



County Technical Assistance Service  
INSTITUTE *for* PUBLIC SERVICE

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## Chapter VIII - Health

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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,

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

## County Hospital

### Board of Trust

#### Private Acts of 1955 Chapter 120

**SECTION 1.** That there is hereby established as a legal entity the Robertson County Hospital Trust, of Robertson County, Tennessee, under the name and style of "Robertson County Hospital Trust."

**SECTION 2.** That said trust is authorized and empowered to receive by gift, conveyance, devise or bequest from any person, firm or corporation any real or personal property for the use and benefit of the Jesse Holman Jones Hospital in Robertson County, or for such hospital under any name which may hereinafter be given to it in whole or part, or for other nonprofit hospitals, or for the care of indigents or other charitable purpose related to hospitals. Said trust is empowered, through the action of its board of trust hereinafter constituted, to buy, sell, otherwise dispose of, invest or re-invest, all said property. It may so invest or re-invest in such property as is or may be sanctioned by the law of Tennessee for fiduciaries, or under what is known as the prudent investor rule, and to receive interest, dividends and income therefrom. Said trust corpus and income will be applied in such manner, amounts and time or times as said board deems proper and necessary for said hospital or hospitals, either in operation, maintenance, construction, betterments or additions to said hospital or hospitals, or their appliances. Said trust corpus and income may also be applied for the charity care of indigents in hospitals or for other charitable purpose related to hospitals. However, said trust corpus and income may not be applied to any expenditures, or other activities, or for any non-exempt purposes, which are not charitable purposes consistent with the provisions of the United States Internal Revenue Code, 26 U.S.C. Section 501(c)(3). All the power so vested in said board will be freely exercised by it without court decree. Said board is freely empowered, without court decree, to institute and defend suits in its own name and style, as may be necessary for its purposes, and to employ and compensate counsel. Said board is further invested with all the power and authority now or hereafter given under the law of Tennessee to eleemosynary or charitable corporations. Said trust will have no power or authority over the actual operation of its hospitals, or over tax money or appropriations for said hospitals by the county legislative body of said county. Said trust may also accept, in its discretion, gifts, conveyances, devises and bequests of real and personal property for the use and benefit of said hospital under instruments where the purposes, powers and authority expressed in said instruments will prevail where different from that herein set out.

As amended by: Private Acts of 1988, Chapter 205

**SECTION 3.** That the board of said trust, will consist of a minimum of five (5) and a maximum of fourteen (14) members. The number of directors may be increased or decreased between the minimum and maximum limits by a majority vote of the entire board. The first members of said board are: J. B. Bell, James V. Sprouse, Charles Willett, W. F. Teasley, H. B. Glover, A. F. Frimble, J. D. Freeman, Louis R. Draughon, Grady L. Downey, Robert D. Moore, Sr., Bela D. King, H. H. Covington, Thomas Pepper, and Joel V. Bell. Said trustees will have continuous tenure, without bond, qualification in or report to Court, will receive no compensation, and assume no liability and are subject to no liability except for willful wrong done for their own personal profit, and the foregoing provisions will apply to all future trustees. In the event of death, inability to serve or refusal to serve of any trustee, present or future, the remaining trustees will fill the vacancy. Said board will select its own chairman, secretary-treasurer, from its membership; and other necessary subordinate officers and agents and servants, and incur and pay such expenses as it deems necessary to its operation. A majority of such members will constitute a quorum for the transaction of business, and the concurrence of a majority of said quorum will be sufficient in any matter. All transactions of said board will be done in the name of said trust, by its chairman and attested by its secretary- treasurer. Said board will meet at least once yearly, and at such other times or time as may be required, upon the call of its chairman or by any three members thereof, and at such place or places as may be designated, for the transaction of all business. Complete records will be maintained by said board covering its activities, which records will be open to inspection by interested parties.

As amended by: Private Acts of 1988, Chapter 205

**SECTION 4.** That this Act shall have no effect unless the same shall have been approved by two-thirds vote of the Quarterly County Court of Robertson County, Tennessee, occurring more than thirty days after its approval by the Chief Executive of the State of Tennessee. Its approval or non-approval shall be proclaimed by the presiding officer of said Quarterly County Court, and shall be certified by him to the Secretary of State of Tennessee.

