

ORDINANCE NO. 6818

AN ORDINANCE relating to the Harborview Medical Center, providing policy and establishing a board of trustees to govern the operation of the medical center; repealing Ordinance 312 as amended and K.C.C. 2.32.130; and adding a new section to K.C.C. 4.04.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

NEW SECTION. SECTION 1. Intent. The intent of the ordinance is to establish King County's policies with regard to the operation of the Harborview Medical Center as the county's public hospital. These policies are necessary to assure that the county's priorities in providing health care services to its residents are met.

NEW SECTION. SECTION 2. Definitions. For the purposes of this ordinance:

A. "Administrator" shall mean the chief administrative officer of the medical center, appointed under the terms of an approved management contract, who shall be responsible for supervising the daily management of the medical center in accordance with approved plans and policies.

B. "Board" shall mean the Harborview Medical Center board of trustees appointed by the county for the purpose of overseeing the operation and management of the medical center.

C. "Council" shall mean the King County council as described in Article 2 of the King County Charter.

D. "County governing authority" shall mean both the county executive and county council in accordance with their charter assigned responsibilities.

E. "Executive" shall mean the King County executive as described in Article 3 of the King County Charter.

1 F. "Long Range Capital Improvement Program (CIP) Plan"
2 shall mean a long range plan which is produced as the first step
3 in the medical center capital improvement process. The long
4 range CIP plan identifies capital development needs, establishes
5 capital project standards and policies, identifies intended
6 capital funding sources and alternatives, presents analysis of
7 medical center programs and the physical facilities needed to
8 implement them. It further projects service levels, presents
9 demographics of hospital clientele, makes an inventory and
10 analysis of the effective use of physical facilities and
11 provides specific direction in linking the capital improvement
12 program to operating program needs.

13 G. "Medical center" shall mean the Harborview Medical
14 Center to include, but not limited to, the hospital complex,
15 Harborview Hall and the Harborview Community Mental Health
16 Center.

17 H. "Project plan" shall mean a plan produced for a specific
18 capital project which analyzes specific project elements,
19 defines project scope, location, size, costs and other needs.
20 It follows master planning and precedes project budgeting and
21 also considers location, types and amounts of space, specific
22 needs served, current and projected service population staffing
23 and operating costs impacts, and alternative proposals for the
24 sources of funding the project.

25 I. "Superintendent" shall mean the chief executive officer
26 of the medical center, as described in state law, when the
27 medical center is not operated under the terms of an approved
28 management contract.

29 J. "State law" shall mean RCW 36.62 as amended, and any
30 other applicable sections of state law.
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1 NEW SECTION. SECTION 3. Medical Center - Purpose -
2 Priorities.

3 A. Purpose. King County maintains Harborview Medical
4 Center as a county hospital, pursuant to state law, for the
5 primary purpose of providing comprehensive health care to the
6 indigent, sick, injured or infirm of King County, and is
7 dedicated to the control of illness and the promotion and
8 restoration of health within the King County area.

9 B. Priorities. Within available resources, the medical
10 center shall provide adequate health care to those groups of
11 patients and programs which are determined to require priority
12 treatment by the county governing authority. Within this
13 determination shall be the provision that admission of patients
14 to the medical center shall not be dependent upon their ability
15 to pay.

16 C. Admission Rules. The board shall propose to the Council
17 by December 31, 1984 rules for the admission of patients in
18 conformance with approved policies and priorities. The rules
19 shall include a provision for a sliding fee schedule based upon
20 a patient's ability to pay, and for the process to obtain
21 payment for costs of the patient's care as provided by state law.

22 NEW SECTION. SECTION 4. Board of Trustees - Established
23 - Terms of Office.

24 A. There is established a thirteen member board of trustees
25 for the medical center the members of which shall, except for
26 initial terms, be appointed for terms of four years each and
27 until a successor is appointed and qualified.

28 B. Terms shall commence on the first day of August
29 following appointment. Where a board member continues to serve
30 beyond the expiration date of the term to which appointed, the
31 commencement date for the succeeding member shall be retroactive
32 to the date when the term would have otherwise commenced.
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1 C. No member shall serve more than three successive terms
2 on the board.

