

1989

## Session Law 89-214

Florida Senate & House of Representatives

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**H 1663 GENERAL BILL by Langton (Similar S 578)**

**Jacksonville Univ. Hospital/Ins.:** authorizes Board of Regents to provide comprehensive general liability insurance to University Hospital of Jacksonville & Faculty Clinic, Inc. Creates 240.214. Effective Date: 07/01/89.

04/04/89 HOUSE Filed - HJ 156  
04/06/89 HOUSE Introduction allowed -HJ 162; Introduced, referred to Higher Education; Appropriations -HJ 167  
04/20/89 HOUSE On Committee agenda—Higher Education, 04/24/89, 1:30 pm, 214-C—For referral to subcommittee  
04/24/89 HOUSE Subreferred to Subcommittee on Administration and Finance; On subcommittee agenda—Higher Education, 04/24/89, 2:30 pm, 16-HOB; Subcommittee Recommendation: Favorable; On Committee agenda—Higher Education, 04/26/89, 4:45 pm, 214-C  
04/26/89 HOUSE Preliminary Committee Action by Higher Education: Favorable  
04/27/89 HOUSE Comm. Report: Favorable by Higher Education -HJ 295; Now in Appropriations -HJ 295  
05/10/89 HOUSE Withdrawn from Appropriations -HJ 449; Placed on Calendar  
05/17/89 HOUSE Placed on Special Order Calendar  
05/24/89 HOUSE Read second time; Read third time; Passed; YEAS 116 NAYS 0 -HJ 614  
05/24/89 SENATE In Messages  
05/29/89 SENATE Received, referred to Higher Education; Appropriations -SJ 497; Withdrawn from Higher Education; Appropriations; Substituted for SB 578; Passed; YEAS 38 NAYS 0 -SJ 551  
05/29/89 Ordered enrolled  
06/13/89 Signed by Officers and presented to Governor  
06/28/89 Approved by Governor; Chapter No. 89-214

**NOTES:** Above bill history from Division of Legislative Information's *FINAL LEGISLATIVE BILL INFORMATION, 1989 SESSIONS*. Staff Analyses for bills amended beyond final committee action may not be in accordance with the enacted law. Journal page numbers (HJ & SJ) refer to daily Journals and may not be the same as final bound Journals.

HOUSE OF REPRESENTATIVES  
COMMITTEE ON HIGHER EDUCATION  
STAFF ANALYSIS & ECONOMIC IMPACT STATEMENT

BILL #: HB 1663

RELATING TO: Postsecondary Education

SPONSOR(S): Rep. Langton

EFFECTIVE DATE: July 1, 1989

COMPANION BILL(S): SB 578

OTHER COMMITTEES OF REFERENCE: (1) Appropriations  
(2)

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I. SUMMARY:

A. PRESENT SITUATION:

University Hospital - Jacksonville (UHJ) is a unique facility within the University of Florida's Health Science Center's educational program. It is unique in that:

- a. It is the only community teaching hospital in which all full-staff are University of Florida faculty.
- b. Almost all of the health educational programs under the aegis of the Jacksonville Health Education Programs, Inc. (JHEP), a Board of Regents approved entity of the University of Florida, are centered within the University Hospital - Jacksonville.
- c. In the Board of Regents approved E&G budget of the University of Florida Health Center there is presently \$3.5 million annually that support directly JHEP/University Hospital including 28 F.T.E. faculty lines specifically allocated to University Hospital.
- d. The University of Florida Health Science Center and University Hospital have executed a full affiliation agreement and the Board of Regents has designated UHJ as an "urban campus" of the UF Health Science Center.

All UF staff physicians at the UHJ are presently in a BOR Self-Insurance Trust fund. Thus, in all medical liability actions, it would be a great fiscal and programmatic advantage to have both the physicians and their primary hospital locus in the same trust fund - as has been demonstrated between the UF Health Science Center and Shands Hospital and the University of South Florida and the H. Lee Moffitt Cancer Center.

B. EFFECT OF PROPOSED CHANGES:

What is being requested by the present proposed legislation is "authorization" for University Hospital of Jacksonville (UHJ) and Faculty Clinic, Inc. to enter into a BOR self-insurance trust fund. UHJ is asking only to be part of a self-insurance fund and is not requesting sovereign immunity. This Jacksonville area self-insurance trust fund under the BOR is a separate and distinct fiscal entity and would not play any role in the fiscal integrity of the existing self-insurance trust funds at UF and USF.