**SECTION 5.** That this Act take effect from and after its passage and proclamation of approval as aforesaid, the public welfare requiring it.

Passed: February 23, 1955.

## Jesse Holman Jones Hospital

### Private Acts of 1976 Chapter 237

**SECTION 1.** A nonprofit hospital to be known as the "Jesse Holman Jones Hospital," is hereby created and established for and in behalf of Robertson County.

**SECTION 2.** The hospital established under the provisions of this act shall be governed and controlled by a Board of Directors composed of five (5) members who shall serve for the same compensation as members of standing committees of the Robertson County Quarterly Court. The members of such board shall be elected annually by the Quarterly Court of Robertson County at its regular session in September. No physician, druggist or member of the Healing Arts shall be eligible for membership on the Board of Directors. No more than two (2) members of such board shall be members of the Quarterly County Court.

The following designated persons, until the first election, shall constitute the Board of Directors: Hugh Barber, R. H. Burnett, J. W. Dorris, Sr., Alvin Fowler, and E. Dee Reid.

**SECTION 3.** The Board of Directors shall have full authority to manage and control the Jesse Holman Jones Hospital and make all rules and regulations necessary for the administration of such hospital; to employ a hospital administrator and the necessary personnel for the operation thereof, to fix their compensation; to determine and prescribe the duties and responsibilities of such administrator and personnel; to purchase equipment, supplies, and repairs deemed necessary; and to administer the financial affairs of such hospital.

**SECTION 4.** The Board of Directors shall annually prepare and submit to the Quarterly County Court a budget reflecting in detail all estimated receipts and disbursements of such hospital. Such budget shall be for the fiscal year July 1 to June 30 and shall be submitted by the Board of Directors not later than June 1 prior to the commencement of the fiscal year.

**SECTION 5.** The Board of Directors shall prepare and submit to the Quarterly County Court during each quarter of each fiscal year, a complete financial statement and report, which, shall include, but not be limited to, a comparison of actual receipts and disbursements as of the dates of such financial statements. The County Judge, or a duly authorized representative of the County Court, shall have authority to inspect the financial records of the hospital at any time, during the normal business hours, and make such report, or reports, to the County Court as the said Court shall deem necessary.

**SECTION 6.** Upon approval of the Board of Directors, only physicians and dentists licensed to practice in the State of Tennessee who can document their background, experience, training, and demonstrated competence, their adherence to the ethics of their profession, and their good reputation shall constitute the medical staff of such hospital; and shall have the right to administer treatments to patients.

**SECTION 7.** Such hospital, under general rules and regulations promulgated by its Board of Directors, is authorized to make charges for services rendered to persons receiving treatment or admitted as patients in such hospital. Only persons who are indigent and are unable to pay for professional, medical and surgical services, including room and board in such hospital, shall be admitted thereto without paying the fees prescribed by the Board of Directors. No person other than any emergency case shall be admitted to such hospital without arrangements made to pay, except upon order of the Administrator of the hospital, or the Board of Directors, who are hereby authorized to determine to their discretion whether or not any applicant is entitled to admission to the hospital as a charity patient.

**SECTION 8.** The Quarterly County Court of Robertson County is authorized to appropriate to the Board of Directors from the funds of the county, such sum as such Court may deem appropriate to finance the operation and maintenance of such hospital; and are authorized and empowered, also, to levy taxes sufficient for these purposes.

**SECTION 9.** Chapter 477 of the Private Acts of 1935, Chapter 511 of the Private Acts of 1941, Chapter 806 of the Private Acts of 1947, Chapter 200 of the Private Acts of 1963, and all other acts amendatory thereto, and any other act or amendment inconsistent with the provisions of this act are hereby expressly repealed.

**SECTION 10.** If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect

without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

**SECTION 11.** This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Quarterly County Court of Robertson County on or before the next regular meeting of such Quarterly County Court occurring more than thirty (30) days after its approval by the Chief Executive. Its approval or nonapproval shall be proclaimed by the presiding officer of the Quarterly County Court and certified by him to the Secretary of State.

**SECTION 12.** For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective July 1, 1976.

Passed: March 3, 1976.

