

BILL ANALYSIS

Senate Research Center
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S.B. 534
By: Shapleigh
Intergovernmental Relations
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

To deliver the highest quality hospital care to the people of El Paso and surrounding communities, changes must be made to the governance structure of the El Paso County Hospital District board of managers. The current two-year term of office for board members limits continuity and impedes the orderly development of leadership and succession planning necessary for the board to effectively govern the hospital district. In addition, no attendance requirements currently exist. This has posed a significant barrier in recent years as some board members do not attend meetings for several months, thereby hampering the board from successfully carrying out its duties.

As proposed, S.B. 534 provides that the term of office for members of the board of hospital managers of the El Paso Hospital District is three years and limited to two consecutive terms. S.B. 534 provides that a member of the board is considered to have resigned if absent from a certain number of board meetings within a certain period or refuses to sign the board pledge within a certain time.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 281.021, Health and Safety Code, by adding Subsection (e), to require the El Paso County Commissioners Court to appoint a board composed of seven members.

SECTION 2. Amends Section 281.022, Health and Safety Code, by adding Subsection (d), to provide that the members of the board of hospital managers (board) of the El Paso County Hospital District (district) serve staggered three-year terms, with as near as possible to one-third of the members' terms expiring each year.

SECTION 3. Amends Subchapter B, Chapter 281, Health and Safety Code, by adding Sections 281.0221 and 281.031, as follows:

Sec. 281.0221. TERM LIMIT. Prohibits a member of the board of the district from serving more than two consecutive three-year terms and provides that a member of the board is not eligible for reappointment to the board until the second anniversary of the date the member's eligibility expires under this section.

Sec. 281.031. REMOVAL OF BOARD MEMBER. (a) Provides that a member of the board of the district is considered to have resigned the member's position if the member is absent from all regularly scheduled board and committee meetings that the member is eligible to attend during a 90-day period, is absent from more than half of the regularly scheduled board and committee meetings that the member is eligible to attend during a 12-month period, or refuses to sign the board pledge not later than the 10th day after the date the member is appointed by the board.

(b) Provides that a resignation under Subsection (a) is effective immediately on the date the absence of refusal prescribed by Subsection (a) occurs.

SECTION 4. (a) Provides that this section applies to the appointment of the members of the board of the district after the effective date of this Act, notwithstanding other law.

(b) Requires the members of the board appointed to succeed the members serving on the effective date of this Act whose terms expire March 31, 2010, to serve three-year terms.

(c) Requires the members of the board appointed to succeed the members serving on the effective date of this Act whose terms expire March 31, 2011, to draw lots to determine which two members are to serve a term expiring March 31, 2012, and which two members are to serve a term expiring March 31, 2014. Provides that successor members appointed in 2012 and 2014 serve three-year terms.

SECTION 5. Effective date: September 1, 2009.