

## CHAPTER 1

### ADMINISTRATION BOARD OF TRUSTEES

#### Article 1. Functions And Responsibilities.

Sec. 1-101. Powers and Duties of the Board of Trustees. The Board of Trustees shall possess and may exercise all powers granted and authorized under Indiana Code 16-12-21, as amended, [Ed. note, now I.C. 16-22-8] including such powers as are necessary, reasonable and incidental to carry out the purposes and objectives of the Corporation and of its enabling legislation. The Board of Trustees shall exercise the executive and legislative powers and control of the financial affairs of the Corporation. The Board of Trustees shall adopt all ordinances and regulations necessary and desirable for the efficient and lawful operation of the Corporation. The Board of Trustees shall adopt the annual budget, ordain and approve all tax levies and bond issues, establish a personnel system, govern the Corporation's internal affairs, establish divisions, subdivisions, and offices, elect officers of the Corporation, and perform such other acts as are required of it by law.

*[Gen.Ord. 10-1983(A) Passed 12/14/83 Effective Date 1/1/84]*

#### Article 2. Organization, Appointment and/or Election Of Members And Officers, Annual Meetings, Standing Committees.

Sec. 1-201. Organization of the Board of Trustees. The Board of Trustees shall consist of seven members appointed pursuant to Indiana Code 16-12-21-7 [Ed. note, now I.C. 16-22-8-8 et seq.] In the event of a vacancy on the Board of Trustees, the authority originally appointing the member whose seat is vacated shall appoint a member, as successor trustee, to serve the unexpired term of the vacating board member. At the annual meeting of the Board of Trustees on the second Monday in January each year, the Board shall elect a Chairman and a Vice Chairman of the Board of Trustees. The Board of Trustees shall have five (5) standing committees: Audit Committee, Hospital Committee, Nominating Committee, Planning Committee, and Public Health Committee. Such other committees shall be established as the Chairman or a majority of the Board determines. The Chairman shall appoint members to the standing and special committees of the Board of Trustees.

*[Gen.Ord. 10-1990(A) Passed 11/21/90 Effective Date 12/1/90]*

#### Article 3. Rules Of Procedure For The Board Of Trustees.

Sec. 1-301. Regular meetings. Regular meetings of the Board of Trustees shall be held monthly at a time convenient to the members and pursuant to prior written notice being mailed or personally delivered to the members at least ten (10) days prior to such meeting date. Publication of such notice shall also be made in two (2) newspapers of general circulation in Marion County, Indiana, one time at least ten (10) days prior to such regular meeting date. Notice shall also be posted at the office of the Corporation. Attendance at all Board meetings is required of Board Members.

*[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-302. Special Meetings. Special meetings may be called by the Chairman or a majority of the members of the Board. Special meetings shall be held at an appointed time and place provided written notice is delivered to the Board members and posted at the office of the Corporation at least forty-eight (48) hours prior to the appointed meeting time. If the special meeting is open to the public, notice of the special meeting shall be published one time in two (2) daily newspapers of general circulation in Marion County, Indiana, at least twenty-four (24) hours prior to the special meeting.

*[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-303. Meetings; general procedure.

- a) It shall be the duty of the Chairman to preside at all Board meetings. When the Chairman is unable to attend, the Vice Chairman shall preside and exercise the powers and duties of the Chairman during the absence of the Chairman. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- b) The Chairman shall decide all questions of order. General order of the meeting shall be governed by the applicable provisions of Robert's Rules of Order. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- c) The Chairman shall vote on all issues. The vote of the Board members shall be called and tallied, with the Chairman being last. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- d) The Chairman shall announce the results of all votes of the Board of Trustees. All ordinances and resolutions passed by the Board of Trustees shall be signed by the Chairman, to which the Secretary of the Board shall attest. All agreements likewise passed and approved by the Board shall be similarly executed. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- e) A quorum for a Board meeting shall consist of four (4) Board members. *[Gen.Ord. 10-1983(A) Passed 12/14/83 Effective Date 1/1/84]*
- f) In the case of any committee of the Board, it shall be the duty of the committee chairman to designate the time and place for the meeting and to make the committee's report or report(s) to the Board except that the committee chairman may designate the responsibility of reporting to the Board to another member of the committee if the chairman is unable to attend the meeting at which such report is due. All committee reports to the Board of Trustees may be made orally unless a written report is requested by the Chairman or a majority of the Board present at the meeting at which such committee is appointed. Written reports shall be signed by a majority of the committee reporting. If any committee is unable to agree upon a report to be made to the Board, a report of the committee's inability to agree shall be made in writing and signed by a majority of the committee. When a special committee has made its report to the Board, the committee shall be considered dissolved. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- g) Order of Business. The following order of business shall be observed by the Board of Trustees at its meetings:
  - (1) Call to order.
  - (2) Roll call.
  - (3) Reading and correcting minutes of preceding meeting.
  - (4) Communications, including transmittals of ordinances for introduction.

- (5) Reports from Division heads.
- (6) Reports from committees other than reports on proposed ordinances pending passage by the Board.
- (7) Consideration of ordinances pending passage.
- (8) Unfinished business.
- (9) New business.
- (10) Adjournment.

Upon exercise of the Chairman's prerogative or upon vote of the majority of the members of the Board present at any meeting, the order of business may be suspended or changed at that meeting. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-304. Proposed Ordinance-Introduction-Publication.

