



# NUECES COUNTY HOSPITAL DISTRICT

## Administrative Offices

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### **BOARD OF MANAGERS ORDER**

#### **MAY 22, 2018**

#### **AN ORDER**

#### **RELATING TO ANNUAL FISCAL YEAR-END MINIMUM FUND**

#### **BALANCE REQUIREMENT FOR INDIGENT CARE FUND**

**WHEREAS**, the Nueces County Hospital District (the "Hospital District") is a body politic and corporate and a political subdivision of the State of Texas, established and created pursuant to the Texas Constitution, Article IX, Section 4 and the Texas Health and Safety Code (the "Health Code"), Chapter 281, and operated in accordance with the Health Code and other applicable laws of the State of Texas;

**WHEREAS**, pursuant to the collective authorities of the Health Code, §281.047 and §281.048, the Board of Managers of the Hospital District (the "Board") has, and at the time of adoption of this Order had, full power and authority to manage, control, administer, and to adopt rules governing operation of the Hospital District;

**WHEREAS**, this Order is created in consideration of unanticipated events that could adversely affect the financial condition of the Hospital District and jeopardize the availability and/or continuation of indigent health care services in the community;

**WHEREAS**, the Board recognizes that the maintenance of a Indigent Care Fund balance is essential to the preservation of the financial integrity of the Hospital District and is fiscally advantageous for the District and taxpayers;

**WHEREAS**, the Board desires to maintain a Indigent Care Fund balance that provides cash sufficient to cover a portion of the Hospital District's budgeted expenditures during the District's subsequent fiscal year;

**WHEREAS**, the Board desires to fund the Indigent Care Fund balance to be maintained under this Order with funds transferred from the Hospital District's General and Tobacco Settlement Funds in an order to be then determined by the Administrator; and

**WHEREAS**, the Board desires to rescind all prior Orders and/or Resolutions relating to fund balance requirements for the Hospital District's General, Indigent Care, and Tobacco Settlement Funds.

**NOW, THEREFORE, IT IS ORDERED, ADJUDGED, AND DECREED THAT:**

1. The Board hereby rescinds all prior Board Orders and/or Resolutions relating to fund balance requirements for the Hospital District's General, Indigent Care, and Tobacco Settlement Funds.
2. The Board hereby orders that for the Hospital District fiscal year ending September 30, 2018, and for each District fiscal year-end thereafter, that the District's Indigent Care Fund balance shall not be less than Thirty Percent (30%) of the District's total budgeted expenditures for the subsequent fiscal year (the "Fiscal Year-End Indigent Care Fund Balance"), if achievable.
3. The Board hereby orders that maintenance of the Fiscal Year-End Indigent Care Fund Balance shall be achieved with funds transferred from the Hospital District's General and Tobacco Settlement Funds in an order to be then determined by the Administrator. Notwithstanding the above, the General Fund's balance shall not be drawn down to be less than an amount equal to two and one-half percent (2.5%) of total budgeted expenditures for the subsequent fiscal year.
4. The Administrator shall be and is expressly authorized and directed to do and perform all acts, and to execute all instruments and other related documents, whether or not herein cited, as required to carry out the intent, terms, and provisions of this Order, such execution to be conclusively evidenced by the performance of such acts.
5. The Administrator, in his capacity as the Secretary of the Hospital District Board, be and is hereby legally authorized and empowered to perform all acts described above and certify these orders and that the provisions hereof are in conformance with the laws of the State of Texas and the Governing Board Bylaws of the Hospital District.
6. This Order shall take effect and be in full force and effect upon and after its passage, unless modified or rescinded by majority vote of the Board.

**NUECES COUNTY HOSPITAL DISTRICT  
BOARD OF MANAGERS**

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Van Huseman  
Chairman

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Claude C. Jennings, C.P.A.  
Vice Chairman

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Rodney J. Hart, P.E.  
Member

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Robert N. Corrigan, Jr.  
Member

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John E. Valls  
Member

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Ted A. Daniels  
Member

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Sylvia Tryon Oliver  
Member

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## CERTIFICATE FOR ORDER

THE STATE OF TEXAS     §  
                                     §  
COUNTY OF NUECES     §

I, the undersigned Secretary of the Board of Managers of the Nueces County Hospital District, hereby attest as follows:

1. The Board of Managers of said District convened in special meeting on the 22<sup>nd</sup> day of May 2018, at the regular meeting place, and the roll was called of the duly constituted officers and members of said Board of Managers, to wit:

Van Huseman, Chairman  
Claude C. Jennings, C.P.A., Vice Chairman  
Rodney J. Hart, P.E.  
Robert N. Corrigan, Jr.  
John E. Valls  
Ted A. Daniel  
Sylvia Tryon Oliver

and all of said persons were present, except the following absentees: \_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_ thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: A written

### **AN ORDER RELATING TO ANNUAL FISCAL YEAR-END MINIMUM FUND BALANCE REQUIREMENT FOR INDIGENT CARE FUND**

was introduced for the consideration of said District and read in full. It was then duly moved and seconded that said Order be passed, and, after due discussion, said motion, carrying with it the passage of said Order, prevailed and carried by the following vote:

AYES: \_\_\_\_\_

NOES: \_\_\_\_\_

PRESENT NOT VOTING: \_\_\_\_\_

ABSENT: \_\_\_\_\_

2. That a true, full and correct copy of the aforesaid Order passed at the meeting described in the above and forgoing paragraph is attached to and follows this Certificate; that said Order has been duly recorded in the minutes of said Meeting; that the above and forgoing paragraph is a true, full, and correct excerpt from the minutes of said Meeting pertaining to and passage of said Order; that the persons named in the above and forgoing paragraph are the duly appointed, qualified, and acting members of the Board of Managers of said District as indicated therein; that each of the members of the Board of Managers of said District was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of aforesaid Meeting, and that said Order would be introduced and considered for passage at said Meeting, and that each of said members consented, in advance, to holding of said Meeting for such purpose; and that said Meeting was open to the public, and public notice of the date, time, place, and purpose of said Meeting was given all as required by Texas Government Code, §551.001 et.seq.

SIGNED AND SEALED THIS 22<sup>nd</sup> day of May, 2018.

**ATTEST:**

\_\_\_\_\_  
Jonny F. Hipp  
Secretary, Board of Managers

{NCHD SEAL}