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TITLE 9. MUNICIPAL HOSPITAL

Chapter 9.1. Hospital Board of Trustees

Section 9.1.1. Creation.

There is hereby created and established in and for the City a Board of Trustees to administer, control and supervise the Flandreau Municipal Hospital.

Section 9.1.2. Composition and Appointment.

The Board of Trustees provided for by this article shall be composed of five (5) members, *all of whom are duly qualified residents in the City for a period of not less than three (3) years prior to date of appointment.* No person employed at the Flandreau Municipal Hospital or members of the employee's immediate family shall be eligible for appointment to said Board of Trustees. The Mayor with the consent of the City Council shall appoint members of the Board of Trustees.

Section 9.1.3. Terms.

The Hospital Board of Trustees shall be appointed for terms of three (3) years; provided, at the first meeting of each year, one (1) member shall be appointed. No member shall serve more than two (2) consecutive three-(3) year terms.

Section 9.1.4. Removal and Vacancy of Members.

The Mayor shall subject any member of the Hospital Board of Trustees to removal by the majority vote of the City Council, after recommendation of removal. That, in the event of vacancy in the membership of said Board of Trustees, caused by death, resignation or removal, members to fill such vacancies shall be made by appointment by the Mayor with the advice and consent of the City Council at a meeting of said Council.

Section 9.1.5. City Council Liaison.

The Mayor, with consent of the City Council, shall appoint a member of the City Council to act as the means of liaison between the City Council and Hospital Board of Trustees.

Section 9.1.6. Meetings.

The Board of Trustees shall hold regular monthly meetings at a time and place to be established by the Board. Advance written notice shall be given all Board members and Council liaison members. The Chairman of the Board may call special meetings at any time by giving 24 hours advance written notice to all other members of the Board including the Council liaison members. A quorum shall consist of 3 members of the Board of Trustees.

Section 9.1.7. Officers.

The Board of Trustees created by this article shall annually elect from their members a chairman, vice-chairman, and secretary who shall hold their offices respectively for one (1) year and until their successors have been appointed.

Section 9.1.8. General Authority.

The Board of Trustees shall have power and authority to superintend, manage and control such public hospital. The Board shall have authority to incur obligations, liabilities and expenses, up to the bid limit pursuant to State law, provided said expenses are within the limits and framework of the budget as approved by City Council. The City Council is to be kept informed of all such expenses. Obligations not budgeted are to be approved by the City Council.

Section 9.1.9. Collection of Funds.

The hospital administrator shall collect all funds and revenues derived from the operation of such hospital. A record of all such funds and revenues shall be submitted to the City Finance Officer monthly.

Section 9.1.10. Payment of Warrants.

The Board of Trustees and City Council shall approve all expenses for operation of the hospital. All warrants and payment for such expenses shall be drawn on the hospital fund.

Section 9.1.11. Staff.

The Board of Trustees shall have the power to create a hospital staff and shall have the power to make any an all rules and regulations for supervision and control of said hospital staff. *(See also Section 9.3.2)*

Section 9.1.12. Rules and Regulations.

The Medical Staff By-laws, Rules and Regulations shall be reviewed by the Board of Trustees at the last regular meeting of the calendar year or at a joint conference committee meeting. If any additions or corrections are required they shall be brought up for discussion and approval at this meeting.

Section 9.1.13. Administrator/CEO.

The Board of Trustees with the approval of the City Council, shall recruit, evaluate, hire and discipline an appropriate individual to provide leadership and direction to the Flandreau Municipal Hospital.

Chapter 9.2. Administrator/CEO Municipal Hospital

Section 9.2.1. Major Responsibilities.

Article 9.2.1.1. The Hospital Administrator/CEO shall be empowered to carry out the duties of his or her office and use

means necessary to ensure the operation of the hospital to comply with all required Federal, State and other regulations and to ensure all personnel are conducting themselves accordingly.

Article 9.2.1.2. The Hospital Administrator shall select and maintain a staff necessary for the maintenance, operation and support of the Flandreau Municipal Hospital. The CEO shall be empowered to fix the salaries of new employees and the terms of their appointment with the consent of the Board of Trustees and notification to the City Council. All other salary increases are to be recommended by the administrator and approved by the Trustees and City Council. The Hospital Administrator/CEO shall purchase supplies, fuel and goods for the use, operation and maintenance of the Flandreau Municipal Hospital.

Article 9.2.1.3. The Hospital Administrator shall make rules, schedules of charges and fees to be received for the care of patients and other services rendered and sold by the Flandreau Municipal Hospital as deemed necessary to ensure the financial success of the hospital and maintain a balanced budget. The Board of Trustees shall be kept informed of any changes deemed necessary.