C. SECTION-BY-SECTION ANALYSIS:

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring or First Year Start-Up Effects:

None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

4. Appropriations Consequences:

None

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring or First Year Start-Up Effects:

: None

2. Recurring or Annualized Continuation Effects:

None

3. Long Run Effects Other Than Normal Growth:

None

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None

2. Direct Private Sector Benefits:

None

3. Effects on Competition, Private Enterprise, and Employment Markets:

None

D. FISCAL COMMENTS:

None

III. LONG RANGE CONSEQUENCES:

House Bill 1663 complies with the State Comprehensive Plan.

It is purported that this proposed legislation will:

1. Eliminate duplicative efforts and costs in developing policies procedures, and practices related to risk management and loss control.
2. Minimize conflicts of interests in claims and suits, and reduce legal costs.
3. Provide access to excess insurance markets which would otherwise have no underwriting interest.
4. By the combining of all exposure in a single program, result in the maintenance of a viable self-insurance program. The entities involved are predicting and anticipating a significant dollar savings by a joint self-insurance venture between the BOR and UHJ.

IV. COMMENTS:

HB 1663 is consistent with the Policy State of the 1989-1990 Legislative Issues Conference as follows:

HUMAN RESOURCES DEVELOPMENT: II. A. 1.

V. AMENDMENTS:

None

VI. SIGNATURES:

SUBSTANTIVE COMMITTEE:

Prepared by:

Stanley T. Kypros  
Stanley T. Kypros

Staff Director:

Betty Tilton  
Betty Tilton

SECOND COMMITTEE OF REFERENCE:

Prepared by:

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Staff Director:

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APPROPRIATIONS:

Prepared by:

\_\_\_\_\_

Staff Director:

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SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

<u>ANALYST</u>	<u>STAFF DIRECTOR</u>	<u>REFERENCE</u>	<u>ACTION</u>
1. <u>Harris</u> <i>LR</i>	<u>Cohen</u> <i>LR</i>	1. <u>HE</u>	<u>FAV</u>
2. _____	_____	2. _____	_____
3. _____	_____	3. _____	_____
4. _____	_____	4. _____	_____

SUBJECT:

Provision of Insurance for University Hospital of Jacksonville and Faculty Clinic, Inc.

BILL NO. AND SPONSOR:

SB 578 by Senator Crenshaw

I. SUMMARY:

A. Present Situation:

Section 240.213, F.S., authorizes the Board of Regents to provide general and professional liability insurance for Board of Regents members, students, faculty, professionals, including health care providers practicing by virtue of their employment by a state university, and employees of the Board of Regents. Under this authority, the Board of Regents currently provides professional liability insurance through the BOR self-insurance program for university faculty, residents, and interns practicing in the state's teaching hospitals.

The BOR is specifically authorized to provide general and professional liability insurance for the not-for-profit corporations operating J. Hillis Miller Health Center at the University of Florida and Moffitt Cancer Center at the University of South Florida by s. 240.513, F.S., and s. 240.512, F.S., respectively. This insurance is also provided through the BOR's self-insurance program.

The BOR does not have statutory authority to provide professional or general liability insurance for the not-for-profit corporations operating University Hospital of Jacksonville or Faculty Clinic, Inc. University Hospital of Jacksonville serves as a teaching hospital for the University of Florida College of Medicine. The hospital is currently insured by a wholly owned captive insurer in the British Cayman Islands. Faculty Clinic, Inc., which will function as an outpatient facility of University Hospital of Jacksonville, has not yet been constructed and is, therefore, not yet insured. The clinic is projected to begin operations in the fall of 1990.

B. Effect of Proposed Changes:

The proposed bill would authorize the Board of Regents to provide general and professional liability insurance for University Hospital of Jacksonville and Faculty Clinic, Inc. through the BOR self-insurance program.

II. ECONOMIC IMPACT AND FISCAL NOTE:

A. Public:

None.

B. Government:

None.

III. COMMENTS:

REVISED: April 19, 1989

BILL NO. SB 578

DATE: April 14, 1989

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None.

IV. AMENDMENTS:

None.