

**COUNTY COUNCIL OF PRINCE GEORGE’S COUNTY, MARYLAND**

**2017 Legislative Session**

Bill No.	CB-51-2017
Chapter No.	24
Proposed by	The Chairman (by request – County Executive)
Introduced by	Council Member Davis
Co-Sponsors	
Date of Introduction	May 16, 2017

**BILL**

1 AN ACT concerning

2                   Transfer of the Prince George’s County Hospital System Property

3 For the purpose of exempting the transfer of certain real property improved by the Prince  
4 George’s County Hospital System from County laws governing the sale, lease, or other  
5 disposition of County property and repealing Subtitle 12. – Health, Division 3. – Hospitals of the  
6 Prince George’s County Code.

7 BY repealing and reenacting with amendments:

8                   SUBTITLE 2. ADMINISTRATION

9                   Section 2-111.01

10                  The Prince George’s County Code  
11                  (2015 Edition; 2016 Supplement).

12 BY repealing:

13                  SUBTITLE 12. – HEALTH

14                  Sections 12-130, 12-131, 12-132, 12-133 and 12-133.01

15                  The Prince George's County Code  
16                  (2015 Edition; 2016 Supplement).

17                  WHEREAS, Prince George’s County, Maryland (the “County”) is the owner of certain real  
18 property located at 7300 Van Dusen Road, Laurel, Maryland and 15001 Health Center Drive,  
19 Bowie, Maryland (the “Laurel and Bowie Properties”); and

20                  WHEREAS, the Laurel and Bowie Properties are improved by the Laurel Regional  
21 Hospital (formerly known as the Greater Laurel Beltsville Hospital) and the Bowie Health

1 Center; and

2 WHEREAS, the Laurel Regional Hospital and the Bowie Health Center, together with the  
 3 Prince George’s General Hospital and Medical Center, comprise the Prince George’s County  
 4 Hospital System (the “County Hospital System”); and

5 WHEREAS, pursuant to Section 12-131 of the County Code and the long-term Fourth  
 6 Amended and Restated Lease Agreement (the “Lease”), the County leased the County Hospital  
 7 System to Dimensions Health Corporation (“Dimensions”), together with all related facilities and  
 8 equipment; and

9 WHEREAS, the County, University of Maryland Medical Systems Corporation (“UMMS”)  
 10 and Dimensions have collaborated on transforming the health care facilities, assets, and  
 11 operations of the County Hospital System through the execution of a Memorandum of  
 12 Understanding dated August 30, 2016 (the “Regional Medical Center Agreement”), including the  
 13 selection of a site for a Regional Medical Center near the Largo Metro Station, submission to and  
 14 subsequent approval by the Maryland Health Care Commission of a certificate of need  
 15 application for the Regional Medical Center and related partial rate application to and subsequent  
 16 approval by the Health Services Cost Review Commission; and

17 WHEREAS, pursuant to the Regional Medical Center Agreement, the County agreed, *inter*  
 18 *alia*, to terminate the Lease with respect to only the Laurel and Bowie Properties and to transfer  
 19 to UMMS ownership of the Laurel and Bowie Properties and governance of Dimensions; and

20 WHEREAS, the Regional Medical Center Agreement also provides that if the Laurel and  
 21 Bowie Properties cease to be used for health care purposes within ten (10) years from the date it  
 22 is transferred to Dimensions or UMMS, the Laurel and Bowie Properties shall revert to the  
 23 County; and

24 WHEREAS, the Maryland General Assembly enacted SB 324 - Prince George’s County  
 25 Regional Medical Center Act of 2016, Chapter 13 of the 2016 Laws of Maryland (the “Act”),  
 26 which codifies the State of Maryland and County operating and capital funding commitments for  
 27 the Regional Medical Center through Fiscal Year 2021 and makes the Act contingent upon  
 28 UMMS becoming the sole corporate member of Dimensions and responsible for the governance  
 29 of Dimension; and

30 WHEREAS, pursuant to the requirements of the Act and in consideration of the mutual  
 31 benefits to the parties of the Regional Medical Center Agreement and the residents of Prince

1 George’s County derived from UMMS’ ownership and operation of a new Regional Medical  
2 Center in Prince George’s County, the County is prepared to transfer ownership of the Laurel  
3 and Bowie Properties to UMMS.

