



General Assembly

February Session, 2004

Raised Bill No. 5544

LCO No. 1932

01932_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE UNIVERSITY OF CONNECTICUT HEALTH CENTER FINANCE CORPORATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 10a-254 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 Notwithstanding any other provision of the general statutes, to
4 accomplish the purposes of sections 10a-250 to 10a-263, inclusive, the
5 corporation have the power to:

6 (1) Adopt, alter, amend or repeal bylaws or rules or regulations and
7 establish policies and procedures for the conduct of its business. In
8 carrying out the provisions of this subdivision the corporation shall
9 not be subject to chapter 54;

10 (2) Maintain at no expense to the corporation an office and related
11 support facilities at The University of Connecticut Health Center,
12 which shall provide such space and facilities;

13 (3) Sue and be sued in its own name and plead and be impleaded.

14 Service of process in any action shall be made by service upon the
15 executive director of the corporation either in hand or by leaving a
16 copy of the process at the office of the corporation with some person
17 having charge of such office. Nothing in this subdivision shall be
18 construed to permit an attachment or garnishment against any of the
19 funds or assets of the corporation prior to final judgment;

20 (4) Adopt an official seal and alter the same at pleasure;

21 (5) Purchase, receive by gift or otherwise, lease, sublease, exchange
22 or otherwise acquire, and construct, reconstruct, improve, maintain,
23 equip and furnish one or more hospital facilities and dispose of such
24 facilities by sale, lease, or sublease, provided that any sale or disposal
25 of land or the structures thereon shall be subject to the approval of the
26 Board of Trustees of The University of Connecticut and the joint
27 standing committee of the General Assembly having cognizance of
28 matters relating to government administration and elections;

29 (6) Make and enter into contracts, leases, joint ventures, shared
30 service agreements, and all other agreements and instruments which
31 may be necessary or incidental to the exercise of its powers and the
32 fulfillment of its corporate purposes provided such contracts, leases,
33 joint ventures and shared service agreements shall be subject to the
34 review and approval by the joint standing committee of the General
35 Assembly having cognizance of matters relating to government
36 administration and elections;

37 (7) Employ or retain accountants, attorneys and architectural,
38 engineering, financial and other consultants on a project basis, and fix
39 their compensation, and such other employees and agents as the
40 corporation shall deem necessary or desirable to assist it in carrying
41 out the purposes of sections 10a-250 to 10a-263, inclusive, provided
42 that any employee of the corporation, other than employees retained
43 on a project basis, shall be deemed to be an employee of the state for
44 purposes of the general statutes including, but not limited to, chapters
45 66 to 68, inclusive, and shall be assigned to the appropriate existing

46 collective bargaining unit and classification of the hospital or The
47 University of Connecticut Health Center, as applicable, except as
48 provided in subsection (c) of section 10a-253, as amended;

49 (8) Accept gifts, grants or loans of funds, property or services from
50 any source, public or private including, but not limited to, the hospital,
51 for the accomplishment of the corporation's purposes, and comply,
52 subject to the provisions of sections 10a-250 to 10a-263, inclusive, with
53 the terms and conditions of such gifts, grants or loans. The hospital
54 may, upon approval by the Board of Trustees of The University of
55 Connecticut, give, grant or loan funds, property or services to the
56 corporation for corporate purposes. Notwithstanding the provisions of
57 this subdivision, no employee, director or agent of the corporation
58 shall receive any gift or gratuity from any entity that has or seeks a
59 contract with the corporation or any of its subsidiaries;

60 (9) Establish and manage segregated accounts to effectuate the
61 corporation's purposes;

62 (10) Procure insurance, or obtain indemnification, against any loss
63 in connection with the assets of the corporation or the hospital or any
64 liability in connection with the activities of the corporation or the
65 hospital, the hospital's officers, agents, employees, physicians with
66 hospital privileges and persons otherwise carrying out the purposes of
67 the hospital;

68 (11) Invest any funds not needed for immediate use or
69 disbursement, in accordance with the provisions of sections 10a-250 to
70 10a-263, inclusive;

71 (12) Indemnify and be indemnified;

72 (13) (A) Exercise and perform all or part of its purposes, powers,
73 duties, functions or activities through one or more wholly-owned
74 subsidiary corporations subject to limitations provided in this
75 subdivision. The board of directors of the corporation by resolution

76 may direct any of the directors, officers or employees of the
77 corporation to organize any such subsidiary corporation as a public
78 instrumentality by executing and filing with the Secretary of the State a
79 certificate of incorporation, which may be amended from time to time
80 by filing with the Secretary of the State, and which shall set forth the
81 name of such subsidiary corporation, its duration, the location of its
82 principal offices and any or all of the powers and purposes of such
83 corporation, provided that each subsidiary shall have a board of
84 directors and at least one-half of the members of each such board of
85 directors of each subsidiary shall be members of the board of directors
86 of the corporation or directors appointed by the Governor. (B) Each
87 such subsidiary corporation and any of its properties, functions and
88 activities shall have all of the privileges, immunities, tax exemptions
89 and other exemptions of the corporation and of the corporation's
90 properties, functions and activities, except that no such subsidiary
91 corporation shall form subsidiary corporations. Each such subsidiary
92 corporation shall be subject to suit in the manner in which the
93 corporation is subject to suit;

94 (14) Capitalize or make loans to any subsidiary of the corporation,
95 to effectuate the purposes of sections 10a-250 to 10a-263, inclusive, on
96 such terms and conditions as the corporation deems reasonable; and

97 (15) Do, or delegate, any and all things necessary or convenient to
98 carry out the purposes and to exercise the powers given and granted in
99 sections 10a-250 to 10a-263, inclusive, except that, in no event shall the
100 corporation or any subsidiary of the corporation have the power to
101 operate the hospital or to provide direct hospital services for patient
102 treatment or care at the hospital or at the site of The University of
103 Connecticut Health Center or to retain employees to exercise such
104 power.

This act shall take effect as follows:	
Section 1	<i>from passage</i>

Statement of Purpose:

To provide oversight by the General Assembly of The University of Connecticut Health Center Finance Corporation.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]