

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 279 by Representative Simon

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

Synopsis of Senate Amendments

1. Adds provisions limiting proposed law exception to the member of the hospital medical staff elected to the membership of the board of commissioners by the medical staff pursuant to present law.

Digest of Bill as Finally Passed by Senate

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.

Present law prohibits a former member of a board or commission for two years following termination of public service on the board or commission from contracting with, being employed in any capacity by, or being appointed to any position by that board or commission.

Present law provides for the membership of the board of commissioners for the St. Tammany Parish Hospital Service District No. 1. Provides that one of the members of the commission shall be a member of the St. Tammany Parish Hospital medical staff elected by the medical staff.

Proposed law provides that notwithstanding any other provision of present law to the contrary, a licensed physician who is a member or former member of the board of commissioners for St. Tammany Parish Hospital Service District No. 1 who is or was the member elected by the medical staff pursuant to present law 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, provided that the contract is related to the licensed physician's practice of medicine or expertise as a licensed physician. 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.

Proposed law requires all contracts permitted by proposed law, entered into while the physician is a member of the board of commissioners and for two years following the termination of his service on the board, to be disclosed to the Board of Ethics within 30 days of the execution of the contract. Requires the disclosure to include the parties to the contract, the purpose of the contract, and the date the contract was executed.

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.)