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Chapter VIII - Health

Dear Reader:

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

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

Sincerely,

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Chapter VIII - Health

Hospital

Private Acts of 1965 Chapter 180

COMPILER'S NOTE: The above act was certified by the Secretary of State as properly ratified and approved; however, the Secretary of State's records of the certification of Private Acts of 1965 show that the act was not passed upon and declared to the Secretary of State by the Town of Jefferson City as required by the Act itself; therefore, according to the original records in the State Archives, Records Center No. 2679, the act was not properly ratified. The act is reproduced here, but the compiler takes no position on the validity of the act.

SECTION 1. That a joint nonprofit Hospital District, to be known as the Jefferson Memorial Hospital District, is hereby created and established for and in behalf of the County of Jefferson and the Town of Jefferson City, Tennessee.

SECTION 2. That said Hospital District shall comprise and consist of the following described tract or parcel of land, together with all buildings and other improvements thereon, and all appurtenances thereunto belonging, including all items of furniture, fixtures, equipment, supplies and inventory, located in the Fourth Civil District of Jefferson County, Tennessee, within the corporate limits of the Town of Jefferson City, Tennessee, and more particularly described as follows:

"BEGINNING at a stake, the southeast corner of the tract of land here conveyed, said point being north 87 deg. 00 min. west 816 feet from the curb line on the west side of Russell Street; thence from said beginning point and with other property of Carson- Newman College, Inc., a new line this day established by and between the parties hereto, north 1 deg. 53 min, east 510.67 feet to an iron pin set in the east line of Bishop Street at 169 feet, in all the distance of 186.5 feet to an iron pin set in the corner of said fence; thence continuing with said fence south 10 deg. 19 min. east 44 feet to an iron pin set in the corner of a fence; thence continuing with fence line, south 80 deg. 39 min. west 273.5 feet to a stone, said stone being set in the west line of Deborah Street; thence, continuing with a fence line, south 4 deg. 32 min. west 375 feet to an iron pin; thence south 87 deg. 00 min. east 460 feet to the BEGINNING, containing 4.61 acres, more or less." being the site and grounds, fixtures, equipment and supplies of the Jefferson Memorial Hospital.

SECTION 3. That said Hospital District shall be operated and controlled by a Board of Trustees, seven (7) in number, who shall serve without compensation and who shall be elected in the manner and for the terms hereinafter provided. The Chairman of the Quarterly County Court of Jefferson County, Tennessee, and the Mayor of the Town of Jefferson City, Tennessee, shall be ex officio members of said Board of Trustees, without vote.

SECTION 4. That the initial members of the Board of Trustees shall be L. E. May and Thomas L. Webb who shall serve until July 1, 1965, Fred Thurman and Jack Taylor who shall serve until July 1, 1966, Walton Quillen and J. W. Ellis who shall serve until July 1, 1967, and Dr. S. C. Fain who shall serve until July 1, 1965. Said initial members shall begin their respective terms upon the effective date of this Act and shall serve until the expiration of said terms as herein provided and until their successors shall be duly elected as hereinafter provided.

SECTION 5. That upon the expiration of the respective terms of L. E. May, Fred Thurman and Walton Quillen, their successors shall be elected for a term of three (3) years by the Board of Mayor and Aldermen of the Town of Jefferson City, Tennessee. The said Board of Mayor and Aldermen of the Town of Jefferson City, Tennessee shall annually thereafter elect for a three (3) year term a successor to that member of the Board of Trustees whose term shall have expired, and who was originally elected by said Board of Mayor and Aldermen.

That upon the expiration of the respective terms of Thomas L. Webb, Jack Taylor and J. F. Ellis, their successors shall be elected for a term of three (3) years by the Quarterly County Court of Jefferson County, Tennessee. The Quarterly County Court of Jefferson County, Tennessee, shall annually thereafter elect for a three (3) year term a successor to that member of the Board of Trustees whose term shall have expired, and who was originally elected by the said Quarterly County Court.