Section 9.2.2. Financial.

Article 9.2.2.1. The Hospital Administrator shall be empowered to collect fees for services provided for by the hospital and, furthermore, is empowered to use said fees for the continued operation, mission, and upkeep of the hospital as deemed necessary with the consent of the Board of Trustees. *(See also Section 9.1.9)*

Article 9.2.2.2. Vendors, employees, contractual services, etc. shall be paid by a voucher system as required by the City of Flandreau, South Dakota. Frequency of said payment should normally be monthly for contractual services and vendors, and biweekly for employee salaries. Special payment needs and/or additional payments may be secured from the City Finance Office as needed by the Hospital Administrator/CEO.

Article 9.2.2.3. All bills and/or financial commitments that pertain to the hospital must receive approval from the Hospital Administrator/CEO prior to their disbursement. The Hospital Administrator is responsible to ensure that said bills relate to the operation of the hospital and its interests.

Section 9.2.3. Reporting.

The Hospital Administrator/CEO shall report to the Board of Trustees, the City Council and Mayor with the purpose to provide and explain the

monthly activities and financial report. An in-depth report shall be presented to both previously mentioned Boards at the close of the fiscal year or as soon as possible thereafter.

Chapter 9.3. Medical Staff

Section 9.3.1. Definition.

For the purpose of this ordinance the term “medical staff” shall be interpreted to include all physicians, surgeons and dentists who are privileged to attend patients in the hospital. Flandreau Municipal Hospital shall have an open staff.

Section 9.3.2. Appointment.

The Board of Trustees of the Flandreau Municipal Hospital shall appoint a medical staff composed of physicians, surgeons, and dentists who are graduates of medical schools approved by the American Medical Association, American Osteopathic Association and/or the American Dental Association. The Board shall make such reasonable rules and regulations for the control of medical practice in the hospital deemed to be of greatest benefit to the care of the patient. All applications for appointment to the medical staff shall be in writing and addressed to the Administrator/CEO of said hospital for review. The medical staff must have a current valid license issued by the State of South Dakota to practice medicine or dentistry, and be of suitable moral character. The Medical Staff must also meet or exceed the liability guidelines as established by the Board of Trustees.

Section 9.3.3. By-laws.

All members of the medical staff will be familiar with and abide by the Medical Staff by-laws of the Flandreau Municipal Hospital.

Chapter 9.4 Lease of Hospital.

Section 9.4.1. Entering into lease.

In the event the City enters into an Agreement to lease the building, contents and/or operation of the Hospital to an outside entity, the foregoing sections shall become subordinate to provisions contained in said Agreement. To the extent any of said sections are in direct conflict with any provision of said Agreement, those parts of this Ordinance shall no longer have any effect unless or until said Agreement is modified or terminated.

Section 9.4.2. Board of Trustees.

Whenever the operation of the Flandreau Municipal Hospital has been delegated to another entity pursuant to a lease or other arrangement, the Board of Trustees shall continue to serve in an advisory capacity as follows:

- a. Said Board and the City Council shall be entitled to have access to the Hospital's premises to inspect and observe its operations.
- b. The Board and Council shall be entitled to examine all financial records of the Hospital's operations except those that may be subject to a particular patient's or employee's rights to confidentiality. Such access shall be extended only to the extent necessary to evaluate the performance of the entity's obligations under its Agreement with the City.
- c. Reports shall be made by the operating entity to said Board and Council at least quarterly advising of the Hospital's operations in so far as they relate to the entity's obligations under its Agreement with the City.
- d. Any action to be taken by the entity, with prior approval of the City Council shall first be reported to said Board before presenting to the Council.

Section 9.4.3. Suspending the Board of Trustees. (Ordinance 529)

Whenever the operation of the Flandreau Municipal Hospital has been delegated to another entity pursuant to a lease or other arrangement, the City Council may suspend the Board of Trustees and serve in its place as follows:

- a. Said City Council shall be entitled to have access to the Hospital's premises to inspect and observe its operations.
- b. The Council shall be entitled to examine all financial records of the Hospital's operations except those that may be subject to a particular patient's or employee's rights to confidentiality. Such access shall be extended only to the extent necessary to evaluate the performance of the entity's obligations under its Agreement with the City.
- c. Reports shall be made by the operating entity to the Council at least quarterly advising of the Hospital's operations in so far as they relate to the entity's obligations under its Agreement with the City.
- d. Any action to be taken by the entity that requires the approval of the City Council must be presented to the Council no later than thirty (30) days prior to approval.

In the event that the City Council suspends the Board of Trustees, and until the Council has reinstated the Board, this section shall govern to

the extent that it is not inconsistent with the provisions contained in the least agreement or other arrangement.