

CHAPTER 376

COUNTY HOSPITALS AND SANATORIUMS

376.01 ACQUISITION OF LAND FOR COUNTY HOSPITAL.

HISTORY. 1913 c. 392 s. 1; G.S. 1913 s. 700; G.S. 1923 s. 677; M.S. 1927 s. 677.

The adoption of a resolution by the board of poor and hospital relief commission constitutes a levy on taxable property in counties operating under the poor commission system without submission of question to the voters. OAG Feb. 14, 1934.

Governmental responsibility for torts; counties, towns, and school district. 26 MLR 328.

376.02 BUILDINGS FOR COUNTY HOSPITAL.

HISTORY. 1913 c. 392 s. 2; G.S. 1913 s. 701; G.S. 1923 s. 678; M.S. 1927 s. 678.

376.03 QUESTION SUBMITTED TO VOTERS.

HISTORY. 1913 c. 392 s. 3; G.S. 1913 s. 702; G.S. 1923 s. 679; M.S. 1927 s. 679.

376.04 QUESTION, HOW SUBMITTED.

HISTORY. 1913 c. 392 s. 4; G.S. 1913 s. 703; G.S. 1923 s. 680; M.S. 1927 s. 680.

376.05 DUTY OF BOARD, WHEN HOSPITAL AUTHORIZED.

HISTORY. 1913 c. 392 s. 5; G.S. 1913 s. 704; G.S. 1923 s. 681; M.S. 1927 s. 681.

376.06 OPERATION OF HOSPITAL.

HISTORY. 1913 c. 392 s. 6; G.S. 1913 s. 705; G.S. 1923 s. 682; M.S. 1927 s. 682.

In order to establish or build a county hospital, there must be an authorization by the electorate. OAG March 11, 1937 (125a-27).

376.07 ADDITION TO COUNTY HOSPITAL.

HISTORY. 1927 c. 106 s. 1; M.S. 1927 s. 682-1.

376.08 AID IN CERTAIN COUNTIES; APPROPRIATION; BOND.

HISTORY: 1909 c. 210 ss. 1, 2; G.S. 1913 ss. 707, 708; 1915 c. 326 ss. 1, 2; G.S. 1923 ss. 684, 685; M.S. 1927 s. 684, 685.

376.09 AID TO HOSPITALS IN COUNTIES HAVING NO COUNTY HOSPITAL.

HISTORY. 1913 c. 123 s. 1; G.S. 1913 s. 706; G.S. 1923 s. 683; M.S. 1927 s. 683.

Unless money is on hand, or sufficient moneys are to be received under the tax levy already made, the county board cannot issue warrants in aid of a charitable hospital. OAG Nov. 9, 1933.

376.10 TUBERCULOSIS SANATORIUM.

HISTORY. 1909 c. 347 s. 1; G.S. 1913 s. 709; G.S. 1923 s. 686; M.S. 1927 s. 686.

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Where the patient in a tuberculosis sanatorium cannot pay, or his next of kin are unable to contribute, the county is liable for the expense. OAG March 21, 1935 (556a-2).

376.11 COUNTY SANATORIUM COMMISSION.

HISTORY. 1909 c. 347 s. 2; G.S. 1913 s. 710; G.S. 1923 s. 687; M.S. 1927 s. 687. One member of the sanatorium commission must be a licensed physician. OAG Aug. 4, 1936 (556a-3).

On the sanatorium commission, and not the county welfare board, is placed the management and control of a county sanatorium. OAG July 13, 1937 (556a).

376.12 COUNTIES MAY UNITE.

HISTORY. 1909 c. 347 s. 3; G.S. 1913 s. 711; G.S. 1923 s. 688; M.S. 1927 s. 688.

376.13 APPROPRIATION AUTHORIZED; LEVY; FUND.

HISTORY. 1909 c. 347 s. 4; G.S. 1913 s. 712; G.S. 1923 s. 689; M.S. 1927 s. 689.

376.14 MONEYS, HOW PAID; ANNUAL STATEMENT.

HISTORY. 1909 c. 347 s. 5; G.S. 1913 s. 713; G.S. 1923 s. 690; M.S. 1927 s. 690.

376.15 CHARGES, HOW FIXED.

HISTORY. 1909 c. 347 s. 6; G.S. 1913 s. 714; G.S. 1923 s. 691; M.S. 1927 s. 691.

376.16 PATIENTS, HOW ADMITTED.

HISTORY. 1909 c. 347 s. 7; G.S. 1913 s. 715; G.S. 1923 s. 692; M.S. 1927 s. 692.

An alien is eligible for admission to tuberculosis sanatorium. OAG April 24, 1933.

Any person afflicted with tuberculosis and residing in a county having a tuberculosis sanatorium may be admitted; costs to be paid by the county determined to be his residence. OAG Feb. 1, 1944 (556a-1).

376.17 GIFTS, DONATIONS.

HISTORY. 1909 c. 347 s. 8; G.S. 1913 s. 716; G.S. 1923 s. 693; M.S. 1927 s. 693.

376.18 RESIDENCE OF TUBERCULOSIS PATIENTS; COST OF CARE.

HISTORY. 1935 c. 64 ss. 1, 2; M. Supp. s. 692-1, 692-2.

The place of residence, rather than the county of settlement determines which county is liable. This is determined as a question of fact. OAG June 26, 1944 (556a-1).

376.19 ONE MILL LEVY AUTHORIZED FOR TUBERCULOSIS SANATORIUM.

HISTORY. 1919 c. 78 s. 1; G.S. 1923 s. 694; M.S. 1927 s. 694.

