

CHAPTER 1
BOARD OF TRUSTEES

Article 1. Powers of the Board of Trustees.

Sec. 1-101. The Board of Trustees (“Board”) shall possess and may exercise powers granted and authorized under Indiana Code § 16-22-8 including powers necessary, reasonable and incidental to carry out the purposes and objectives of the Corporation. The Board shall exercise the executive and legislative powers and control of the financial affairs of the Corporation.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Article 2. Board Organization.

Sec. 1-201. The Board shall consist of seven (7) members appointed pursuant to Indiana Code § 16-22-8-8. In the event of a vacancy on the Board, the authority originally appointing the member whose seat is vacated shall appoint a member, as successor member, to serve the unexpired term of the vacating board member. At the annual meeting of the Board on the second Monday in January each year, the Board shall elect a Chairperson and a Vice Chairperson.

Sec. 1-202. The Board may establish the following standing committees: Compliance, Eskenazi Health, Audit and Finance, Long Term Care, Nominating, Quality, Diversity, Equity, Inclusion, and Access, and Public Health. Other committees may be established by the Chairperson or a majority of the Board by resolution. The Chairperson shall appoint members to the standing and special committees and serve as an ex-officio member of standing committees.

[Gen.Ord. 2-2022 Passed 8/9/22 Effective Date 9/1/22]

Article 3. Rules of Procedure for the Board.

Sec. 1-301. Regular meetings. The Board shall have regular meetings to be held at a designated interval throughout the year. Public notice of the date, time, and place of regular meetings, shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. The public notice shall be given by posting the meeting notice at the principal office of the Corporation and publishing the meeting notice on the Corporation’s Internet web site. Attendance at Board meetings is required of Board Members.

[Gen.Ord. 1-2023 Passed 3/18/23 Effective Date 5/1/23]

Sec. 1-302. Special Meetings. Special meetings may be called by the Chairperson or a majority of Board members. 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) newspapers of general circulation in Marion County, at least twenty-four (24) hours prior to the special meeting.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Sec. 1-303. Board Meetings.

(a) The Chairperson shall preside at Board meetings. When the Chairperson is unable to attend, the Vice Chairperson shall preside and exercise the powers and duties of the Chairperson.

(b) The Chairperson shall decide questions of order. General order of the meeting shall be governed by the Robert's Rules of Order.

(c) The board may act by an affirmative vote of a majority of the Board. The Chairperson shall vote on all issues. The Corporation shall record the yes and or vote on the final passage of any item of business and on any other item if two (2) board members request that the votes be recorded by yes and no. The vote of the Board members shall be called and tallied, with the Chairperson voting last.

(d) The Chairperson shall announce the results of votes. Ordinances and resolutions passed by the Board shall be signed by the Chairperson, to which the Secretary of the Board shall attest. Agreements approved by the Board shall be similarly executed.

(e) A majority of the board members constitutes a quorum for a meeting.

(f) In the case of any Board committee, it shall be the duty of the committee chairperson to designate the time and place for the meeting and to make the committee's report to the Board except that the committee chairperson may designate the responsibility of reporting to the Board to another member of the committee or staff member of the Corporation. Board committees shall meet at regular intervals that comply with all relevant regulations, policies, and laws. Committee reports to the Board may be made orally unless a written report is requested by the Chairperson or a majority of the Board present at the meeting at which such committee is appointed. Written reports shall be signed by the committee Chairperson. 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.

(g) The following order of business may be observed by the Board:

- (1) Call to order.
- (2) Roll call.
- (3) Reading and correcting minutes of preceding meeting.
- (4) Communications, including transmittals of ordinances for introduction.
- (5) Consideration of pending ordinances.
- (6) Reports from committees other than reports on proposed ordinances.
- (7) Division reports.
- (8) Unfinished business.
- (9) New business.

(10) Adjournment.

Upon exercise of the Chairperson's prerogative or upon vote of the majority of the Board members, the order of business may be suspended or changed at that meeting.

(h) The Corporation shall record memoranda from the meeting as required by Indiana Code § 5-14-1.5-4.

[Gen.Ord. 2-2022 Passed 8/9/22 Effective Date 9/1/22]

Sec. 1-304. Ordinances-Notice.

(a) A proposed ordinance may be introduced at a meeting of the Board only by a Board member. The Corporation shall prepare a proposed ordinance in a standardized manner.

(b) Not 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. The notice must be published one (1) time in each of two (2) newspapers with general circulation in Marion County.

(c) The notice must state the following:

(1) The general subject matter of the proposed ordinance.

