

1 A bill to be entitled
 2 An act relating to Lee County; amending chapter 2000-
 3 439, Laws of Florida; providing for a special
 4 district; providing that the operation and maintenance
 5 of certain projects, activities, and products by the
 6 Lee Memorial Health System Board of Directors is a
 7 public purpose; deleting a reporting requirement;
 8 prohibiting the assessment and collection of ad
 9 valorem taxes during specified times; revising
 10 provisions relating to powers of the system board and
 11 system funds; providing general and special powers of
 12 the Lee Memorial Health System; providing for
 13 applicability, severability, construction, and effect;
 14 providing an effective date.

15
 16 Be It Enacted by the Legislature of the State of Florida:

17
 18 Section 1. Sections 1, 3, 4, 5, 7, 10, 13, 16, and 18 of
 19 chapter 2000-439, Laws of Florida, are amended, and section 19
 20 is added to that chapter, to read:

21 Section 1. There is created and established in Lee County
 22 a hospital district, to be known as the "Lee Memorial Health
 23 System," which shall be an independent special taxing district
 24 and political subdivision of the state and which shall consist
 25 of all of Lee County as described in s. 7.36, Florida Statutes

26 ~~Chapter 63-1552, Laws of Florida, and amendments thereto made by~~
 27 ~~chapters 69-1235, 72-600, 81-420, 83-452, 83-454, 84-465, 87-~~
 28 ~~438, 91-410, 92-269, and 98-528, Laws of Florida; and chapter~~
 29 ~~78-552, Laws of Florida, are hereby repealed. Said prior acts~~
 30 ~~are replaced in their entirety by this act. This act shall~~
 31 ~~constitute a codification as required by section 189.429,~~
 32 ~~Florida Statutes. It is declared to be the legislative intent~~
 33 ~~that if any section, subsection, sentence, clause, or provision~~
 34 ~~of this act is found to be invalid, the remainder of the act~~
 35 ~~shall not be affected; and further, in order to assure the~~
 36 ~~uninterrupted maintenance and operation of the public health~~
 37 ~~care system provided for herein, that any of the prior acts set~~
 38 ~~forth herein, or any portion thereof, shall survive and be~~
 39 ~~deemed reenacted to the extent necessary to replace any section,~~
 40 ~~subsection, sentence, clause, or provision of this act found to~~
 41 ~~be invalid.~~

42 Section 3. The operation and maintenance of the public
 43 health system, ~~and the construction of health system facilities,~~
 44 and such other projects, activities, and products provided for
 45 in this act are declared to be a public purpose.

46 Section 4. The Lee Memorial Health System Board of
 47 Directors, hereinafter called the system board, is hereby
 48 authorized to establish and to provide for the operation and
 49 maintenance of a public health care system comprised of
 50 hospitals; satellite hospitals; clinics; or other facilities

51 devoted to the provision of health care services intended to
52 improve the physical, spiritual, emotional, or mental health of
53 those persons utilizing such services, or of services to prevent
54 sickness, injury, or disease, including those which are intended
55 to promote a healthful lifestyle, and such other facilities or
56 services as the system board shall deem appropriate to provide a
57 full range of health care services to the population the public
58 health care system may serve and to establish, fund, support,
59 organize, and participate in other health care projects,
60 activities, and products which benefit the population served by
61 Lee Memorial Health System. The system board is authorized to
62 construct and equip the necessary buildings for the aforesaid
63 purposes and to construct extensions, additions, and
64 improvements thereto from time to time, and to lease as lessee
65 or lessor, or purchase or sell any land or any interest in land.
66 The system board is authorized and empowered to carry out its
67 functions directly or indirectly through other companies it
68 controls through joint ventures or partnerships with other
69 public or private organizations.

70 Section 5. In the event that it should become necessary to
71 acquire any land for health system purposes under the authority
72 of this act by eminent domain within Lee County, the proceedings
73 therefor shall be instituted by the system board and prosecuted
74 in the manner provided by general law.