3 D. Members of the board may be removed for reasons and in
4 the manner provided by state law.

5 E. Any vacancy on the board which occurs during an
6 unexpired term of office shall be filled in the same manner as
7 for appointing members to regular terms except that such
8 appointee shall hold office only for the remainder of the term
9 of the trustee replaced unless appointed for succeeding terms.

10 F. When a vacancy occurs, the president of the board shall
11 provide the executive and the council with a list of the
12 recommended specific skills and knowledge needed to achieve the
13 best balance possible.

14 G. For the seven additional members to the board authorized
15 pursuant to Chapter 26, Laws of 1984, the initial terms shall be
16 staggered as therein prescribed. The additional members shall
17 be appointed within thirty days of the effective date of Chapter
18 26, Laws of 1984. However, the term of each of the additional
19 members shall be deemed to commence on August 1, 1984, but shall
20 also include the intervening period between appointment and the
21 first day of August 1984.

22 NEW SECTION SECTION 5. Board of Trustees - Appointment and
23 Confirmation - Qualification--Compensation.

24 A. Appointment and Confirmation. The executive shall
25 appoint the members of the board subject to confirmation by a
26 majority of the council.

27 Provided that:

28 The executive shall appoint four board members at large. Of the
29 remaining nine appointments, one shall be made from each council
30 district.

1 B. Qualification. In making appointments to the board, an
2 effort should be made to assure that diverse social, cultural,
3 ethnic, racial, and economic backgrounds and perspectives are
4 considered. Candidates should possess demonstrated leadership
5 ability, and recognized experience in management/administration,
6 planning, finance, health service delivery, consumer
7 representation or institutional operation; and the ability to
8 work cooperatively with others of diverse backgrounds and
9 philosophies. Additionally, all candidates must be willing to
10 commit to the amount of time necessary to perform trustee
11 duties, serve on board committees and serve as an advocate for
12 the medical center.

13 C. Ineligibility. No person shall be eligible for appoint-
14 ment as a member of the board who holds or has held during the
15 period of two years immediately prior to appointment, any
16 salaried office or position in any office, department or branch
17 of county government or of any organization with which a
18 contract for the operation and administration of the medical
19 center has been executed. All candidates will be required to
20 disclose any information concerning actions or activities of the
21 candidate or his/her immediate family which present a potential
22 conflict of interest. Candidates whose employment, financial
23 interests, and/or other transactions are determined by the
24 appointing officials to be in conflict with the interests of the
25 medical center, will be ineligible for board membership.

26 D. Compensation. No board member shall receive any
27 compensation or emolument whatever for services as a board
28 member and shall be governed by the county code of ethics and
29 state law regarding conflict of interest. Board members may be
30 reimbursed for travel expenses in accordance with RCW 43.03.050
31 and 43.03.060 as now existing or hereafter amended.
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1 NEW SECTION. SECTION 6. County Authority. The county
2 governing authority, in accordance with charter assigned
3 responsibilities, and in consultation with the board and other
4 interested groups as appropriate, shall:

5 A. Set comprehensive public health policy for the county
6 and in conjunction with the board, identify those components of
7 the plan appropriate to the medical center's mission and purpose.

8 B. Review and approve the mission statement for the medical
9 center and proposed changes thereto proposed by the board.

10 C. Monitor the performance of the board with regard to the
11 policies contained in this ordinance and advise the board of any
12 apparent deficiencies.

13 D. Review and approve the medical center's long range CIP
14 plan, the annual capital improvement budget and project plans.

15 E. Review and approve the admissions policy for the medical
16 center.

17 F. Approve the acceptance of any real property by gift,
18 devise, bequest or otherwise, for the medical center's use.

19 G. Review and approve any property and liability insurance
20 coverage obtained by the board to protect the interests of the
21 county with regard to medical center property and facilities.

22 NEW SECTION. SECTION 7. Board of Trustees Powers - Duties
23 - Responsibilities.

24 A. General. The board, as the representative authority of
25 the county, entrusted to oversee the provision of health care
26 services in order to assure that county's priorities are
27 addressed and high quality health care is made available to
28 county residents, shall:

29 1. Elect from among its members a president and vice
30 president.
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1 2. Adopt bylaws and rules for its own guidance and for
2 the governance of the medical center to include the establish-
3 ment and operation of the board's committees.

