

TEXAS HOUSE OF REPRESENTATIVES

RQ-0467-GA

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FRANK J. CORTE JR.

March 14, 2006

The Honorable Greg Abbott
Attorney General of Texas
209 W. 14th Street
Austin, Texas 78701

Dear General Abbott:

As chair of the House Committee on Defense Affairs and State-Federal Relations, I ask for your opinion regarding the East Cooke County Hospital District as articulated by State Representative Scott Campbell in the attached documents. Specifically, I request a ruling that answers the question:

Does the East Coke Hospital District have the authority to operate a long-term health care facility and levy taxes to maintain and operate said facility?

I have enclosed information which outlines the issue. If you have further questions, you may contact Kathi Seay in my Capitol office or Rep. Campbell's office.

Sincerely,

EXECUTIVE ADMINISTRATION
MAIL DISTRIBUTION

MAR 16 2006

ACTION BY Nancy Fuller
COPY TO Eileen Witt

RECEIVED
MAR 21 2006
OPINION COMMITTEE

FILE # ML-44698-06

I.D. # 44698



DISTRICT 122

COMMITTEES: CHAIR-DEFENSE AFFAIRS AND STATE-FEDERAL RELATIONS · ENERGY RESOURCES REDISTRICTING
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SCOTT CAMPBELL
STATE REPRESENTATIVE
DISTRICT 72

DISTRICT OFFICE:
P.O. Box 1389
SAN ANGELO, TEXAS 76902
(325) 657-0197
FAX: (325) 653-4788

February 28, 2006

The Honorable Greg Abbott
Attorney General of Texas
P. O. Box 12548
Austin, Texas 78711-2548

Dear General Abbott:

I respectfully request an Attorney General's Opinion on HB 1462, Sections 6 and 10 which was passed during the Regular Session of the 61st Legislature. Specifically, I am requesting a ruling that answers the question:

Does the East Coke County Hospital District have the authority to operate a long-term health care facility and levy taxes to maintain and operate said facility?

I have enclosed information which outlines the issue.

Thank you in advance. If you need additional information, do not hesitate to call.

Sincerely,

A handwritten signature in black ink that reads "Scott Campbell".

Rep. Scott Campbell
72nd District

Enclosures

COMMITTEES:
VICE-CHAIR DEFENSE AFFAIRS
& STATE FEDERAL RELATIONS
MEMBER: NATURAL RESOURCES

EAST COKE COUNTY HOSPITAL DISTRICT
900 S. State - P. O. Drawer M
Bronte, Texas 76933
PH (325) 473-3621
Fax (325) 473-3472

February 16, 2006

Office of the Attorney General
Public Information and Assistance Division
P. O. Box 12548
Austin, Texas 78711-2548

Dear Sirs:

The East Coke County Hospital District was established in 1969 by an Act of the Legislature as authorized by H. B. 1462, passed on May 22, 1969. The specific reason for this legislation was to authorize the establishment of a long-term care facility and to authorize other services at the discretion of the Board of Directors to serve the citizens of the area who are in need of long-term care. The East Coke County Hospital District, d/b/a, Bronte Health and Rehab Center, has operated since that time as a state licensed 64 bed skilled nursing facility. Bronte Health and Rehab Center contracts with Shannon Medical Center for acute health care, laboratory and radiology services as authorized in Section 6 of H.B. 1462. The Center provides Physical, Occupational, and Speech therapy for residents. Transportation is provided on a daily basis for residents requiring medical appointments.

East Coke County Hospital District provides indigent health care as required in H.B. 1462 to any resident of the district who meets the eligibility requirements. The District has an account with Hudman Drug in San Angelo, Texas to provide medications needed to those who qualify.

Bronte Health and Rehab Center prepares and delivers meals to the elderly and disabled living in the district three times weekly.

Under Section 10, H.B. 1462, the Board of Directors is given complete discretion as to the type of health care facility to be operated or services provided within the hospital system as authorized. Among these types of facilities are domiciliary care for the sick, wounded, and injured; facilities for geriatric domiciliary care and convalescent home facilities.

The Board of Directors of East Coke County Hospital District, d/b/a, Bronte Health and Rehab Center, believe that we meet these definitions

EAST COKE COUNTY HOSPITAL DISTRICT
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as set forth in H.B. 1462 to provide health care services to the public, also providing indigent health care to those who qualify. We provide full financial accounting monthly and annually as required with an annual audit. Bronte Health and Rehab Center is governed by the rules and regulations of Department of Aging and Disability Services and is subject to an unannounced inspection and annual survey, which we have met with excellent results.

Since a question has been raised by a local citizen concerning our authority to operate a long-term or health care facility, the Board of Directors respectfully requests an Attorney General opinion on the following question:

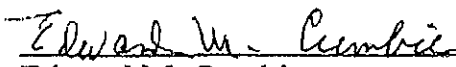
Does East Coke County Hospital District have the authority to operate a long-term health care facility and levy taxes to maintain and operate said facility as set forth in H.B. 1462 (May 22, 1969)?
We are enclosing a copy of H.B.1462 for your reference.

Your ruling is important in that it could impact a large number of Hospital Districts maintaining long-term care facilities throughout the State of Texas.

If you need further information you may contact Ed Cumbie, 325-473-3977 or contact John DiFrancesco, Jr., Administrator at 325-473-3621.

Thank you very much for your opinion.

Sincerely,


Edward M. Cumbie
President Board of Directors
East Coke County Hospital District
P. O. Box Drawer M
Bronte, Texas 76933
325-473-3621