75 Section 7. The system board shall elect annually from its

76 | members a chair, vice-chair, secretary, and treasurer, who shall
77 | be the officers of the system board. The system board shall
78 | cause true and accurate minutes and records to be kept of all
79 | business transacted by the system board and shall keep full,
80 | true, and complete books of accounts and records, which minutes,
81 | records, and books of account and the current line item budget
82 | shall at all reasonable times be open and subject to inspection
83 | and copying pursuant to ~~the provisions of~~ the constitution and
84 | laws of Florida. All meetings of the system board shall be open
85 | to the general public pursuant to general law. At least once a
86 | year the system board shall cause the financial records and
87 | accounts of the health care system to be audited by a certified
88 | public accountant authorized to practice public accounting in
89 | Florida and a certified public account audit report to be
90 | prepared. ~~The audit, together with a copy of the health system's~~
91 | ~~current annual budget, shall be filed annually with the Clerk of~~
92 | ~~the Circuit Court of Lee County.~~

93 | Section 10. The Lee Memorial Health System Board of
94 | Directors shall have the authority to operate and conduct the
95 | business of the public health system, and, consistent therewith,
96 | shall have the following powers:

97 | (1) The system board is authorized to pay all expenses of
98 | operation of the Lee Memorial Health System and all other
99 | necessary expenses incurred, including the fees and expenses of
100 | attorneys retained by the system board or the chief executive

101 officer of the Lee Memorial Health System, in the transaction of
102 the business of the public health care system, and in carrying
103 out and accomplishing the purposes of this act.

104 (2) The Lee Memorial Health System may sue and be sued in
105 the name of Lee Memorial Health System; provided that in any
106 suit, a change in personnel of the system board shall not abate
107 the suit, which shall proceed as if such change had not taken
108 place. In all suits against the Lee Memorial Health System,
109 service of process shall be had on the chief executive officer
110 of the hospital, or in his absence on any officer of the system
111 board.

112 (3) To the fullest extent permitted by the state law, the
113 system board may create, be a voting member of, choose directors
114 to serve on the boards of, be a partner in, or participate in or
115 control, any venture, corporation, partnership, or other
116 organization, public or private, which the system board finds
117 operates for the purposes consistent with, and in furtherance
118 of, the purposes and best interests of the Lee Memorial Health
119 System.

120 (4) The system board may make, or authorize its chief
121 executive officer to make, contracts of all kinds, including,
122 but not limited to, the sale or purchase of real property within
123 the boundaries of Lee County, and beyond the boundaries of Lee
124 County as authorized in section 18, and may enter into leases of
125 real and personal property of any kind or description, either as

126 | lessor or lessee, within the boundaries of Lee County, and
 127 | beyond the boundaries of Lee County as authorized in section 18.

128 | (5) The system board is authorized to accept gifts,
 129 | bequests, grants, endowments, and conveyances from any source.

130 | (6) The system board is authorized and empowered, in order
 131 | to provide for and carry out the work of this act, to borrow
 132 | money from time to time and in accordance with the constitution
 133 | and law, and to issue the notes or bonds of the Lee Memorial
 134 | Health System upon such terms and upon such rates of interest as
 135 | the system board may deem advisable, to the fullest extent
 136 | permitted by general law.

137 | (7) The system board may enter into any and all types of
 138 | derivative agreements as may be used by prudent borrowers,
 139 | lenders, or investors, which are intended to minimize the risk
 140 | of financial loss or maximize the financial return in connection
 141 | with its bonds, notes, or investments, or for any other purpose.

142 | (8) The system board may, or may authorize its chief
 143 | executive officer to, settle or compromise any claim, suit, or
 144 | action brought against the Lee Memorial Health System or any of
 145 | its subsidiaries, or affiliated organizations, or any of its
 146 | directors, officers, or employees when such claim, suit, or
 147 | action arises out of such directors', officers', or employees'
 148 | acts or omissions in the course of employment or the performance
 149 | of official duties, consistent with ~~the provisions of the~~
 150 | Florida Waiver of Sovereign Immunity Act, as such act may be in

151 effect at the time of such settlement or compromise. This
152 subsection shall not be construed as authorizing or requiring
153 any settlement in excess of those limits imposed by the
154 foregoing general act.

155 (9) The system board may take any other action consistent
156 with the efficient and effective operation of the public health
157 care system provided for by this act, consistent with the
158 constitution and laws of Florida.

159 Section 13. Funds of the Lee Memorial Health System may be
160 paid out ~~only~~ upon drafts, checks, wire transfers, electronic
161 bank transfers, or warrants signed or approved by persons duly
162 authorized by the system board to execute such instruments for
163 purposes consistent with this act. The system board may adopt
164 rules for the payment of lesser sums in cash, and a petty cash
165 fund or funds may be established for such purpose with the
166 maximum amount payable in cash in one transaction fixed by the
167 system chief financial ~~executive~~ officer. All funds of the
168 system board shall be deposited in banks which are qualified
169 under state law to accept deposits of public funds. The system
170 board may deposit or invest its surplus funds in interest-
171 bearing accounts, instruments, or securities, to the fullest
172 extent permitted or authorized by general law. In addition, the
173 system board may authorize the system chief financial officer to
174 invest its surplus funds as follows:

175 (1) Without limitation in:

176 (a) Bonds, notes, or other obligations of the United
177 States or those guaranteed by the United States or for which the
178 credit of the United States is pledged for the payment of the
179 principal and interest or dividends thereof.

