this Paragraph and entered into by him, by a provider with which**  
25 **he subcontracts, or by any entity in which he owns an interest.**

26 **(b) All contracts permitted by this Paragraph, entered into while the**  
27 **physician is a member of the board of commissioners, shall be disclosed to the**  
28 **Louisiana Board of Ethics within thirty days of the execution of the contract.**  
29 **The disclosure shall include the parties to the contract, the purpose of the**  
30 **contract, and the date the contract was executed.**

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G. Members of the commission are eligible for reappointment by the appointing authority. Any vacancy on the commission shall be filled for the remaining portion of the term in the same manner as the original appointment.

(1) No member of the board of commissioners, **whether appointed by recommendation of the nominating committee or the medical staff,** shall serve more than three consecutive terms.

(2) In the case of an appointee named to fill the term of a member who has left the board and less than two years remain in the term, that term shall not be considered one of the ~~two~~ **three** consecutive terms to which a member is limited.

(3) In the case of an appointee named to fill the term of a member who has left the board and more than two years remain in the term, that term shall be considered one of the ~~two~~ **three** consecutive terms to which a member is limited.

\* \* \*

J.(1) Each member shall receive per diem not to exceed ~~seventy-five~~ **one hundred** dollars for each meeting attended. However, except in the case of an emergency no member shall receive per diem for more than ~~three~~ **seven** meetings per month. **The chairman of the commission may receive per diem for ten meetings per month. In the case of an emergency, the chairman may receive per diem for more than ten meetings per month.**

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PRESIDENT OF THE SENATE

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

\_\_\_\_\_  
GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_