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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

County Hospital

Private Acts of 1949 Chapter 889

SECTION 1. That the general and overall purpose of this Act be, and the same is hereby declared to be, to cause a general hospital to be maintained and operated within Lawrence County.

SECTION 2. That all actions to be taken by said County under the authority of this Act or of other applicable law, not herein or by other applicable law expressly or by necessary implication authorized to be otherwise taken for and on behalf of said County, shall occur by or pursuant to actions of the Quarterly County Court of said County, as its governing body.

SECTION 3. That said County be and it is hereby authorized to acquire, by its erection and original equipment, purchase, lease or otherwise, and to own, purchase, sell, lease or otherwise dispose of, a general hospital within the County.

SECTION 4. That said County be and it is hereby authorized to maintain and operate such a hospital by and through a County Hospital Commission of the County, hereby created, which Commission shall have and exercise, for and on behalf of the County, full authority and powers in and for the purpose of the general and governing control and supervision of the maintenance and operation of such a hospital by the County, including the authority and powers to formulate, adopt, prescribe and carry out policies, plans, rules and regulations for the maintenance and operation of such a hospital by the County, which shall include, among all other ones deemed necessary or proper by the Commission, those as to employment, discharge and compensation of personnel, purchase of materials, supplies and equipment, use and disposition of materials, supplies and equipment, the making and keeping of books and other records, accountings and reports, public health programs, coordination of the efforts and integration of the functions of public health units and such a hospital so maintained and operated, admission and discharge of patients, rates and payment for services furnished, requisite deposits for admissions and services, prepayment hospitalization plans, responsibility and accountability of all employees or other hospital or staff personnel as to funds, records, occupation and use of premises, equipment, materials, supplies and equipment, examinations and audits of books and other records.

SECTION 5. That said Commission shall consist of seven (7) members, two of whom shall and are hereby designed to be the County Judge and the County Attorney, respectively, of the County, the terms of which said elective officers of the County as members of such Commission shall be co-extensive, of course, with their terms of office as County Judge and County Attorney, respectively. The other five members of such Commission shall be elected by the Quarterly County Court of the County, the initial elections of which other five members shall be at the regular October Term, 1949, of said Court for initial and irregular terms of one, two, three, four and five years, respectively, meaning one of such other five members for each of such initial and irregular terms, and at the October Term of said Court in the year 1950 and in each year thereafter one of such other five members shall be elected, to succeed that one whose term then expires, for the regular terms, hereby fixed, of five years, for such other five members of said Commission. No less than two nor more than three of the other five members of said Commission shall be persons who are also Justices of the Peace of the county. A vacancy in one of such other five memberships on said Commission shall be filled, for the unexpired term, at the next regular or special session of said Court occurring more than thirty days after the vacancy occurs, while a vacancy in the membership of the County Judge or the County Attorney on such Commission shall be filled by the filling of the vacancy in the office of County Judge or that of County Attorney, as the case may be, as now provided by other law. The Chairman of said Commission shall be that member who is the County Judge of the county, who shall serve as such Chairman coextensively with his term of office as County Judge. There shall be a Vice Chairman and a Secretary of said Commission, to be elected by and serve in such capacities at the will of the Commission. The Commission shall regularly meet at such times, place and hour as the Commission shall prescribe, shall specially meet when and as called by the Chairman, and may specially meet when and as called by the Chairman or the Vice Chairman at the instance or request of three members of the Commission. The members of said Commission other than those serving by virtue of their offices of County Judge and County Attorney, respectively, shall be entitled to receive, for attendances at meeting of the Commission, such per diem and mileage as may be prescribed by the Commission, not to exceed Ten (\$10.00) Dollars per diem nor six (6¢) cents per mile, payable out of the hospital fund, as are all other expenses of the maintenance and operation of such hospital by the County, as hereinafter provided.

As amended by:

Private Acts of 1967-68, Chapter 77

SECTION 6. That the powers and duties of said Commission shall include that, specifically, to engage, employ, contract with or otherwise obtain, retain, regulate and control the services of a hospital administrator or superintendent, to be in immediate charge of and to personally administer or superintend the maintenance and operation of such a hospital by the County, which administrator or superintendent shall so serve at the will, consistent with any applicable contract provisions, of the Commission and be directly responsible and accountable to it for and in connection with such operation of the hospital. The compensation of such administrator or superintendent, and any other benefits or other matters in connection with his compensation or basis therefor, shall be as prescribed by the Commission. Such administrator or superintendent shall execute and remain under surety bond payable to the State of Tennessee for the use and benefit of the County in such amount and with such surety or sureties as may be prescribed by the Commission and be approved by its Chairman and Secretary, to be conditioned so as to assure the full, faithful, complete and honest performance of the duties of such administrator or superintendent and the accounting for and paying over into the office of the County Trustee, in the manner as hereinafter provided, all funds collected or otherwise received in or by virtue of the operation of the hospital by the County, and to account for, preserve or turn over to the Commission all funds on hand, materials, supplies and equipment.