(2) The time and place of the meeting.

(3) The proposed ordinance is available from the Corporation.

(d) The Corporation may publish in one (1) notice the general subject matter of each ordinance pending final action for which notice has not been given.

(e) An ordinance is not invalid because the reference to the subject matter of the proposed ordinance was inadequate if the reference is sufficient to advise the public of the general subject matter.

(f) Notice of an ordinance establishing a budget must be in accordance with the general law relating to budgets of first class cities.

Sec. 1-305. Ordinances-generally.

(a) Ordinances must be read two (2) times before passage.

(b) Each reading may be by title only unless a Board member requests that the ordinance be read in its entirety.

(c) The first reading of an ordinance must be by the Secretary or the Secretary's designee at the meeting of the Board at which the proposed ordinance is introduced.

(d) The second reading shall be at the first meeting following the meeting at which the ordinance was introduced.

(e) An ordinance may be considered at a subsequent meeting of the Board upon a vote of a majority of the Board members.

(f) If an ordinance is tabled or held for further consideration at a subsequent meeting, it shall be read again prior to consideration.

(g) Ordinances pertaining to matters being studied by a standing committee shall be referred to the proper committee for its recommendation.

(h) Ordinances shall be open to amendment.

(i) An ordinance must be passed by an affirmative vote of a majority of the Board members present at a meeting of the Board.

(j) An ordinance must be adopted at a public meeting of the Board.

Sec. 1-306. Ordinances-effective date.

An ordinance becomes effective, after passage by the Board, upon passage or the date specified as the effective date.

[Gen.Ord. 2-2006 Passed 6/20/06 Effective Date 7/1/06]

Article 4. Bylaws.

Sec. 1-401. The Board shall be the governing body for all public hospitals owned and operated by the Corporation. The Board shall adopt bylaws for the governing of the hospitals. The bylaws shall comply with accepted accreditation standards.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Sec. 1-402. The Board shall approve the medical staff bylaws.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Sec. 1-403. Bylaws shall be approved by resolution. Bylaws shall become effective upon passage and adoption by the Board.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Sec. 1-404. Management by Contractor.

(a) The Board may, as authorized by law, contract with a qualified person or entity 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 contracts with a qualified person or entity and the party contracting with the Board has the authority and ability to be the governing body of the hospital it has contracted to operate. The Board has the authority and ability to delegate by contract the governance of the hospital together with the operation of the hospital for the duration of the contract.

[Gen.Ord. 3-2005 Passed 9/20/05 Effective Date 9/20/05]

Article 5. Fees for Copying Public Records

Sec. 1-501.

(a) For photocopies produced internally, the Corporation shall charge a reasonable fee of no less than twenty-five cents (\$0.25) per page for copying public records.

(b) For copies required to be produced externally, the fee shall be equal to the direct cost of supplying the information in that form.

[Gen.Ord. 2-2022 Passed 8/9/22 Effective Date 9/1/22]

Sec. 1-502. Any individual, corporation, limited liability company, partnership or unincorporated association who receives public information under Indiana Code § 5-14-3-3(d) may not use the information for commercial purposes, including to sell, advertise, or solicit the purchase of merchandise, goods, or services, or sell, loan, give away, or otherwise deliver the information obtained by the request to any other individual, corporation, limited liability company, partnership or unincorporated association for these purposes; provided, however, the information may be used in connection with the preparation or publication of news, for nonprofit activities, or for academic research. An individual, corporation, limited liability company, partnership or unincorporated association who uses information in a manner contrary to this provision may be prohibited from obtaining further information under Indiana Code § 5-14-3-3(d).
[Gen.Ord. 3-2016 Passed 9/20/16 Effective Date 10/1/16]

Article 6. Prohibition of Deadly Weapons; Exceptions

Sec. 1-601.

- (a) Deadly weapons, as defined by Indiana Code § 35-31.5-2-86, are prohibited on Corporation property.
- (b) Law enforcement officers and federal law enforcement officers, as defined by Indiana Code § 35-31.5-2-185, and employees authorized to carry weapons in the performance of their official duties may carry weapons on Corporation property.

[Gen.Ord. 1-2016 Passed 2/16/16 Effective Date 3/1/16]

Article 7. Prohibition of Smoking

Sec. 1-701. Smoking, as defined by Indiana Code § 7.1-5-12-3 and Sec. 616-102(k) of the Revised Code of the City and County, is prohibited on Corporation property.
[Gen.Ord. 2-2012 Passed 6/19/12 Effective Date 7/1/12]