

SENATE BILL 1548

By Swann

AN ACT to amend Chapter 187 of the Private Acts of 1945; and any other acts amendatory thereto, relative to the ownership and operation of a non-profit hospital by Blount County, Tennessee.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Section 1 of Chapter 187 of the Private Acts of 1945 is hereby amended and restated as follows:

Be it enacted by the General Assembly of the State of Tennessee that Blount County, Tennessee is hereby authorized and empowered to build, purchase, own and/or operate and maintain a non-profit hospital in said County subject to the following terms:

(a) The County may operate and manage the hospital itself or may retain a non-profit corporation to operate and manage the hospital;

(b) If the County retains a non-profit corporation to operate and manage the hospital, the County shall enter into a written agreement with such non-profit corporation establishing the scope and term of the services to be provided by the non-profit corporation as such manager and the County shall select each such manager based upon recognized competence and integrity and not upon competitive bids;

(c) Any non-profit corporation selected to serve as the manager of the hospital shall not be deemed the owner of any assets of the hospital, and any assets of the hospital held by such manager shall be held in trust for the benefit of the County;

(d) The County, either acting on its own or through a manager as set forth in a management agreement, shall have all powers of a private act hospital

authority as provided in the Private Act Hospital Authority Act of 1996, which is codified as Part 6 of Chapter 57 of Title 7 of the Tennessee Code Annotated;

(e) The County may terminate its relationship with a manager of the hospital as provided in the written agreement with the manager or if no written agreement has been entered into, upon written notice to such manager, and upon any such termination, the manager shall convey and/or transfer all assets of the hospital that are held by the manager to the County; and

(f) The County may exercise any or all powers relating to the hospital through a manager as its corporate agent as provided in Section 7-57-302 of the Tennessee Code Annotated.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Blount County. Its approval or nonapproval shall be proclaimed by the presiding officer of the county legislative body of Blount County and certified by such officer to the Secretary of State.

SECTION 3. For the purposes of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.