4 3. Provide for the training of newly appointed members to
5 assure they are properly prepared to assume their responsibil-
6 ities as prescribed in this ordinance and by state law.

7 4. Have general supervision and care of the medical
8 center and the buildings, equipment and grounds thereof and
9 authority to do that which is necessary for the proper
10 maintenance and operation thereof within the limits of approved
11 budgets and the appropriations authorized.

12 5. Recommend the admissions policy for the medical center
13 to the county governing authority.

14 6. Inform the governing authority prior to entering into
15 negotiations related to a medical center management contract, or
16 the amendment of an existing contract, and obtain policy
17 guidance on issues to be included in the negotiations.

18 7. Assure quality of patient care.

19 8. Manage the financial affairs of the medical center in
20 a prudent and responsible manner.

21 9. Review and approve the long range CIP plan and project
22 plans, including service impacts, prior to submission to the
23 county governing authority.

24 10. Approve, implement and monitor the medical center
25 annual capital budgets in accordance with applicable law,
26 subject to the review and approval requirements of the governing
27 authority specified in state law and elsewhere in this ordinance.

28 11. Approve, implement and monitor the medical center
29 annual operating budget in accordance with applicable law.

30 12. Review and approve all remodeling and construction
31 projects.
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1 13. Establish overall space use policies and guidelines
2 and maintain control over the use of all physical facilities.

3 14. Control all designated, restricted, and general
4 operating funds.

5 15. Accept and expend property by gift, devise, bequest or
6 otherwise for the medical center's use, provided that acceptance
7 or disposal of any interest in real property shall require prior
8 approval by the county governing authority.

9 16. Participate in the development of county health
10 policies and plan jointly with other public and private
11 institutions in the county to determine how the medical center
12 will meet its share of county public health responsibilities.

13 17. Advise the county governing authority on any matters
14 related to the operation of the medical center, but at least to
15 include:

16 a. Recommended additions or deletions of priority
17 patient groups or priority services.

18 b. Recommended changes in the admissions policy.

19 c. Recommended changes in the mission statement.

20 d. Recommended changes in public health policy and/or
21 assignment of the medical center's share of public health
22 responsibilities.

23 e. Anticipated deficiencies that may adversely impact
24 on the provision of adequate health care to county residents.

25 B. Management of the medical center. The board shall
26 either appoint a superintendent subject to approval by the
27 county governing authority; or shall negotiate and monitor a
28 contract for management of the medical center as provided for by
29 state law to include the appointment of a hospital administrator.

30 NEW SECTION. SECTION 8. Board of Trustees - Committees.

31 Establishment. The board shall establish such committees as
32 are appropriate to assist it in carrying out its functions. As a
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1 minimum, the board shall establish standing committees to
2 oversee planning, facilities management and financial management
3 functions, and the handling of patients' grievances. The right
4 to vote in standing committees shall be restricted to board
5 members except where otherwise provided by law.

6 NEW SECTION. SECTION 9. Medical Center - Capital
7 Improvement - Policy - Requirements.

8 A. The annual capital improvement program (CIP) budget of
9 the medical center shall be prepared and reviewed consistent
10 with this ordinance, Title 4 of the King County Code, and with
11 Section 430, King County charter, except as follows:

12 1. The board shall submit the proposed CIP budget to the
13 executive prior to the start of the medical center's fiscal year
14 for which effective.

15 2. The executive shall submit the CIP budget with any
16 recommendations for change to the council not later than
17 seventy five days subsequent to receipt.

18 3. The council shall approve the CIP budget by ordinance.

19 B. Capital improvements shall be approved for construction
20 only when consistent with a long range CIP plan which has been
21 approved by the board and by ordinance. The long range CIP plan
22 shall be prepared consistent with the county's policy specifying
23 the medical center's purpose, priority programs, priority
24 patient groups and other requirements, as set forth in this
25 ordinance.

26 C. The medical center long range CIP plan shall be updated
27 at least once every five years or at any such time as deemed
28 necessary by the board. Any such changes will be treated
29 substantively and procedurally as an amendment to the plan
30 previously approved by ordinance.

31 D. The county governing authority shall approve
32 appropriations for all capital improvement projects; however
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1 project plans shall be submitted to the county governing
2 authority for approval for all capital projects costing in
3 excess of fifty thousand dollars.

