

CHAPTER 251

CARE OF CONSUMPTIVES IN STATE AND COUNTY SANATORIA, AND AFTER DISCHARGE THEREFROM

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251.01 BUILDINGS; SUPERINTENDENT. From the moneys appropriated for the purpose, the director of public institutions shall erect and equip buildings suitable for the care of consumptives upon the site heretofore acquired therefor. All plans for buildings must be approved by the director. The director shall appoint a licensed physician to be superintendent of the sanatorium. He shall have entire charge of the administration thereof, and, subject to the civil service provision, appoint all employees, fix their compensation, pass upon the admission and discharge of patients, supervise their treatment, and keep such books and records as the director of public institutions may require.

[R. L. s. 1928] (4544)

251.02 PERSONS ADMITTED. Only persons who have resided in the state throughout the year preceding application, exclusive of the time spent in a hospital or sanatorium, and who are afflicted with incipient pulmonary tuberculosis shall be received into the sanatorium. Persons desiring admission shall apply to the superintendent, and all applications shall be numbered in the order of receipt. When a vacancy exists the superintendent shall give to the person whose name is first upon the list an order for examination directed to any examining physician. The director of public institutions shall appoint such physicians, not exceeding three for each county, whose fee for examination shall be \$3.00, payable out of funds appropriated for the sanatorium. The examiner shall determine whether the applicant is afflicted, as aforesaid, and report his conclusion to the superintendent. The director of public institutions shall fix the amounts to be charged for maintenance and treatment. A person unable to pay such charges and without kindred legally liable therefor and able to pay may be admitted on request of his county board, and the charges shall be paid by the county.

In all counties in this state now or hereafter having a population of over 200,000 and maintaining a county tuberculosis sanatorium, the county sanatorium commission shall have the same powers with reference to tubercular persons as county boards under this section, and the charges for their care shall be paid by the county sanatorium commission out of its funds.

[R. L. s. 1929; 1907 c. 135 s. 1; 1927 c. 386; 1943 c. 561 s. 1; 1945 c. 345 s. 1] (4545)

251.03 TREATMENT IN STATE OR COUNTY SANATORIUM OF NECESSITIOUS OR NEEDY PERSONS INELIGIBLE FOR ADMISSION TO COUNTY SANATORIUMS. When, after an investigation, the director of social welfare finds that a person is afflicted with tuberculosis and is in need of treatment in a sanatorium and that such person is in necessitous or indigent circumstances and unable to secure admission in any existing county sanatorium by reason of the fact that such person has not resided a sufficient length of time in any one county of the state, then and in such case, the director shall apply for the admission of such person either to the state sanatorium for consumptives, or to some county sanatorium in the state and the director shall pay out of his appropriations for the maintenance of county sanatoria funds to the sanatorium where such person may be received, the same fee for the maintenance and care of such person as is received

by a county sanatorium for the maintenance and treatment of a non-resident. Time spent in a hospital or sanatorium within the state shall not be considered in determining residence.

[1925 c. 213 s. 1; 1945 c. 345 s. 3] (4545-1)

251.04 EMPLOYEES IN STATE INSTITUTIONS TO BE PLACED IN SANATORIUM. If, upon the evidence produced at the hearing mentioned in section 246.29, the industrial commission finds that such employee is suffering from tuberculosis contracted in the institution by contact with tuberculous inmates therein, it shall order the director of the division of public institutions to apply for the admission of the employee to the state sanatorium for consumptives or some county tuberculosis sanatorium. The department of social security shall pay, out of funds heretofore or hereafter appropriated for aid to or maintenance of county tuberculosis sanatoria, to the state sanatorium for consumptives or the county tuberculosis sanatorium where the patient may be received, the same fee for the maintenance and care of such person as is received by the state sanatorium for consumptives or the county tuberculosis sanatorium for the maintenance and treatment of a non-resident patient. The industrial commission shall order payment to such employee from the state compensation revolving fund two-thirds of his salary not to exceed \$20 per week during the period of his disability, not to exceed 125 weeks. All such compensation payments made from the state compensation revolving fund shall be reimbursed by the department of social security in the same manner as now required of other state departments by law.

[1941 c. 479 s. 4; 1945 c. 270 s. 1]

251.05 EMPLOYEES MAY RECEIVE BENEFITS: All employees of state institutions under the direction of the division of public institutions who are now receiving benefits under Laws 1939, Chapter 116, shall continue to receive such benefits and, in addition thereto, shall, beginning with May 1, 1941, be paid compensation with the same limitations as employees of such institutions who become beneficiaries of Laws 1941, Chapter 479.

[1941 c. 479 s. 5]

251.06 HOSPITALS BUILT AND MAINTAINED. Subdivision 1. **Group of counties may build.** In addition to the authority to erect and maintain and assist hospitals conferred upon individual counties by sections 376.01 to 376.06 and 376.09, the boards of county commissioners in any group of counties shall have and are hereby given power to acquire lands, to purchase or erect buildings, and to equip and maintain the same for general hospital purposes.