180 (b) State bonds pledging the full faith and credit of the
181 state and revenue bonds additionally secured by the full faith
182 and credit of the state.

183 (c) Bonds of the several counties or districts in the
184 state containing a pledge of the full faith and credit of the
185 county or district involved.

186 (d) Savings accounts in, or certificates of deposit of,
187 any bank, savings bank, or savings and loan association
188 incorporated under the laws of the United States doing business
189 and situated in this state, the accounts of which are insured by
190 the Federal Government or an agency thereof, in an amount that
191 does not exceed 15 percent of the net worth of the institution,
192 provided such savings accounts and certificates of deposit are
193 secured in the manner prescribed in chapter 280, Florida
194 Statutes.

195 (e) Obligations of the Federal Farm Credit Banks and
196 obligations of the Federal Home Loan Bank and its district
197 banks.

198 (f) Obligations of the Federal Home Loan Mortgage
199 Corporation including participation certificates.

200 (g) Obligations guaranteed by the Government National

201 Mortgage Association.

202 (h) Commercial paper of prime quality of the highest
203 letter and numerical rating as provided for by at least one
204 nationally recognized rating service.

205 (i) Time drafts or bills of exchange drawn on and accepted
206 by a commercial bank, otherwise known as banker's acceptances,
207 which are accepted by a member bank of the Federal Reserve
208 System having total deposits of not less than \$400 million.

209 (j) Short-term obligations not authorized elsewhere in
210 this section, to be purchased individually or in pooled accounts
211 or other collective investment funds, for the purpose of
212 providing liquidity to any fund or portfolio.

213 (k) Securities of, or other interest in, any open-end or
214 closed-end management type investment company or investment
215 trust registered under the Investment Company Act of 1940, 15
216 U.S.C. ss. 80a-1 et seq., as amended ~~from time to time~~, provided
217 that the portfolio of such investment company or investment
218 trust is limited to investments permitted under this act
219 ~~obligations of the United States Government or any agency or~~
220 ~~instrumentality thereof and to repurchase agreements fully~~
221 ~~collateralized by such United States Government obligations and~~
222 ~~provided that such investment company or investment trust takes~~
223 ~~delivery of such collateral either directly or through an~~
224 ~~authorized custodian.~~

225 (2) With no more than 25 percent of its funds in:

226 (a) Bonds, notes, or obligations of any municipality or
 227 political subdivision or any agency or authority of this state,
 228 if such obligations are rated in any ~~one~~ of the ~~three~~ highest
 229 ratings by a two nationally recognized rating service services.
 230 However, ~~if only one nationally recognized rating service shall~~
 231 ~~rate such obligations, then such rating service must have rated~~
 232 ~~such obligations in any one of the two highest classifications~~
 233 ~~heretofore mentioned.~~

234 ~~(b) Notes secured by first mortgages on Florida real~~
 235 ~~property, insured or guaranteed by the Federal Housing~~
 236 ~~Administration or the United States Department of Veterans~~
 237 ~~Affairs.~~

238 ~~(c) Mortgage pass-through certificates, meaning~~
 239 ~~certificates evidencing ownership of an undivided interest in~~
 240 ~~pools of conventional mortgages on real property which is~~
 241 ~~improved by a building or buildings used for residential~~
 242 ~~purposes for one to four families when:~~

- 243 ~~1. Such real property is located in this state;~~
- 244 ~~2. Such mortgages are originated by one or more banks or~~
 245 ~~savings and loan associations organized under the laws of this~~
 246 ~~state, by national banks or federal savings and loan~~
 247 ~~associations having their principal place of business in this~~
 248 ~~state, or by a lender that is approved by the Secretary of the~~
 249 ~~United States Department of Housing and Urban Development for~~
 250 ~~the participation in any mortgage insurance program under the~~

251 ~~National Housing Act and has its principal place of business in~~
 252 ~~this state, or by any combination thereof; and~~