## Toilets for Beer Establishments

### Private Acts of 1951 Chapter 592

**SECTION 1.** That in counties of this State having a population of not less than 29,000, nor more than 29,100, by the Federal Census of 1940, or any subsequent Federal Census, it shall be the duty of all persons operating public places where beer is sold or served to provide toilet facilities for both men and women. Such facilities shall be separate, shall be kept in a clean and sanitary condition and shall be available for inspection at all times while such places serving or selling beer shall be open for business.

It shall be the duty of the Sheriff and of his deputies of counties to which this Act applies to inspect such toilet facilities as frequently as their other duties will permit and to require repairs, sanitation and other necessary changes. Any owner or operator of any place where beer is sold failing to comply with the provisions of this Act or to comply with the directions of the Sheriff of such County with reference to sanitation shall be guilty of a misdemeanor and upon conviction, punishable accordingly.

**SECTION 2.** That this Act shall take effect from and after its passage, the public welfare requiring it.

Passed: March 16, 1951.

## Health - Historical Notes

The following summaries are included herein for reference purposes.

1. Acts of 1887, Chapter 146, named the 32 counties in the Eastern Section of Tennessee in the organization of the hospitals for the insane, which number included Robertson County.
2. Private Acts of 1935, Chapter 477, was the legal authority for the Quarterly Court of Robertson County to establish and maintain a county hospital. The Hospital would be governed and controlled by a Board of five directors named annually by the Quarterly Court at its October meeting, one director each from the north, south, east and west portions of the county and one at large. No physician would be eligible to serve on the Board. Quarterly Court could levy taxes to raise the funds to effectuate the provisions of this law. Rules for the admission of patients, the charges to be made, and the allowances for indigents were generally referred to in the act. This act was repealed by Private Acts of 1976, Chapter 237.
3. Private Acts of 1941, Chapter 511, amended Private Acts of 1935, Chapter 477, above, in Section 2, by establishing the method for choosing the Board of Directors for the County Hospital. This act was repealed by Private Acts of 1947, Chapter 806, and by Private Acts of 1976, Chapter 237.
4. Private Acts of 1947, Chapter 806, amended Private Acts of 1935, Chapter 477, above, in Section 2, by deleting the whole Section, thus repealing Private Acts of 1941, Chapter 511, in effect, and inserting a new Section 2, which allowed the Quarterly Court to select the five directors on the Board at its October meeting in the manner specified previously, one to come from major geographical sections of the county and one at large. Two members were to be taken from the Quarterly Court but no physician was permitted to serve on the Board. This Act was repealed by Private Acts of 1976, Chapter 237.
5. Private Acts of 1955, Chapter 120, set up a Board of Trust for hospitals in Robertson County and was properly ratified by the Quarterly Court.
6. Private Acts of 1955, Chapter 271, established a non-profit hospital in Robertson County to be called the Jesse Jones Memorial Hospital, to be controlled and managed by a seven member Board of Directors. Robert A. West, County Judge, John R. Long, Mayor of Springfield, and five

others who were Mrs. Graydon Morris, Reams Rawls, John Dunn, Maxie Jones, and Mrs. Buelah Dunn, but no druggist, or physician could serve on the Board. The Board was given full authority to promulgate rules, hire an administrator, and otherwise manage the facility. All services could be charged but allowances were to be made for indigent patients. The Quarterly Court was empowered to levy taxes to support and maintain the hospital and Private Acts of 1935, Chapter 477, was repealed. This Act was rejected by the Quarterly Court of Robertson County and never became an effective law.

7. Private Acts of 1963, Chapter 200, amended Private Acts of 1935, Chapter 477, as it was amended prior to this Act, in Section 2 by changing the composition of the Board of Directors of the hospital to six in number who were to be elected annually by the Robertson County Quarterly Court, one each from the east, west, north and south portions of the county. Present members would continue in office until their successors were named by the court. These new Directors would serve initial staggered terms and then all terms after that would be for three years. This Act was rejected by the Quarterly Court and never became an active law in Robertson County. Further, it was expressly repealed by Private Acts of 1976, Chapter 237.
8. Private Acts of 1987, Chapter 7, which amended Chapter 120 of the Private Acts of 1955, included in its entirety herein, was not approved by the Robertson County Legislative Body and never became an effective law.

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