4 E. Contracts for architectural consultation and construction
5 services needed for any building alterations, remodeling,
6 additions or new construction shall be prepared, reviewed,
7 approved, and administered in full compliance with Title 4 of
8 the King County Code. When applicable, approved capital plans
9 shall be reviewed for certificate of need by the regional health
10 service agency in accordance with RCW 70.38. prior to letting
11 for contract.

12 F. There is created a medical center building plant fund,
13 which shall be a county capital project fund, and shall be used
14 to account for the regular segregation of plant capital
15 reserves, including investment income. From the building plant
16 fund shall be drawn payments for the acquisition of fixed
17 equipment, building renovations and improvements as approved by
18 the board.

19 1. Thirty days after the end of the medical center's
20 fiscal year, the board shall transfer to the building plant fund
21 an amount equal to the budgeted plant and equipment replacement
22 reserve as approved in the medical center's Washington State
23 Hospital Commission budget for the preceding fiscal year.

24 Provided that:

25 The amount transferred shall not be less than the approved
26 funded plant depreciation level for the fiscal year. Monies
27 deposited in the building plant fund shall be invested solely
28 for the benefit of that fund. The board may make transfers to
29 the fund on a more frequent basis.

30 2. The monies deposited in this fund shall be used solely
31 for the renovation and/or improvement of the medical center's
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1 building and plant, subject to the capital budgeting provisions
2 of this ordinance.

3 3. Existing funds and accounts established for the
4 purpose of maintaining medical center capital building, and
5 plant monies shall be closed out and the balance therein shall
6 be transferred to the respective capital county project fund
7 created in this section.

8 NEW SECTION. SECTION 10. Reporting Requirements.

9 A. As a minimum, the board shall provide the executive and
10 the council with the following reports:

11 1. An annual financial report and statement for the
12 medical center's preceding fiscal year to be submitted within
13 one hundred twenty days of the end of that fiscal year.

14 2. A report covering the proceedings of the board
15 including the attendance record of the trustees during the
16 preceding fiscal year shall accompany the financial report.

17 3. A summary of the medical center annual proposed
18 operating budget including anticipated plans and highlights for
19 the coming year, not later than seventy-five days preceding the
20 medical center's fiscal year.

21 4. An annual report on medical center programs and
22 services including the quality of patient care, to accompany the
23 operating budget summary.

24 5. A quarterly report on the extent and type of care
25 provided priority patients, and proposed changes for improvement.

26 6. An annual fixed assets inventory report for medical
27 center property and equipment.

28 7. A capital plant and equipment reserve report to
29 accompany the annual operating budget summary.

30 B. The county governing authority may prescribe the format
31 and content of reports required and set dates for submission to
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1 the county, as appropriate, consistent with the requirements of
2 state law and regulations.

3 NEW SECTION. SECTION 11. Open Meetings - Public Disclosure.

4 A. All meetings of the board shall comply and be consistent
5 with the provisions of the state "Open Public Meetings Act" (RCW
6 42.30).

7 B. Committee meeting shall be open to the public whenever
8 feasible. The board shall establish guidelines for this
9 practice within its by-laws.

10 C. By-laws and other rules and regulations by the board
11 shall be consistent with the "Public Disclosure Act" (RCW
12 42.17).

13 SECTION 12. Ordinance 312 as amended and K.C.C. 2.32.130
14 are each repealed.

15 NEW SECTION. SECTION 13. A new section to K.C.C. 4.04 is
16 added to read as follows:

17 Agencies Excluded. The provisions of this chapter shall not
18 apply to the operating budget of the Harborview Medical Center.

19 SECTION 14. Severability. Should any section, subsection,
20 paragraph, clause or phrase of this ordinance be declared
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1 unconstitutional or invalid for any reason, such decision shall
2 not affect the validity of the remaining portion of this
3 ordinance.

4 INTRODUCED AND READ for the first time this 14th
5 day of May, 1984.

6 PASSED this 11th day of June, 19 84

7 KING COUNTY COUNCIL
8 KING COUNTY, WASHINGTON

9 Bery Grant
10 Chairman

11 ATTEST:

12 Dorothy M. Owens
13 Clerk of the Council

14 APPROVED this 18th day of June, 1984.

15 Gandy Swill
16 King County Executive
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