253 ~~3. Such mortgages are transferred or assigned to a~~
 254 ~~corporate trustee acting for the benefit of the holders of such~~
 255 ~~certificates.~~

256 ~~(d) Obligations of the Federal National Mortgage~~
 257 ~~Association.~~

258 ~~(e) Group annuity contracts of the pension investment type~~
 259 ~~with insurers licensed to do business in this state, except that~~
 260 ~~amounts invested by the board with any one insurer shall not~~
 261 ~~exceed 3 percent of its assets.~~

262 ~~(f) Certain interest in real property and related personal~~
 263 ~~property, including mortgages and related instruments on~~
 264 ~~commercial or industrial real property, with provisions for~~
 265 ~~equity or income participation or with provisions for~~
 266 ~~convertibility to equity ownership; and interest in collective~~
 267 ~~investment funds. Associated expenditures for acquisition and~~
 268 ~~operation of assets purchased under this provision shall be~~
 269 ~~included as a part of the cost of the investment.~~

270 ~~1. The title to real property acquired under this~~
 271 ~~paragraph shall be vested in the name of the respective fund.~~

272 ~~2. For purposes of taxation of property owned by any fund,~~
 273 ~~the provisions of section 196.199(2)(b), Florida Statutes, do~~
 274 ~~not apply.~~

275 ~~3. Real property acquired under the provisions of this~~

276 ~~paragraph shall not be considered state lands or public lands~~
277 ~~and property as defined in chapter 253, Florida Statutes, and~~
278 ~~the provisions of that chapter do not apply to such real~~
279 ~~property.~~

280 (b) ~~(g)~~ General obligations backed by the full faith and
281 credit of a foreign government which has not defaulted on
282 similar obligations for a minimum period of 25 years before
283 ~~prior to~~ purchase of the obligation and has met its payments of
284 similar obligations when due.

285 (c) ~~(h)~~ Obligations of agencies of the government of the
286 United States, provided such obligations have been included in
287 and authorized by the Florida Retirement System Total Fund
288 Investment Plan established in section 215.475, Florida
289 Statutes.

290 (d) ~~(i)~~ United States dollar-denominated obligations by
291 foreign governments, or political subdivisions or agencies
292 thereof, or foreign corporations or foreign commercial entities.

293 (3) With no more than 50 percent of its funds in common
294 stock, preferred stock, and interest-bearing obligations of a
295 corporation having an option to convert into common stock,
296 provided:

297 (a) The corporation is organized under the laws of the
298 United States, any state or organized territory of the United
299 States, or the District of Columbia.

300 (b) The corporation is listed on any one or more of the

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301 recognized national stock exchanges in the United States and
302 conforms with the periodic reporting requirements under the
303 Securities Exchange Act of 1934.

304

305 The system board shall not invest more than 10 percent of the
306 equity assets of its funds in the common stock, preferred stock,
307 and interest-bearing obligations having an option to convert
308 into common stock, of any one issuing corporation; and the
309 system board shall not invest more than 3 percent of the equity
310 assets of any funds in such securities of any one issuing
311 corporation except to the extent a higher percentage of the same
312 issue is included in a nationally recognized market index, based
313 on market values at least as broad as the Standard and Poor's
314 Composite Index of 500 Companies, or except upon a specific
315 finding by the system board that such higher percentage is in
316 the best interest of the system board. The system board may only
317 sell listed options to reduce investment risks, to improve cash
318 flow, or to provide alternative means for the purchase and sale
319 of underlying investment securities. Reversing transactions may
320 be made to close out existing option positions.

321 (4) With no more than 80 percent of its funds, in
322 interest-bearing obligations with fixed maturity of any
323 corporation or commercial entity within the United States.

324

325 For the purpose of determining the above investment limitations,

326 | the value of bonds shall be the par value thereof, and the value
327 | of evidences of ownership and interest-bearing obligations
328 | having an option to convert to ownership shall be the cost
329 | thereof. Investments in any securities authorized by this
330 | section may be under repurchase agreements or reverse repurchase
331 | agreements. Investments made by the system board may be
332 | designated to maximize the financial return to the fund
333 | consistent with the risks incumbent in each investment and shall
334 | be designed to preserve an appropriate diversification of the
335 | portfolio. The system board is authorized to buy and sell
336 | futures and options, provided the instruments for such purpose
337 | are traded on a securities exchange or board of trade regulated
338 | by the Securities and Exchange Commission or the Commodity
339 | Futures Trading Commission, unless the system board by rule
340 | authorizes a different market. The system board is authorized to
341 | invest in domestic or foreign national principal contracts.

