ENROLLED

Regular Session, 2011

ACT No. 278

HOUSE BILL NO. 353

BY REPRESENTATIVE ARNOLD AND SENATOR CROWE

AN ACT

To amend and reenact R.S. 46:1095(B)(1) and (C) and 1097(A), relative to Orleans Parish; to provide relative to the Parish Hospital Service District for the parish of Orleans; to provide relative to the membership of the governing boards of the two areas of the district; to provide relative to the powers and duties of the district and each governing board; to provide for effectiveness; and to provide for related matters.

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 46:1095(B)(1) and (C) and 1097(A) are hereby amended and reenacted to read as follows:

§1095. Board of commissioners; membership; appointment; terms; compensation; removal

* * *

B. Each commission shall be composed as follows:

(1)(a) Seven members shall be appointed by the chief executive officer of the parish. Each ~~commissione~~r member shall demonstrate expertise in one or more of the following areas: medical litigation, fundraising and philanthropy, accounting, business development, indigent care, community relations, government relations, women's health, minority health, geriatric medicine, nursing, any other medical field, or consumer advocacy.

(b) Four of the seven members shall be appointed at the discretion of the chief executive officer. Of the other three appointments, one member shall be appointed by the chief executive officer from each of the following lists of nominees:

(i) Three nominees shall be submitted by the member of the governing authority of the city of New Orleans whose district encompasses all or the greater portion of the area in which the district is located.

(ii) Three nominees shall be submitted by the member of the Louisiana House of Representatives whose district encompasses all or the greater portion of the area in which the district is located.

(iii) Three nominees shall be submitted by the member of the Louisiana Senate whose district encompasses all or the greater portion of the area in which the district is located.

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C.(1) Members initially appointed pursuant to Paragraph (B)(1) of this Section shall be appointed to staggered initial terms with two appointments for one year, two appointments for two years, two appointments for three years, and one appointment for four years. At the expiration of their respective terms of office, the successors to such appointees shall be appointed to four-year terms.

(2) The ~~members~~ member serving pursuant to ~~Paragraphs (B)(1) and (2)~~ Paragraph (B)(2) of this Section shall serve at the pleasure of the chief executive officer of the parish.

~~(2)~~ (3) The members serving pursuant to Paragraphs (B)(3) through (7) of this Section shall serve during their terms of office.

~~(3)~~ (4) Any vacancy in the membership of the commission occurring by reason of the expiration of term of office, death, resignation, disqualification, or otherwise shall be filled in the same manner as the original appointment within thirty days of such vacancy. If the appointing authority fails to fill the vacancy within thirty days of such vacancy, the remaining members of the commission shall appoint an interim successor to serve on the commission until the position is filled by the appointing authority. In addition, an appointment to fill a vacancy that occurs prior to the expiration of a term shall be for the remainder of the unexpired term.

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§1097. Commission; powers, duties, responsibilities, limitations

A. The commission and district shall have all the general powers, duties, functions, and responsibilities of a hospital service district created under Part 1 of this Chapter. Each commission created under this Part may construct or acquire a new general hospital facility in Orleans Parish or renovate an existing general hospital facility in Orleans Parish and provide for the operation of such facility.

* * *

Section 2. The term of office of all appointed members to the Parish Hospital Service District for the parish of Orleans prior to the effective date of this Act shall be terminated on the effective date of this Act and such offices shall be declared vacant. New appointments shall be made in accordance with the provisions of this Act.

Section 3. Notwithstanding Section 2 of this Act, lists of nominees for appointments as provided by R.S. 46:1095(B)(1)(b)(ii) and (iii) shall not be submitted to the chief executive officer before January 1, 2012.

Section 4. Any member appointed to the board of commissioners of the Parish Hospital Service District for the parish of Orleans prior to the effective date of this Act shall not have any claim, right or privilege to a seat on such board.

Section 5. 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.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____