4 SECTION 1. BE IT ENACTED by the County Council of Prince George’s County,  
5 Maryland, that Section 2-111.01 of the Prince George’s County Code be and the same is hereby  
6 repealed and reenacted with the following amendments:

7 **SUBTITLE 2. ADMINISTRATION.**

8 **DIVISION 2. COUNTY EXECUTIVE.**

9 **Sec. 2-111.01. - Sale, lease, or other disposition of County property.**

10 \* \* \* \* \*

11 (o) This Section shall have no application to the disposition by lease or transfer without  
12 consideration of all or a portion of the Prince George’s County Hospital System, consisting  
13 of the Prince George’s General Hospital and Medical Center, the property formerly known as  
14 the Greater Laurel Beltsville Hospital, and the Bowie Health Center to Dimensions Health  
15 Corporation or University of Maryland Medical Systems. [County law relating to that  
16 disposition by lease is contained in Division 3 of Subtitle 12.]

17 \* \* \* \* \*

18 SECTION 2. BE IT FURTHER ENACTED by the County Council of Prince George’s  
19 County, Maryland, that SUBTITLE 12. – HEALTH, Division 3. – HOSPITALS of the Prince  
20 George’s County Code be and the same is hereby repealed:

21 **SUBTITLE 12. HEALTH.**

22 **DIVISION 3. [HOSPITALS] Reserved.**

23 **[SUBDIVISION 1. LEASE OF COUNTY HOSPITAL SYSTEM.]**

24 **[Sec. 12-130. - Definitions.]**

25 [(a) The following definitions apply in Division 3:]

26 [(1) County hospitals. Prince George's General Hospital and Medical Center; the Greater  
27 Laurel Beltsville Hospital; and the Bowie Health Center.

28 [(2) County Hospital System. The aggregate of the three County-owned health care  
29 institutions identified in paragraph (1).

30 [(3) County Indigent Citizens. Those residents of Prince George's County who are in need  
31 of medical care and who neither qualify for Medicare/Medicaid nor are financially able to pay

1 the whole cost of a major medical event.

2 (4) County services. Those activities and services provided by the County hospitals to the  
3 citizens of the County under legislative mandate or Executive order.

4 (5) Hospital Committee. The committee established by Council Resolution 148-1981 to  
5 submit recommendations concerning the governance of the County Hospital System.

6 (6) Lease. The lease described in Section 12-131.

7 (7) Lessee. A nonprofit corporation formed primarily by County residents, to be  
8 designated or approved by Resolution of the County Council.

9 (8) Lessor. Prince George's County.]

10 **[Sec. 12-131. - Lease of County Hospital System.]**

11 [It is hereby prescribed as a matter of County law that Prince George's County, Maryland,  
12 (the lessor) shall enter into a lease agreement with a nonprofit corporation to be designated or  
13 approved by Resolution of the County Council (the lessee). The lease shall provide for the  
14 County to lease the County Hospital System, including the Prince George's General Hospital and  
15 Medical Center, the Greater Laurel Beltsville Hospital, and the Bowie Health Center, together  
16 with all related facilities and equipment.]

17 **[Sec. 12-132. - Hospital System employees.]**

18 [Hospital System employees shall have their status as County employees terminated at  
19 midnight of the day immediately prior to the effective date of the lease. Terminated employees  
20 who decline the lessee's offer of employment shall be granted the right to request and be  
21 considered for any vacant positions in the County work force for one year from the effective date  
22 of the lease consistent with their qualifications. Notwithstanding the provisions of Subtitle 16 of  
23 the County Code, it shall be presumed that County employees working for the Hospital system  
24 have terminated their employment with the County and have accepted employment with the  
25 lessee. Such presumption may be rebutted by the employee filing written notice with the County  
26 Personnel Officer within thirty (30) days after the lease takes effect. Notice of termination shall  
27 not be necessary and no rights shall accrue to employees for the failure to give notice. All  
28 Hospital System employees shall, however, be notified of the lease with the lessee and their right  
29 to file a notice of nonacceptance of employment with the lessee as provided in this Section.  
30 Upon receipt of the notice the Personnel Officer shall apply the provisions of this section as  
31 rights to be placed on a reemployment register. Included in the notification to all employees shall

