

Regular Session, 2012

HOUSE BILL NO. 279

BY REPRESENTATIVE SIMON

DISTRICTS/HOSPITAL SERVC: Removes certain restrictions relative to contracting, ownership interests, and employment applicable to members of the board of commissioners of the St. Tammany Parish Hospital Service District No. 1

1 AN ACT

2 To enact Subsection B of Section 2 of Act No. 180 of the 1984 Regular Session of the
3 Legislature, as amended by Act No. 353 of the 1986 Regular Session of the
4 Legislature, Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570
5 of the 1992 Regular Session of the Legislature, Act No. 440 of the 1997 Regular
6 Session of the Legislature, Act Nos. 562 and 1214 of the 2003 Regular Session of
7 the Legislature, and Act No. 394 of the 2010 Regular Session of the Legislature,
8 relative to the St. Tammany Parish Hospital Service District No. 1; to remove certain
9 restrictions relative to contracting, ownership interests, and employment applicable
10 to members of the board of commissioners of the district; to provide for recusal; to
11 provide for applicability; to provide for effectiveness; and to provide for related
12 matters.

13 Notice of intention to introduce this Act has been published
14 as provided by Article III, Section 13 of the Constitution of
15 Louisiana.

16 Be it enacted by the Legislature of Louisiana:

17 Section 1. Subsection B of Section 2 of Act No. 180 of the 1984 Regular Session of
18 the Legislature, as amended by Act No. 353 of the 1986 Regular Session of the Legislature,
19 Act No. 999 of the 1991 Regular Session of the Legislature, Act No. 570 of the 1992
20 Regular Session of the Legislature, Act No. 440 of the 1997 Regular Session of the
21 Legislature, Act Nos. 562 and 1214 of the 2003 Regular Session of the Legislature, and Act
22 No. 394 of the 2010 Regular Session of the Legislature, is hereby enacted to read as follows:

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

* * *

B. Notwithstanding any other provision of law to the contrary, a
licensed physician who is a member of the board of commissioners is not
prohibited from contracting, subcontracting with another provider who
contracts, owning an interest in an entity that contracts, or accepting
employment with St. Tammany Parish Hospital; however, such licensed
physician shall recuse himself from participating in any transaction before
the board relating to any contracts permitted by this Subsection and entered
into by him, by a provider with which he subcontracts, or by any entity in
which he owns an interest.

Section 2. This Act is declared to be remedial, curative, and procedural and therefore
is to be applied retroactively as well as prospectively.

Section 3. This Act shall become effective upon signature by the governor or, if not
signed by the governor, upon expiration of the time for bills to become law without signature
by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
vetoed by the governor and subsequently approved by the legislature, this Act shall become
effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part
of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute
part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Simon

HB No. 279

Abstract: Removes certain restrictions relative to contracting, ownership interests, and
employment applicable to members of the board of commissioners of the St.
Tammany Parish Hospital Service District No. 1.

Present law (Code of Governmental Ethics) generally prohibits an appointed member of any
board or commission, member of his immediate family, or legal entity in which he has a
substantial economic interest from bidding on or entering into or being in any way interested
in any contract, subcontract, or other transaction which is under the supervision or
jurisdiction of the agency of such appointed member. Generally prohibits a board member

and other public servants and certain related entities from receiving compensation from a person who has or is seeking to obtain contractual or other business or financial relationships with the board member's or public servant's agency.

Proposed law provides that notwithstanding any other provision of present law to the contrary, a licensed physician who is a member of the board of commissioners for St. Tammany Parish Hospital Service District No. 1 is not prohibited from contracting, subcontracting with another provider who contracts, owning an interest in an entity that contracts, or accepting employment with St. Tammany Parish Hospital. Provides, however, that such licensed physician shall recuse himself from participating in any transaction before the board relating to any contracts entered into by him, by a provider with which he subcontracts, or by any entity in which he owns an interest.

Provides that the provisions of proposed law are remedial, curative, and procedural and are to be applied retroactively as well as prospectively.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds §2(B) of Act No. 180 of the 1984 R.S.)