- I. A proposed ordinance may be introduced at a meeting of the Board of Trustees only by a member of the Board. When a proposed ordinance is prepared for submission to the Board by a person other than a member of the Board or an Officer of the Corporation, ten (10) legible copies thereof, double-spaced, on white paper 8-1/2" x 14", must be presented to the Board secretary at least five days prior to the meeting at which introduction of the ordinance is desired. The secretary shall assign to each proposed ordinance, upon introduction, a distinguishing number and the date when introduced. Following introduction of an ordinance, five (5) copies of the ordinance shall be made available to the public at the offices of the Board. *[Gen.Ord. 10-1983(A) Passed 12/14/83 Effective Date 1/1/84]*
- II. Publication of notice to the public of ordinances pending action by the Board shall be as follows:
  - A. All Ordinances. Not more than seven (7) days after the introduction of a proposed ordinance, nor less than seven (7) days before the final passage of the ordinance, the Board shall publish a notice that the proposed ordinance is pending final action by the Board. The notice shall be published one (1) time in each of two (2) daily newspapers which have a general circulation in the jurisdiction of the Corporation. Each notice shall include the subject matter of the proposed ordinance and indicate that a draft of the proposed ordinance is available for public inspection at the office of the Board. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
  - B. Budget Ordinances. Following the introduction of an ordinance to establish a budget for the Corporation, the Board shall publish a second notice in each of two (2) daily newspapers of general circulation representing different political parties and published in the jurisdiction of the Corporation with at least one (1) of the two (2) publications of notice in each of the two (2) newspapers appearing at least ten (10) days prior to the date of the public hearing on the proposed budget ordinance. *[Gen.Ord. 10-1983(A) Passed 12/14/83 Effective Date 1/1/84]*
  - C. Additional Appropriation Ordinances. Following the introduction of a proposed ordinance to effect an additional appropriation, the Board shall publish a second notice in each of the two (2) daily newspapers of general circulation published in the jurisdiction of the Corporation with at least one (1) of the two (2) publications in each of the two (2) newspapers appearing at least ten (10) days prior to the date of the public hearing on the proposed ordinance. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

III. The Secretary shall maintain copies of sworn proofs of publication on all notices in the respective files on matters to which they pertain. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-305. Ordinances-generally.

- (a) All ordinances shall be read two (2) times before they may be put to a vote upon passage. Each reading may be by title only unless a member of the Board of Trustees requests that the ordinance be read in its entirety. The first reading of an ordinance shall be by the Secretary at the meeting of the Board of Trustees at which the proposed ordinance is introduced. Except in the case of the annual budget ordinance, in which case one or more regular or special meetings may intervene before such ordinance is called for consideration and public hearing, the second reading shall be at the first meeting following the meeting at which the ordinance was introduced. If an ordinance is tabled or held for further consideration at a subsequent meeting, it shall be read again prior to its being passed. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (b) All ordinances pertaining to matters being studied or considered by a standing committee shall be referred to the proper committee for its recommendation to the Board prior to the ordinance's being adopted by the Board. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (c) All ordinances shall be open to amendment prior to adoption. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (d) An ordinance may be passed by an affirmative vote of a majority of the Board members present at a meeting of the Board. An ordinance may be adopted only at a public meeting of the Board. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (e) An ordinance may be considered at a subsequent meeting of the Board upon a vote of a majority of the members of the Board present when the ordinance is called for consideration. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (f) An ordinance may be repealed upon the vote of a majority of the Board. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-306. Ordinances-effective date.

- (a) A general ordinance shall become effective, after passage by the Board of Trustees, upon the date specified as the effective date. If an effective date is not specified in a general ordinance, it shall become effective on the fourteenth day after passage by the Board of Trustees. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*
- (b) An appropriation ordinance shall become effective upon the date specified in the appropriation ordinance, provided that the date shall not be prior to the date of approval of the ordinance by the State Board of Tax Commissioners of the State of Indiana. If no effective date is specified in an appropriation ordinance, it shall become effective upon the date of its approval by the State Board of Tax Commissioners. *[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Article 4. Board Of Trustees; Hospital Administration.

Sec. 1-401. Bylaws. The Board of Trustees shall be the governing body for all public hospitals owned and operated by the Corporation. The Board of Trustees shall adopt bylaws for the

governing of the hospitals, identifying the purposes of the hospital and the means of fulfilling them. Such bylaws shall include definitions of the powers and duties of the Board of Trustees and the officers responsible for management of the hospitals. Delegations of authority from the Board to the officers and the medical staff shall be described in the bylaws. The bylaws shall be drafted in general compliance with accepted accreditation standards.

*[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-402. Medical Staff Bylaws. The Board of Trustees shall also approve the medical staff bylaws adopted for use in its hospitals. The bylaws shall state the policies under which the medical staff regulates itself.

*[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-403 Bylaws in Resolution Form; Effective Date. Bylaws may be submitted to the Board of Trustees and approved by the Board in resolution form. Bylaws shall become effective upon passage and adoption by the Board.

*[Gen.Ord. 11-1978(A) Passed 7/19/78 Effective Date 7/19/78]*

Sec. 1-404. Management by contractor.

- (a) The Board of Trustees may, as authorized by law, contract with a qualified person, corporation or governmental agency to perform any of the duties or functions delegated to it in connection with the operation of hospital or health facilities.
- (b) Notwithstanding the provisions of section 1-401 through 403, in the event the Board of Trustees contract with a qualified person, corporation or governmental agency as provided in (a) above, and the party contracting with the Board of Trustees has the authority and ability to be the governing body of the hospital it has contracted to operate, and the Board of Trustees has the authority and ability to delegate by contract the governance of the hospital together with the operation, the governing body of the party contract for hospital operations shall become the governing body of the hospital for the duration of the contract.

*[Gen.Ord. 10-1983(A) Passed 12/14/83 Effective Date 1/1/84]*