1 be a standard form which the employees may use to file their notice with the Personnel Officer.  
 2 Also included in the notification shall be the names and location at each place of employment of  
 3 persons designated by the Personnel Officer to whom employees may direct any questions  
 4 concerning transfer of employment and benefits, as well as questions concerning their rights with  
 5 respect to the reemployment register. The reemployment register provided in this Section is a  
 6 separate and distinct register for this purpose only. The procedures set forth herein shall be  
 7 exclusive relative to the rights of terminated Hospital System employees notwithstanding any  
 8 provision in Subtitle 16 of this Code to the contrary.]

9 **[Sec. 12-133. - Contract services.]**

10 (a) The lessee shall agree to provide all required County services at its usual and  
 11 customary fees, less any reimbursement from any third party payor, with the Lessor receiving the  
 12 same discount as any other third party payor if payment is made in cash or by check within thirty  
 13 days of receipt of itemized bills for the services rendered.

14 (b) Required County services are those mandated by legislative act or executive order and  
 15 include care of County indigent citizens, emergency treatment of County public safety  
 16 employees, County volunteer firemen, rescue squad members and municipal policemen injured  
 17 in the line of duty, and service rendered to prisoners held by the County in the County's detention  
 18 facilities.]

19 **[Sec. 12-133.01. - Grants or loans to Lessee.]**

20 [At the direction of the County Executive, the Hospital Commission of Prince George's  
 21 County, Maryland, as constituted and existing on February 1, 1983, shall grant or loan to  
 22 Community Hospital and Health Care Systems, Inc., an amount not to exceed One Hundred  
 23 Twenty Thousand Dollars (\$120,000.00), upon such terms and conditions as the County  
 24 Executive deems appropriate.]

25 SECTION 3. BE IT FURTHER ENACTED that the provisions of this Act are hereby  
 26 declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph,  
 27 sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of  
 28 competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining  
 29 words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this  
 30 Act, since the same would have been enacted without the incorporation in this Act of any such  
 31 invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection,

1 or section.

2 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect on the latter of:

3 1) the date the University of Maryland Medical System Corporation becomes the sole corporate  
4 member of Dimensions Health Care Corporation; and 2) the date the University of Maryland  
5 Medical System Corporation assumes responsibility of the governance structure of Dimensions  
6 Health Corporation.

7 SECTION 5. BE IT FURTHER ENACTED that if the real property located at 7300 Van  
8 Dusen Road, Laurel, Maryland ceases to be used for health care purposes within ten (10) years  
9 from any date it is transferred to University of Maryland Medical System Corporation, the real  
10 property located at 7300 Van Dusen Road, Laurel, Maryland shall revert to the County.

11 SECTION 6. BE IT FURTHER ENACTED that if the real property located at 15001  
12 Health Center Drive, Bowie, Maryland ceases to be used for health care purposes within ten (10)  
13 years from any date it is transferred to University of Maryland Medical System Corporation, the  
14 real property located at 15001 Health Center Drive, Bowie, Maryland shall revert to the County.

Adopted this 13<sup>th</sup> day of June, 2017.

COUNTY COUNCIL OF PRINCE  
GEORGE'S COUNTY, MARYLAND

BY: \_\_\_\_\_  
Derrick Leon Davis  
Chairman

ATTEST:

\_\_\_\_\_  
Redis C. Floyd  
Clerk of the Council

APPROVED:

DATE: \_\_\_\_\_ BY: \_\_\_\_\_  
Rushern L. Baker, III  
County Executive

KEY:  
Underscoring indicates language added to existing law.  
[Brackets] indicate language deleted from existing law.  
Asterisks \*\*\* indicate intervening existing Code provisions that remain unchanged.