342 | Section 16. When any bonds have been issued pursuant to
343 | section 15 hereof, there shall be levied and assessed annually,
344 | so long as any of said bonds or the interest thereon remain
345 | unpaid, an ad valorem tax upon all taxable property, not exempt
346 | by law, in Lee County, which tax shall be sufficient in amount
347 | to pay the interest on said bonds as it becomes due and the
348 | principal thereof at maturity. Such tax shall be levied,
349 | assessed, and collected by the same officers and in the same
350 | manner as other county ad valorem taxes are levied, assessed,

351 and collected. However, the power to assess and collect ad
352 valorem taxes annually pursuant to this section is suspended and
353 may not be exercised during any period when the Lee Memorial
354 Health System engages in any activity authorized by section 4
355 beyond the boundaries of Lee County.

356 Section 18. Lee Memorial Health System is authorized to
357 engage in any activity authorized by section 4 beyond the
358 boundaries of Lee County only as provided in this section.

359 (1) Notwithstanding any other provision of this act to the
360 contrary, within Charlotte, Collier, DeSoto, Glades, Hendry, and
361 Sarasota Counties, Lee Memorial Health System is authorized to
362 engage in any activity authorized by section 4, subject to the
363 provisions of sections 408.031-408.0455, Florida Statutes.

364 (2) Lee Memorial Health System is prohibited from
365 exercising any power under this act beyond the boundaries of Lee
366 County during any period the system board exercises the powers
367 to issue general obligation bonds under section 15 and to assess
368 and collect ad valorem taxes under section 16. In the event that
369 the system board exercises the bonding powers of section 15, all
370 powers to engage in any activity authorized by section 4 beyond
371 the boundaries of Lee County is null and void ~~shall be entitled~~
372 ~~to a lien for all reasonable charges for hospital, physician,~~
373 ~~and other health care services provided by the Lee Memorial~~
374 ~~Health System to ill or injured persons, upon the proceeds of~~
375 ~~all causes of action, suits, claims, counterclaims, and demands~~

376 ~~accruing to said persons or to their legal representatives, and~~
377 ~~upon all judgments, settlements, and settlement agreements~~
378 ~~rendered or entered into by virtue thereof, on account of~~
379 ~~injuries giving rise to such causes of action, suits, claims,~~
380 ~~counterclaims, demands, judgments, settlements, or settlement~~
381 ~~agreements, which injuries shall have necessitated such~~
382 ~~hospital, physician, and other services provided to such ill or~~
383 ~~injured persons. Lee Memorial Health System shall perfect and be~~
384 ~~entitled to enforce such lien as follows:~~

385 ~~(1) In order to perfect the lien provided for herein, the~~
386 ~~Lee Memorial Health System chief executive officer or an~~
387 ~~employee or employees of the Lee Memorial Health System~~
388 ~~authorized by the chief executive officer shall, before or~~
389 ~~within 10 days after such ill or injured person shall have been~~
390 ~~discharged from a Lee Memorial Health System hospital, file in~~
391 ~~the office of the Lee County Clerk of Circuit Court, a verified~~
392 ~~written notice of lien setting forth the name and address of the~~
393 ~~ill or injured person as they may appear in the records of said~~
394 ~~health system hospital, the name and location of said hospital,~~
395 ~~the name and address of the employee or other authorized person~~
396 ~~preparing the notice of lien, the date of admission to said~~
397 ~~hospital and the date of discharge from said hospital, the~~
398 ~~amount claimed to be due for hospital, physician, and other~~
399 ~~services provided, and to the best knowledge of the person~~
400 ~~preparing the notice of lien, the names and addresses of all~~

401 ~~persons, firms, or corporations who may be claimed by such ill~~
402 ~~or injured person or by the legal representative of such person,~~
403 ~~to be liable on account of such illness or injuries. When the~~
404 ~~notice of lien is filed, a copy thereof shall be sent by United~~
405 ~~States Postal Service to the ill or injured person, to said~~
406 ~~person's attorney, if known, and to all persons, firms, or~~
407 ~~corporations named in such notice of lien. The filing and~~
408 ~~mailing of the notice of lien in accordance with this section~~
409 ~~shall be notice thereof to all persons, firms, or corporations~~
410 ~~who may be liable on account of such illness or injuries, and to~~
411 ~~any other persons, firms, or corporations that may have an~~
412 ~~interest in the aforesaid causes of action, suits, claims,~~
413 ~~counterclaims, demands, judgments, settlements, or settlement~~
414 ~~agreements, whether or not they are named in the notice of lien,~~
415 ~~and whether or not a copy of the notice of lien shall have been~~
416 ~~received by them.~~