SECTION 7. That a regular hospital fund or account of said County, for the maintenance and operation of such a hospital by the County, be and the same is hereby authorized and directed to be set up and maintained in the hands and on the books of the Trustee, and through and on the records of the County Judge and Financial Agent, of the County. Into said hospital fund shall go, upon and through receivable warrants of the County Judge, all funds of every nature and howsoever collected or received in or by virtue of the maintenance and operation of the hospital by the County, and which funds will be accounted for, reported and so turned in to the County treasury, viz., the County Trustee, at such regular intervals and at such other times, upon and with such form or method of accounting and report, and with such verification thereof and accountability therefor, as may be prescribed by the Commission. Disbursements from or withdrawals or transfers of any and all such funds from the hands of the Trustee, in any amounts and for whatever purposes, shall be only by (hospital) warrant on the Trustee and against the hospital fund, signed by the County Judge and countersigned by the administrator or superintendent of the hospital. Such warrants, to be valid and honored and paid by the Trustee, shall be payable to a named payee or payees, or order, bear a warrant number and recite the purpose for which issued. Such warrants shall issue only from a regular and permanently bound hospital warrant book, with duplicates or stubs so kept as to constitute a proper and permanent record of the dates, numbers, amounts, payees and purposes of all warrants to be issued against and paid out of the hospital fund.

SECTION 8. That said County be and it is hereby expressly authorized to levy, by appropriate action of its Quarterly County Court and as other taxes are levied by it for County purposes, a tax, in addition to all other taxes, upon all taxable property within the County, at a rate of not to exceed twenty-five (25¢) cents on each One Hundred (\$100.00) Dollars of assessed valuation of such taxable property in or for any taxable year, to provide funds as may be necessary, in addition to income from operation of such a hospital by the County, for the maintenance and operation of such a hospital by the County, which tax shall be assessed and collected along with and as other taxes for County purposes are assessed and collected. Such taxes for hospital maintenance and operation purposes, when collected by the Trustee or received by him from Clerks and others, as well as all other funds received by him from all other sources for such purposes, shall be placed in and credited to the said hospital fund or account and be disbursed only as provided by this Act.

SECTION 9. That said Commission, as a County (hospital) agency constituted by this Act, shall be subject to and comply with the budget requirements of the County Budget Act of and for said County, as required of other County agencies by that Act, viz., Chapter 414 (House Bill No. 684) of the Private Acts of 1939.

SECTION 10. That said County be and it is hereby authorized to take any and all actions, not herein expressly or by necessary implication authorized to be taken by said Commission, toward or in connection with the general and overall purpose of this Act, hereinbefore declared.

SECTION 11. That said Commission be and it is hereby required to make and submit to the Quarterly County Court of the County at its regular October Term in each year a complete and sufficiently detailed report of its actions, such report to show the state or condition of affairs of the hospital and its fund, premises, equipment, materials, supplies, needs, indebtedness, assets, and the like.

SECTION 12. That the intended severability of the various sections and parts thereof in and of this Act be and the same is hereby declared, and that it be and hereby is further declared to be intended that no invalid part hereof shall affect any other part hereof, but shall be elided.

SECTION 13. That all laws and parts of laws in conflict with this Act be and the same are hereby repealed, and that this Act take effect from and after its passage, the public welfare requiring it.

Passed: April 14, 1939.

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 District of the State as it was divided for the organization of the hospitals for the insane. There were 32 counties assigned also to the Central Division of the state which included Lawrence County.
2. Private Acts of 1931, Chapter 483, stated that any reputable person who had as much as three years training in a reputable medical school, or the equivalent thereof, or who has had at least ten years practice in medicine as a licensed medical doctor in the State would be qualified to hold the office of County Jail Physician or Health Officer, in Lawrence County. This Act was repealed by Private Acts of 1933, Chapter 333.

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