

SENATE BILL 804

L2

11r2004
CF HB 1127

By: **Senator Edwards**

Introduced and read first time: February 9, 2021

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: February 25, 2021

CHAPTER _____

1 AN ACT concerning

2 **Garrett County – Memorial Hospital – Board Membership and Meetings**

3 FOR the purpose of altering the membership of the Board of Governors of the Garrett
4 County Memorial Hospital; modifying the terms of members of the Board of
5 Governors of the Garrett County Memorial Hospital; reducing the mandatory
6 number of Board meetings; and generally relating to the Garrett County Memorial
7 Hospital.

8 BY repealing and reenacting, with amendments,
9 The Public Local Laws of Garrett County
10 Section 36.03
11 Article 12 – Public Local Laws of Maryland
12 (2005 Edition and September 2018 Supplement, as amended)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
14 That the Laws of Maryland read as follows:

15 **Article 12 – Garrett County**

16 36.03.

17 (A) For the purpose of operating the Garrett County Memorial Hospital, there is
18 a Board of Governors, which shall consist of [15] 9 members as follows:

19 (1) The 3 County Commissioners of Garrett County or their designees. If a

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 County Commissioner appoints a designee to the Board of Governors, the designee is not
2 subject to approval by the remaining Board members, but is subject to removal under
3 division (E) of this section.

4 (2) [Three persons residing in Garrett County, 1 to be appointed by each of
5 the County Commissioners. Each appointment under this division is subject to approval by
6 majority vote of the Board of Governors at a meeting consisting of a quorum.

7 (3) The President of the Town Council of the Town of Oakland or the
8 President's designee. If the President appoints a designee to the Board of Governors, the
9 designee is not subject to approval by the remaining Board members, but is subject to
10 removal under division (E) of this section.

11 [(4)] (3) One person who is on the medical staff of the Garrett County
12 Memorial Hospital and who is elected by the medical staff. The selection under this division
13 is subject to approval by majority vote of the Board of Governors at a meeting consisting of
14 a quorum.

15 [(5)] (4) [Seven] **FOUR** at-large members who are selected for their
16 talents, abilities and interest in the affairs of the hospital in accordance with the bylaws of
17 the Board of Governors. The selection of an at-large member requires a majority of the
18 qualified votes of the Board of Governors at a meeting consisting of a quorum. An at-large
19 member may not vote for oneself, for a person who would replace the at-large member or
20 for a person who would replace another at-large member whose term expires at the same
21 time as the at-large member. The election of an at-large member requires at least [5] **3**
22 affirmative votes.

23 (B) The terms of members of the Board of Governors shall be as follows:

24 (1) The terms of the County Commissioners and the term of the President
25 of the Town Council of Oakland, as ex officio members, shall be coextensive with their
26 respective terms of office.

27 (2) [The term of a designee of a County Commissioner or of the President
28 of the Town Council and the terms of members appointed by the County Commissioners is
29 2 years or until the current term of the elected official or officials who selected the member
30 ends, whichever occurs first.

31 (3) The term of the medical staff member is 2 years.

32 [(4)] (3) The term of an at-large member is 2 years. The terms of at-large
33 members shall be staggered so that [3] **2** at-large members are elected 1 year and [4] **2**
34 at-large members are elected the following year.

35 (C) Terms extended:

1 (1) This division only applies if the term of a member appointed by the
2 County Commissioners or of a designee of a County Commissioner or of the President of
3 the Town Council or the term of the medical staff member ends and a replacement member
4 is not selected.

5 (2) By majority vote of the Board of Governors at a meeting consisting of a
6 quorum, a member's term may be extended until a replacement member is selected in
7 accordance with division (A) of this section or the Board of Governors selects a replacement
8 member under division (F) of this section.

9 (D) The Board of Governors shall be and is made and constituted a body politic
10 and corporate by the name and style of the Board of Governors of the Garrett County
11 Memorial Hospital and by that name shall have perpetual succession. Subject to § 36.08,
12 the Board of Governors may sue and be sued. The Board of Governors may have a common
13 seal, and alter the same, at its pleasure. The Board of Governors shall have all the powers
14 herein granted it and all such other powers as shall be proper and necessary to operate and
15 manage the hospital and/or a public general hospital, or other health and
16 health-care-related entities and health-care-related functions, as fully as if incorporated
17 for such purposes under the provisions of the Public General Laws of Maryland.

18 (E) Removal of members:

19 (1) This division does not authorize the removal of a County Commissioner
20 or of the President of the Town Council, serving as ex officio members of the Board of
21 Governors.

22 (2) The Board of Governors shall have the power, by majority vote of all the
23 members of the Board, to remove a member from the Board for cause, including the failure
24 to satisfy any attendance requirement established in the bylaws. Removal of a member may
25 only occur at a regular meeting, after not less than 1 week's notice to the member.

26 (F) The Board of Governors may fill a vacancy on the Board caused by expiration
27 of a term, death, resignation, expulsion or, for a member whose residence in Garrett County
28 is a membership qualification for the Board, removal from the county if the proper selecting
29 body fails to fill the vacancy within 30 days. A vacancy may be filled for the remainder of
30 the term by a majority vote of the Board of Governors at a meeting consisting of a quorum.

31 (G) The Board of Governors shall elect from among its members a Chairperson
32 and Vice Chairperson. The Board shall also elect a Secretary/Treasurer and such other
33 officers as it may determine. The Board shall meet at least [10] 6 times a year and such
34 other times as it shall determine or when called by the Chairperson.

35 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
36 October 1, 2021.