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## Chapter VIII - Health

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Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

The University of Tennessee  
County Technical Assistance Service  
226 Anne Dallas Dudley Boulevard, Suite 400  
Nashville, Tennessee 37219  
615.532.3555 phone  
615.532.3699 fax  
[www.ctas.tennessee.edu](http://www.ctas.tennessee.edu)

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# Chapter VIII - Health

## Hospital District

### Private Acts of 1949 Chapter 686

**SECTION 1.** That a joint, non-profit Hospital District, to be known as the Jackson- Madison County General Hospital District, is hereby created and established for and in behalf of the City of Jackson, Tennessee, and Madison County, Tennessee. The mission and purpose of the Jackson-Madison County General Hospital District shall be for the benefit of the City of Jackson, Tennessee and Madison County, Tennessee, to provide, on a fee-for-service basis with due regard for the needs of low-income and indigent patients, the full range of health care (including mental health), illness prevention and allied and incidental services and operations. Each nonprofit corporation of which such hospital district is the sole member, existing when this amendment becomes law or thereafter created, shall be deemed a subsidiary entity of such hospital district created by this act and shall be a governmental entity for purposes of the Tennessee Governmental Tort Liability Act, Tennessee Code Annotated, Title 29, Chapter 20.

As amended by: Private Acts of 1992, Chapter 165

**SECTION 2.** The Hospital District shall be composed of those tracts or parcels of land, together with all buildings and other improvements thereon and all appurtenances thereto, necessary and appropriate for the health care services provided by the hospital district.

As amended by: Private Acts of 1983, Chapter 47

Private Acts of 1989, Chapter 26

**SECTION 3.** That said Hospital District shall be operated and controlled by a Board of Trustees, five (5) in number, who shall serve without compensation and who shall be elected in the manner and for the terms hereinafter provided.

**SECTION 4.** That the initial members of the Board of Trustees shall be M. C. Plunk, who shall serve for a term of two (2) years, James Lawrence, who shall serve for a term of three (3) years, Mrs. Walter Cockrell, who shall serve for a term of four years, Hugh Hicks, who shall serve for a term of five (5) years, and James Matthews, Jr., who shall serve for a term of six years (6) years. The terms of said initial members shall begin on the 1st day of April, 1949.

**SECTION 5.** That upon the expiration of the two (2) year term of M. C. Plunk, his successor shall be elected for a term of five (5) years by the City Council of the City of Jackson in the manner hereinafter provided; upon the expiration of the three (3) years term of James Lawrence, his successor shall be elected for a term of five (5) years by the County Legislative Body of Madison County in the manner hereinafter provided; thereafter, the City Council and County Legislative Body, alternating annually, shall elect for a five (5) year term, in the manner hereinafter provided, a successor to that member of the Board of Trustees whose term shall have expired.

As amended by: Private Acts of 1992, Chapter 165

**SECTION 6.** That the City Council and the County Legislative Body shall be required to elect the successor Trustee from among three (3) nominees for the office, whose names shall be submitted to the Commissioners or to the Court by the remaining Trustees not less than 30 days prior to the expiration of the term of that Trustee whose successor is to be elected; provided, however, that the City Council by a majority vote, or the County Legislative Body by a majority vote, may elect a successor Trustee not nominated by the remaining Trustees.

As amended by: Private Acts of 1961, Chapter 355

Private Acts of 1992, Chapter 165

**COMPILER'S NOTE:** Private Acts of 1992, Chapter 165, deleted the words "County Commissioners" and "Quarterly County Court", but did not delete the references to "the Commissioners" or "the Court" in Section 6 above.

**SECTION 7.** That a Trustee whose term has expired shall continue to serve until his successor shall have been elected in the manner herein provided. In the event of the death or resignation of a Trustee prior to the expiration of his term, his successor shall be elected for the unexpired term in the same manner as the deceased or retiring Trustee was elected. Any Trustee shall be eligible for re-election. The Board of Trustees shall elect a Chairman and Secretary from among its members; shall meet at least monthly, or more often, if necessary; and shall keep complete, permanent and public records and minutes reflecting all business and transactions of the Board.