Subdivision 2. **Procedure.** The procedure for the cooperation of a group of counties in building and maintaining such a hospital shall be as stated in subdivisions 3 to 8 hereof.

Subdivision 3. **Action of county boards.** The preliminary step shall be a majority vote of the county commissioners of each county of the cooperating group of counties in favor of the establishment of such hospital, the place of its location, the approximate amount (hereinafter to be known as the "cost") to be expended for the purchase of a site and erection of buildings and the apportionment of such costs among the several counties of the group.

Subdivision 4. **Share of cost raised by tax levy.** If the share of the cost to be paid by any county shall not exceed the sum that may be raised by a tax levy of not to exceed one mill on the dollar of the taxable property of such county, it shall be lawful for the county commissioners of the county to order a tax to pay its share of the cost of such hospital; and the tax shall be levied, extended, and collected in the same manner as other county taxes are levied, extended, and collected, and shall be used for no other purpose than that for which it was authorized and collected.

Subdivision 5. **Share of cost raised by bonds.** When such share of the cost to be paid by any county shall exceed the sum indicated in subdivision 4 hereof or when it is necessary to issue bonds of any county to defray its share of the cost of such hospital, or when in any case the county commissioners shall deem it desirable, then the question of (1) whether such hospital shall be established and (when necessary) (2) whether bonds shall be issued to defray such county's proportion of the cost thereof shall be submitted to the voters of such county; and the hospital shall not be established nor bonds issued therefor unless a majority of the voters of such county vote in favor of each question submitted to them. The manner of voting shall be as indicated in the existing statutes governing the establish-

ment of tuberculosis sanatoria in counties or groups of counties. The board of county commissioners of a county is authorized to levy a tax to pay interest and principal of any bonds authorized hereunder by the voters of the county as the same shall become due and payable. The tax shall be levied, extended, and collected in the same manner as other county taxes are levied, extended, and collected and used for no other purpose than that for which it was authorized and collected.

Subdivision 6. County hospital building fund. The sums collected by taxation or sale of bonds under subdivisions 4 or 5 hereof shall be paid into the county treasuries of the respective counties of the cooperating group of counties and, in each case, kept in a separate fund to be known as the county hospital building fund.

Subdivision 7. County hospital commission. Upon the preliminary decision under subdivision 3 hereof to establish and maintain a hospital under sections 158.01 to 158.12, 251.06 and 251.07 there shall be established a commission to be known as the county hospital commission. This commission shall consist of three residents of the county in which the hospital is to be located, chosen by the county commissioners of the county for a term of three years from the first of July next succeeding such choice or until their successors are chosen, one commissioner shall be chosen annually, and of two residents from each other county of the cooperating group of counties, chosen likewise by their respective county commissioners for a term of two years from the first of July next succeeding such choice or until their successors are chosen, one commissioner shall be chosen annually in each county. These commissioners shall serve without compensation but may be reimbursed for actual expenses incurred by them in connection with their official duties.

This commission shall have power to purchase real estate, to erect and equip buildings for hospital purposes; and shall have full charge and control of the operation and management of such county hospital. It may, when deemed necessary, employ a competent superintendent who shall be the executive officer of the hospital and act as secretary of the county hospital commission. One member of the commission shall be elected annually by the commission as its president. The treasurer of the county in which the hospital is located shall be the treasurer of the county hospital commission. He shall pay out of the funds of the hospital commission on properly authenticated vouchers of the hospital commission signed by its president and secretary.

The county hospital commission is empowered to accept as a trust any gift, donation, or endowment from any source, whether subject to special provisions of the donors or not; and such gifts, donations, or endowments shall be placed to the credit of the county hospital fund in the treasury of the county in which the hospital is located and disbursed, as to principal or income as the donors may have indicated, by the county hospital commissioners.

Subdivision 8. Funds paid to treasurer of county hospital commission. When the county hospital commission is satisfied that each county in the cooperating group of counties has collected its share of the cost of the hospital it shall so certify to the county commissioners of each county, who shall thereupon order the county treasurer to pay over to the treasurer of the county hospital commission the county hospital building fund in the possession of such county treasurer. The county hospital commission shall thereupon proceed to erect such hospital and to carry it on.

[1921 c. 411 s. 12] (4588)

251.07 GENERAL HOSPITAL AND SANATORIUM MAY OPERATE IN CONJUNCTION. It shall be lawful, with the consent of the director of social welfare, for any county or any group of counties which has or which may hereafter erect a tuberculosis sanatorium in accordance with existing statute, to erect in conjunction therewith or in the neighborhood thereof a general hospital and to conduct the two institutions under a common management and under one commission to be known as the county hospital and sanatorium commission.