417 ~~(2) The Lee County Clerk of Circuit Court shall endorse on~~
418 ~~the written notice of lien the date and hour of filing and shall~~
419 ~~record said notice of lien in the Official Records of Lee~~
420 ~~County. The Clerk of Circuit Court shall be entitled to a fee~~
421 ~~from the Lee Memorial Health System for filing and recording the~~
422 ~~notice of lien that shall be the same fee as provided by general~~
423 ~~law for the filing and recording of other instruments.~~

424 ~~(3) No release or satisfaction of any cause of action,~~
425 ~~suit, claim, counterclaim, demand, judgment, settlement, or~~

426 ~~settlement agreement shall be valid or effectual as against the~~
427 ~~lien of Lee Memorial Health System unless the lienholder shall~~
428 ~~join therein or execute a release of its lien prior to the~~
429 ~~payment of any proceeds thereof. Any acceptance of a release or~~
430 ~~satisfaction of any cause of action, suit, claim, counterclaim,~~
431 ~~demand, judgment, settlement, or settlement agreement in the~~
432 ~~absence of a release or satisfaction of the lien of Lee Memorial~~
433 ~~Health System shall prima facie constitute an impairment of such~~
434 ~~lien and the lienholder shall be entitled to a cause of action~~
435 ~~for damages against any and all persons, firms, or corporations~~
436 ~~giving or accepting such release or satisfaction, or paying or~~
437 ~~accepting the proceeds from the same. In such action, Lee~~
438 ~~Memorial Health System may recover the full amount of its~~
439 ~~charges for such hospital, physician, or other health care~~
440 ~~services; regardless of the amount of proceeds paid or received~~
441 ~~in impairment of its lien. Satisfaction of a judgment rendered~~
442 ~~in favor of Lee Memorial Health System in such action shall~~
443 ~~operate as a satisfaction of the lien. The action by the~~
444 ~~lienholder shall be brought in the court in Lee County having~~
445 ~~jurisdiction of the amount of the lienholder's claim. If Lee~~
446 ~~Memorial Health System shall prevail in such action, it shall be~~
447 ~~entitled to recover from the defendant or defendants, in~~
448 ~~addition to costs otherwise allowable by law, all reasonable~~
449 ~~attorney fees and expenses.~~

450 ~~(4) No person shall be entitled to recover or receive~~

451 ~~damages based on the expense of hospital, physician, or other~~
452 ~~health care services provided by Lee Memorial Health System~~
453 ~~unless that person shall affirmatively show that Lee Memorial~~
454 ~~Health System's charges have been paid. Provided, however, that~~
455 ~~in any action, suit, or counterclaim brought on account of~~
456 ~~illness or injury, the plaintiff or counterclaimant may include~~
457 ~~as an item of damages the expense of such hospital, physician,~~
458 ~~or other health care services provided by Lee Memorial Health~~
459 ~~System, if prior to trial he or she shall have notified Lee~~
460 ~~Memorial Health System in writing of the pendency of such~~
461 ~~action, suit, or counterclaim; whereupon the lienholder shall~~
462 ~~have the right, without leave of court, to intervene in the case~~
463 ~~and prove the amount of its charges for such hospital,~~
464 ~~physician, or other health care services. Any judgment rendered~~
465 ~~in favor of the plaintiff or counterclaimant shall provide that~~
466 ~~the amount proved by the lienholder to be due shall be deducted~~
467 ~~from the damages awarded and paid to the Lee Memorial Health~~
468 ~~System.~~

469 ~~(5) The provisions of this section shall not be applicable~~
470 ~~to accidents or injuries within the purview of the workers'~~
471 ~~compensation laws of Florida.~~

472 Section 19. Lee Memorial Health System shall have and
473 exercise all powers necessary, incidental, or convenient to
474 carry out and effectuate this act.

475 Section 2. If any section, paragraph, sentence, clause,

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476 phrase, or other part of this act is declared unconstitutional,
477 or if this act is declared inapplicable in any case, such
478 declaration does not affect the remainder of the act or the
479 applicability of the act in any other case.

480 Section 3. In the event of a conflict of this act with any
481 other act, this act shall control to the extent of such
482 conflict.

483 Section 4. This act shall take effect upon becoming a law.