**SECTION 8.** That the Board of Trustees shall be vested with full, absolute and complete authority and responsibility for the operation, management, conduct and control of the business and affairs of the

Hospital District herein created, which business and affairs may include without limitation the provision of health care services for persons in their homes; such operation, management, conduct and control, however, shall not be inconsistent with existing contractual [sic] obligations of said City and County. Said authority and responsibility shall include, but shall not be limited to, the establishment, promulgation and enforcement of the rules, regulations, and policies of the District, the upkeep and maintenance of all property, the administration of all financial affairs of the District, the execution of all contracts, agreements and other instruments, and the employment, compensation, discharge and supervision of all personnel.

As amended by: Private Acts of 1989, Chapter 26

**SECTION 9.** That the Board of Trustees shall have authority to employ and fix the compensation of a Hospital Administrator, whose duties and responsibilities shall be determined and prescribed by the Board of Trustees.

**SECTION 10.** That said Board of Trustees shall annually prepare and submit to the City Council and County Legislative Body a budget reflecting in detail all estimated receipts and disbursements of the Hospital District. Said Budget shall be for the fiscal year September 1st to August 31st, and shall be submitted by the Board not later than June 1st prior to the commencement of the fiscal year. The initial Board shall prepare and submit such budget as soon after the effective date of this Act as may be practical, but, in any event, not more than sixty (60) days after the commencement of the terms of the members of said initial Board.

As amended by: Private Acts of 1992, Chapter 165

**SECTION 11.** That the Board of Trustees shall prepare and submit to the City Council and the County Legislative Body during each quarter of each fiscal year a complete financial statement and report which, among other things, shall reflect a comparison of actual receipts and disbursements with budgeted receipts and disbursements as of the dates of such financial statements.

As amended by: Private Acts of 1992, Chapter 165

**SECTION 12.** That the City Council of the City of Jackson are hereby authorized to appropriate to the Hospital District from the General Fund of the City one-half of such sums as may be required to commence the operation of said District, and thereafter one-half of such sums as may be required to pay any deficits arising in the operation and maintenance of said District; and are authorized and empowered, also, to levy a tax sufficient for this purpose upon all taxable property within the said City. The City of Jackson and Madison County may agree by contract upon another distribution of the operating expenses of the Jackson-Madison County Hospital District notwithstanding the foregoing authorization.

As amended by: Private Acts of 1973, Chapter 11

Private Acts of 1992, Chapter 165

**SECTION 13.** That the County Legislative Body of Madison County is hereby authorized to appropriate to the Hospital District from the General Fund of the County one-half of such sums as may be required to commence the operation of said District, and thereafter one-half of such sums as may be required to pay any deficits arising in the operation and maintenance of said District; and are authorized and empowered, also, to levy a tax sufficient for this purpose upon all taxable property within the said County. The City of Jackson and Madison County may agree by contract upon another distribution of the operating expenses of the Jackson-Madison County Hospital District notwithstanding the foregoing authorization.

As amended by: Private Acts of 1973, Chapter 11

Private Acts of 1992, Chapter 165

**SECTION 14.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: April 7, 1949

## Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Private Acts of 1967-68, Chapter 39, created the Jackson-Madison County Ambulance Authority to provide ambulance service to the public. This act was amended by Private Acts of 1973, Chapter 17, to authorize the City of Jackson and Madison County to make an agreement between themselves for the division of operating expenses. This act would have been amended by Private Acts of 1982, Chapter 294, to authorize the county purchasing agent to make purchases for the ambulance authority, but the act was rejected locally and never become law. Private Acts of 1967-68, Chapter 39, as amended, was repealed by Private Acts of 1991, Chapter 59.
2. Private Acts of 1967-68, Chapter 458, would have amended Private Acts of 1949, Chapter 686, to

increase the board of trustees of the Jackson-Madison County General Hospital Authority to 9 members and to change the terms and method of election of trustees, but this act was rejected locally and never became effective.

3. Private Acts of 1982, Chapter 287, would have amended Private Acts of 1949, Chapter 686, to change the method of election of successor trustees for the Jackson-Madison County General Hospital Authority, but this act was rejected by the county legislative body of Madison County.

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