



NUECES COUNTY HOSPITAL DISTRICT

Administrative Offices

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BOARD OF MANAGERS ORDER **SEPTEMBER 29, 2020**

Order Authorizing Nueces County Hospital District to Participate in a Health Care Provider Participation Program, Establishing Mandatory Payments, and Affirming Use of Funds from Mandatory Payments

WHEREAS, the 86th Texas Legislature enacted Senate Bill 2315, which added Health and Safety Code ("Code"), Chapter 298C ("Chapter") and became effective June 10, 2019;

WHEREAS, pursuant to §298C.003 of the Code, the Nueces County Hospital District ("NCHD") Board of Managers ("Board") may authorize NCHD to participate in a health care provider participation program on the affirmative majority vote of the Board, subject to the provisions of the Chapter;

WHEREAS, the purpose of participation in a health care provider participation program is to generate revenue from mandatory payments that may be required by NCHD from institutional health care providers in NCHD's boundaries to fund certain intergovernmental transfers as prescribed in §298C.103(c) of the Code;

WHEREAS, pursuant to §298C.051 of the Code, the Board may require a mandatory payment from each institutional health care provider in NCHD's boundaries to fund the intergovernmental transfers;

WHEREAS, pursuant to §298C.103(a) of the Code, if the Board requires a mandatory payment, NCHD shall establish a local provider participation fund for the mandatory payments; and

WHEREAS, pursuant to §298C.103(c) of the Code, NCHD may use the funds in the local provider participation fund only for the purposes prescribed therein.

NOW THEREFORE, BE IT ORDERED that the Board NCHD authorizes NCHD to:

1. Participate in a health care provider participation program.
2. Collect a mandatory payment from each institutional health care provider located in NCHD's boundaries.
3. Establish a local provider participation fund to consist of the mandatory payments and additional funds as described in §298C.103(b) of the Code.

4. Use the funds in the local provider participation fund only for the purposes prescribed in §298C.103(c) of the Code.

**NUECES COUNTY HOSPITAL DISTRICT
BOARD OF MANAGERS**

John B. Martinez, J.D.
Chairman

Sylvia Tryon Oliver
Vice Chairman

Belinda Flores, R.N.
Member

Vishnu V. Reddy, M.D.
Member

Daniel W. Dain
Member

John E. Valls
Member

Mariana Garza, J.D.
Member

CERTIFICATE OF SECRETARY

THE STATE OF TEXAS

COUNTY OF NUECES

§
§
§

THE UNDERSIGNED HEREBY CERTIFIES that:

1. The members of the Board of Managers (the "Board") of the Nueces County Hospital District (the "Hospital District") have been duly appointed pursuant to Texas Health and Safety Code (the "Health Code"), §281.021.
2. Pursuant to Health Code, §281.021(a), the Hospital District's Board of Managers (the "Board") have been duly appointed; pursuant to Health Code, §281.048, the Board is the governing body of the Hospital District; and pursuant to the collective authorities of Health Code, §281.047 and §281.048, the Board has, and 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.
3. On the 29th day of September 2020 the Board convened in a regular meeting at the Hospital District's regular meeting place (the "Meeting"), the duly constituted members and officers of the Board being as follows:

John B. Martínez, J.D., Chairman
 Sylvia Tryon Oliver, Vice Chairman
 Belinda Flores, R.N.
 Vishnu V. Reddy, M.D.
 Daniel W. Dain
 John E. Valls
 Mariana Garza, J.D.

and all of said persons were present, except the following absentees:
 _____, thus, constituting a quorum.

4. Among other business considered at the Meeting, the attached order entitled:

**Order Authorizing Nueces County Hospital District to Participate in a Health Care
 Provider Participation Program, Establishing Mandatory Payments, and Affirming Use of
 Funds from Mandatory Payments**

is a true copy of a order introduced and submitted to the Board for consideration toward passage and adoption (the "Order"). After presentation and discussion, it was then duly moved and seconded that the Order be passed and adopted. The motion to pass and adopt the Order prevailed and carried by the following viva voce vote:

YEAS: ()
 NAYS: ()
 PRESENT NOT VOTING: ()

ABSENT: ()

all as shown in the official Minutes of the Board for the Meeting.

5. The attached Order is a true and correct copy of the original on file in the official records of the Hospital District; the duly qualified and acting members of the Board on the date of the Meeting are those persons shown above, and, according to the records of my office, each member of the Board was given actual notice of the time, place, and purpose of the Meeting and had actual notice that the Order would be considered; and the Meeting and deliberation of the aforesaid public business, was open to the public and written notice of said meeting, including the subject of the Order, was posted and given in advance thereof in compliance with the provisions of Chapter 551, Texas Government Code, as amended.
6. I am the Secretary of the Board having been duly appointed pursuant to Health Code, §281.023(b).
7. The foregoing Order is in full force and effect; that the same has not been rescinded, nor has it been amended or modified in any way.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of the Hospital District on this the 29th day of September 2020.

Jonny F. Hipp
Secretary, Board of Managers
Nueces County Hospital District

{HOSPITAL DISTRICT SEAL}