

AN ACT

To authorize the governing body of any County in the State of Alabama having a population of at least 125,000 people and not more than 225,000 people according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, to create a Joint Public Charity Hospital Board, to provide for the appointment and reappointment of the members of such a board, to provide for the qualifications of the members of such board, to authorize the board to elect officers, to authorize the board to adopt rules and regulations, establish policies and procedures; to authorize the board, with the approval of the governing bodies of such a county and any such a municipality, to employ an administrator and to define his duties and responsibilities and to fix his salary and tenure of office, to employ a staff and other employees, to define the duties, fix the salaries and tenure of office of such personnel, all subject to the approval of the governing bodies of such a county and any such a municipality and subject to any civil service or merit system law now or hereafter in effect in such a county, and to provide that such staff and other employees shall be considered and be subject to and have the rights of employees of such a county; to authorize the board to accept financial and other aid and grants and to expend its funds for hospital, clinical and medical care and treatment of poor and indigent residents of such a county, to expend funds for the administration of its program; to define the board's duties and responsibilities and to define the powers and authority of the board; to authorize the board to hold title to real and other property and to transfer and otherwise dispose of same and to exempt the board from payment of all ad valorem taxes and licenses; and to authorize the governing body of such a county and the governing body of such a municipality to appropriate funds to such a board and to authorize such governing bodies to provide space or equipment and supplies and services, including legal services, for such a board.

Be It Enacted by the Legislature of Alabama:

Section 1. The governing body of any county of the State of Alabama having a population of not less than 125,000 people and not more than 225,000 people, according to the 1950 or any succeeding regular decennial Federal Census, and the governing body of any municipality located in such a county, may by resolution of the governing body of such a county and by ordinance of the governing body of any such a municipality, duly recorded in the minutes of such governing bodies, create a Joint Public Charity Hospital Board in the manner herein provided.

Section 2. Each such Joint Public Charity Hospital Board created hereunder shall consist of seven members selected by the said governing bodies from residents of such county who have a recognized interest in charity hospitals, clinics and medical activities and programs and among the board members, to be selected, shall be the person serving as County Health Officer and two persons who are members of the county medical society

of such a county, and at least one of the members shall be a resident of the southeastern section of such a county, at least one of the members shall be a resident of the southwestern section of such a county and at least three members shall be residents of the northern section of such a county. Members of the said board shall first be appointed for terms as follows: Three for a term of one year, two for a term of two years, and two for a term of three years. As the terms of the members expire, their successors shall be selected for terms of three years each, provided, however, any member may be reappointed for any number of additional terms. Vacancies in unexpired terms shall be filled in the same manner as original appointments are made. The board shall elect from its membership a chairman and a secretary, and such other officers as it deems necessary, to serve at its pleasure. The board shall adopt rules and regulations covering the procedures of the board and the use of property and facilities under its jurisdiction. Members of the board shall serve without compensation but may be reimbursed for their actual expenses incurred in the performance of their duties. No member of the board shall be interested, directly or indirectly, in any contract for work or material, or the profits thereof, or service to be furnished or performed by the board, and any such contract shall be void.

Section 3. The board, may with the approval of the governing bodies of such a county and any such a municipality, employ an administrator, to be its executive officer, and the board shall define his duties and responsibilities, fix his salary and other compensation and the tenure of such an administrator shall be at the pleasure of the board, all subject, however, to the approval of the governing bodies of such a county and any such a municipality. No person shall be eligible for appointment as administrator of such board who is related to a member of the board or to such member's immediate family. The board, may with the approval of the governing bodies of such a county and any such a municipality, and subject to any civil service or merit system law now or hereafter in effect in such a county, employ such staff and employees as may be necessary to carry into effect the program of the board and the board shall define the duties and fix the salaries and tenure of such staff and employees, all subject, however, to the approval of the governing bodies of such a county and any such a municipality and also subject to any civil service or merit system law now or hereafter in effect in any such county. Except as herein otherwise provided, all employees of the board shall in all respects be considered employees of such a county and subject to all the laws, rules, regulations affecting employees of such a county and entitled to all the benefits, rights and privileges of employees of such a county. The board shall be authorized to expend its funds for such salaries and all other expenses incident to the

administration of its program as the board deems necessary to properly carry out its objectives.

Section 4. The Joint Public Charity Hospital Board shall be responsible for the direction, supervision, administration and promotion of such charity hospital, clinic and medical programs as will contribute to the general welfare of the residents of such a county. The board shall establish policies and procedures to administer its programs. The board shall have power and authority to accept financial and other aid and grants from any public or private agency or individual and shall expend its funds, after payment and costs of administration, as herein before provided, for hospital, clinic, medical care and treatment of indigent or poor residents of such a county. The board may establish such rules and regulations as it deems necessary or expedient to determine eligibility for such care and treatment and shall determine eligibility for such care and treatment and such determination shall be final. The board may make and execute, through its administrator, contracts, agreements and other legal instruments with public or private hospitals, clinics, laboratories and with individuals and other legal entities, without limitation, which the board deems necessary or desirable to administer or implement its program. The board shall make all contracts for purchases, except purchases of minor items of a value of less than Three Hundred Dollars (\$300.00), on a competitive bid basis. The board may sue or be sued. The board shall keep accurate records and minutes of its meetings and shall maintain proper books and accounting procedures; and such books, records and accounts shall be subject to audit and examination by the State Department of Examiners of Public Accounts at least once in each two year period. The board shall constantly evaluate its programs and shall at least annually, report, with recommendations, its activities to the governing bodies of such a county and any such municipality. No member of the board shall be personally liable for the debts of the board and the board is authorized to indemnify its members from any suit or liability for acts done in his official capacity unless such liability results from a willful act of misconduct or negligence. The board shall be entitled to hold title to real and other property and to transfer, assign, convey, lease and sell the same upon approval of the members of the board and concurred in by the governing bodies of such a county and municipality. The board, being created, for benevolent and charitable purposes and advancing the public welfare, shall be exempt from all ad valorem and other taxes and licenses.

Section 5. The governing body of such a county and the governing body of any such a municipality may legally make appropriations from their respective general funds to the board for the support or maintenance of the board in effectuating a charity hospital, clinic and medical program for the indigent or

poor residents of such county, provided, that any such appropriation shall not exceed, per annum on a fiscal year basis, the sum of Eighty Five Thousand Dollars (\$85,000.00) from each of such governing bodies. The governing body of such a county or the governing body of any such a municipality may legally provide, without charge, space and services for the use of such board. The attorney of any such a county and the attorney for any such a municipality shall render legal advice and assistance to such board upon request.

Section 6. This act shall be construed liberally. If any section or part is declared invalid in its general or specific application, such declaration shall not affect the validity of other sections, parts or applications.

Section 7. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 8. This act shall take effect immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Approved August 26, 1955.
Time: 2:38 P.M.