[1921 c. 411 s. 13] (4589)

251.08 AFTER CARE OF TUBERCULOUS PATIENTS. The medical and other supplemental care of tuberculous persons discharged from county or state sanatoria who are in need and whose physical or other conditions or disabilities associated with their disease make inadvisable their return immediately to their former activities of regular employment, is hereby declared to be a special matter of the state's concern and a necessity in promoting the public welfare. To provide medical and other supplemental care to such persons in order to prevent their further breakdown

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after sanatorium care, a state-wide program of after care for tuberculous patients discharged from county and state sanatoria is hereby established.

[1941 c. 499 s. 1]

251.09 MEDICAL AND SUPPLEMENTAL CARE. When used in sections 251.08 to 251.14 the term "medical and supplemental care" means the services rendered to such discharged tuberculous patients, as defined in section 251.08. The sum herein appropriated shall be used only for the expenses incurred in travel to and from the sanatoria. This type of medical care shall be determined in accordance with rules and regulations established by the state agency, which shall require an examination at the sanatoria at such times as the superintendent of such sanatoria shall determine. In event a doctor of medicine selected by the patient certifies that preliminary examination indicates need for emergency examination, not otherwise ordered by the medical officer in charge of the sanatoria, such examination shall be ordered as prescribed by the rules and regulations established.

[1941 c. 499 s. 2]

251.10 DUTIES OF STATE AGENCY. The state agency shall:

(1) Supervise the administration of medical and supplemental care under the provisions of sections 251.08 to 251.14;

(2) Formulate and adopt all necessary rules and regulations for carrying out and enforcing the provisions of sections 251.08 to 251.14 to the end that medical and supplemental care for patients coming within their provisions may be administered uniformly throughout the state;

(3) Prescribe the form of, print, and supply to the various county agencies throughout the state blanks, reports, and such other forms and documents as it may deem necessary or advisable;

(4) Prescribe and maintain a uniform system of fiscal reporting for, and accounting of, all expenditures under sections 251.08 to 251.14;

(5) Prepare and print within a reasonable time after the close of each fiscal year a full and complete report for the year giving an account of the operation of sections 251.08 to 251.14, the expenditure of all funds thereunder, and adequate statistical data relative to the patients benefiting by the provisions thereof, and the nature and type of the treatment given thereunder;

(6) Reimburse to each county agency making expenditures under and pursuant to the provisions of sections 251.08 to 251.14 such sums, quarterly, as the county agencies may have expended pursuant to the rules and procedures established hereunder by the state agency. Reimbursement shall be made upon the basis of such certification of expenditures as shall be required from the county agency by the state agency.

[1941 c. 499 s. 3]

251.11 RULES. In promulgating rules and regulations covering the granting of medical and supplemental care to patients and in setting minimum standards therefor, the state agency shall have due regard for, and consult with, the superintendents of the county tuberculosis sanatoria and the state tuberculosis sanatorium.

[1941 c. 499 s. 4]

251.12 NEEDS OF PATIENTS DETERMINED BY COUNTY AGENCY. The county agency shall:

(1) Pursuant to the rules, regulations, and standards established by the state agency, inquire into and determine the amount of medical and supplemental care needed by each patient coming within the purview of sections 251.08 to 251.14 who is a resident of the county concerned for the purposes of these sections;

(2) Prepare and submit promptly to the state agency all applications, forms, and fiscal reports established and required by the state agency pursuant to the provisions of these sections;

(3) Pay in the first instance such sums for medical and supplemental care as are found necessary under the provisions of these sections, and it is specifically provided hereby that such payments of medical and supplemental care are no part of such grants of relief or assistance as are found necessary for the usual care of the patient, all payments provided for herein being over and above and in addition to such regular grants of relief and assistance;

(4) Report to the state agency such expenditures for medical and supplemental care as are made by the county agency pursuant to the provisions of these sections and receive reimbursement therefor quarterly from the state agency; and

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(5) Prepare and submit such statistical and fiscal reports as the state agency may require hereunder.

[1941 c. 499 s. 5]

251.13 MEDICAL AND SUPPLEMENTAL CARE, TO WHOM GIVEN. Medical and supplemental care under the provisions of sections 251.08 to 251.14 may be granted to a discharged tuberculous patient who:

(1) Has a tuberculous condition within the definitions established by the state agency pursuant to the provisions of these sections; and

(2) Has resided in the state and in the county one year prior to the time of entrance into the tuberculosis sanatorium.

[1941 c. 499 s. 6]

251.14 FUNDS NOT TRANSFERABLE. No funds granted under sections 251.08 to 251.14 for medical and supplemental care shall be transferable or assignable at law or in equity and must be used for the sole purpose of payment for medical and supplemental care, as defined in section 251.09.

[1941 c. 499 s. 7]