That upon the expiration of the term of Dr. S. C. Fain, his successor shall be elected for a term of one (1) year by the Jefferson Memorial Hospital Medical Staff. That thereafter, the said Jefferson Memorial Hospital Medical Staff shall annually elect for a one (1) year term a successor Trustee.

SECTION 6. 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 President and Secretary from among its members; shall meet at least monthly, and more often if necessary; and shall keep complete, permanent and public records and minutes reflecting all business and transactions of the Board.

SECTION 7. 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. 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 Hospital District, to fix and determine the charges to be made for all services rendered, the upkeep and maintenance of all property, the administration of all financial affairs of the Hospital District, the execution of all contracts, agreements and other instruments, the employment, compensation, discharge and supervision of all personnel.

SECTION 8. That said Hospital District shall have the power to sue and be sued in the name of the Jefferson Memorial Hospital District; to have and to use a common seal, which it may alter at pleasure, and if no common seal, then the signature of the name of the Hospital District, by any duly authorized officer, shall be legal and binding; to establish by-laws, and make all rules and regulations not inconsistent with the laws and constitution, deemed expedient for the management of the Hospital District's affairs; to appoint such subordinate officers and agents, in addition to a President and Secretary, or Treasurer, as the business of the Hospital District may require; to designate the name of the office, and fix the compensation of the officer; to borrow money to be used in payment of property bought by it, and for erecting buildings, making improvements, and for other purposes germane to the objects of its creation, and secure the repayment of money thus borrowed by mortgage, pledge, or deed of trust, upon such property, real, personal, or mixed, by purchase, gift, devise, or bequest, sell the same and apply the proceeds toward the promotion of the objects for which it is created, or hold any such property and apply the income and profits towards such objects; to invest any funds received by it in such investments as in the honest exercise of its judgment it may, after investigation, determine to be safe and proper investments, and to retain any investments heretofore so made.

SECTION 9. That the means, assets, income, or other property of the said Hospital District shall not be employed, directly or indirectly, for any other purpose whatever than to accomplish the legitimate objects of its creation, and by no implication shall it engage in any kind of trading operation, nor hold any more real estate than is necessary for its legitimate purposes, provided, however, that this shall not preclude such Hospital District from disposing of any property or assets lawfully acquired where such property and assets are determined to be no longer needed to accomplish the objects and purposes of its creation, and the proceeds derived therefrom are to be applied toward the legitimate objects of its creation.

SECTION 10. That the general welfare of society, not individual profit, is the object for which this Hospital District is created.

SECTION 11. That the Board of Trustees shall prepare and submit to the Board of Mayor and Aldermen of the Town of Jefferson City, Tennessee, 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.

SECTION 12. That this Act shall have no effect unless the same shall be approved by a two-thirds (2/3) vote of the Quarterly County Court of Jefferson County, Tennessee, at a regular or special session held not more than one year after its passage, and also approved by a two-thirds (2/3) vote of the Board of Mayor and Aldermen of the Town of Jefferson City, Tennessee, at a regular or special session held not more than one (1) year after its passage. Its approval or non-approval shall be proclaimed by the presiding officer of the Quarterly County Court of Jefferson County, Tennessee, and by the presiding officer of the Board of Mayor and Aldermen of the Town of Jefferson City, Tennessee, and shall be certified by them to the Secretary of State.

SECTION 13. That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1965.

Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Acts of 1887, Chapter 146, divided Tennessee into three main divisions in respect to the area the institutions of mental health would serve. Jefferson County was among the 32 counties which

would send mental patients to the Eastern Tennessee Hospital for the Insane which was located near Knoxville.

2. Private Acts of 1921, Chapter 819, made it lawful in Jefferson County (identified by the use of the 1920 Federal Census figures) for any person who had held permits from the State Board of Pharmacy for six consecutive years to conduct a drug store, or a pharmacy, and to sell therein drugs, medicines, and the like normally sold in such an establishment and to fill and compound prescriptions. Any person so doing must take out and pay for a license which would be issued to him by the State upon application and payment of the fee.

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