376.20 SANATORIUM COMMISSION TO FIX AMOUNT NECESSARY FOR MAINTENANCE; TWO-MILL LIMITATION.

HISTORY. 1919 c. 78 s. 2; G.S. 1923 s. 695; M.S. 1927 s. 695; 1943 c. 140 s. 1; 1945 c. 142 s. 1.

376.21 PAYMENTS BY STATE.

HISTORY. 1919 c. 78 s. 3; G.S. 1923 s. 696; M.S. 1927 s. 696.

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376.22 STATEMENT OF EXPENSES; PAYMENT.

HISTORY. 1919 c. 78 s. 4; G.S. 1923 s. 697; M.S. 1927 s. 697.

376.23 REVOLVING FUND.

HISTORY. 1919 c. 78 s. 5; G.S. 1923 s. 698; M.S. 1927 s. 698.

376.24 SURETY BONDS.

HISTORY. 1919 c. 78 s. 6; G.S. 1923 s. 699; M.S. 1927 s. 699.

376.25 CERTAIN PERSONS TO RECEIVE MEDICAL ATTENTION.

HISTORY. 1923 c. 17; G.S. 1923 s. 700; M.S. 1927 s. 700.

376.26 COUNTY ATTORNEYS LEGAL ADVISERS OF SANATORIUM COMMISSIONS.

HISTORY. 1923 c. 18; G.S. 1923 s. 701; M.S. 1927 s. 701.

The county tuberculosis sanatorium board and its superintendent must act upon the advice of the county attorney to determine the residence of applicants for admission. OAG Oct. 27, 1933.

The county attorney is not required to undertake administrative duty, such as the collection of bills, but may be called upon if it becomes necessary to sue. OAG Jan. 26, 1938 (412a-23).

376.27 LICENSE FOR TUBERCULOSIS SANATORIUM, PEST-HOUSE, HOSPITAL, OR DETENTION HOME IN A VILLAGE.

HISTORY. 1923 c. 237 ss. 1 to 3; G.S. 1923 s. 702 to 704; M.S. 1927 s. 702 to 704.

376.28 TUBERCULOSIS SANATORIUMS.

HISTORY. 1913 c. 500 s. 1; G.S. 1913 s. 717; 1915 c. 270 s. 1; G.S. 1923 s. 705; M.S. 1927 s. 705.

If one county in the district has a sanatorium, it may sell it and then the district will be entitled to state aid. OAG April 9, 1929.

376.29 SANATORIUM COMMISSION.

HISTORY. 1913 c. 500 s. 2; G.S. 1913 s. 718; 1915 c. 270 s. 2; G.S. 1923 s. 706; M.S. 1927 s. 706; 1941 c. 349.

The sanatorium commission controls in a sanatorium maintained by several counties. OAG Feb. 1, 1944 (556a-1).

376.30 MEMBERSHIP OF COMMISSION.

HISTORY. 1913 c. 500 s. 3; G.S. 1913 s. 719; 1915 c. 270 s. 3; G.S. 1923 s. 707; M.S. 1927 s. 707; 1929 c. 160.

A majority of the quorum may transact business; and a quorum consists of the majority of the members of the commission. OAG Dec. 20, 1935 (556a-3).

One member of the commission from the county in which the sanatorium is located must be a licensed physician. OAG Aug. 4, 1936 (556a-3).

376.31 APPROPRIATION; BONDS; CONTRIBUTION OF STATE; LEVIES.

HISTORY. 1913 c. 500 s. 4; G.S. 1913 c. 720; 1915 c. 270 s. 4; 1921 c. 218; G.S. 1923 s. 708; M.S. 1927 s. 708.

When a patient is a resident of a sanatorium district and unable to pay the charges for his care, and has no responsible kindred, he is a free patient; and if he is a resident of a county not included in the sanatorium district, his place of

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pauper settlement, as defined by section 261.07, is liable for and must pay the charges. 1938 OAG 366, Feb. 13, 1937 (556a-7).

Where a non-resident of the state is hospitalized at Glen Lake sanatorium as a tubercular person and public health menace, the patient is not a "free patient" under this section, but the director of public welfare may pay for maintenance as provided in section 376.33. OAG March 22, 1937 (88a-31).

State aid is recoverable where patients are temporarily transferred to a city hospital, pending alterations in the sanatorium building. OAG July 7, 1939 (556a-7).

376.32 MONTHLY REPORTS TO STATE AUDITOR.

HISTORY. 1913 c. 500 s. 4; G.S. 1913 s. 721; 1915 c. 270 s. 5; G.S. 1923 s. 709; M.S. 1927 s. 709.

376.33 CHARGES; FREE PATIENTS.

HISTORY. 1913 c. 500 s. 6; G.S. 1913 s. 722; G.S. 1923 s. 710; M.S. 1927 s. 710; 1939 c. 197; 1941 c. 163.

It is not legal for county sanatoriums to admit non-residents of the state, regardless of compensation required. OAG May 7, 1937 (556a-1).

Referring to care of patients by the county tuberculosis sanatorium, the patient being indigent, from a county having no sanatorium. Expense of transfer from state sanatorium. OAG Oct. 6, 1944 (556a-8).

376.34 TUBERCULOSIS SANATORIUMS; RESIDENTS; HOW ADMITTED.

HISTORY. 1913 c. 500 s. 7; G.S. 1913 s. 723; 1923 c. 19; G.S. 1923 s. 711; M.S. 1927 s. 711; 1929 c. 255 s. 1; 1945 c. 345 s. 2.

A person residing in a county maintaining a tuberculosis sanatorium and who has lived in the county a year preceding his application and who is afflicted with tuberculosis, is eligible to admission, regardless of whether he has legal settlement in such county for poor relief purposes. OAG Dec. 13, 1934 (556a-1).

The rules as to settlement for poor relief purposes and for admission to tuberculosis sanatoriums are not identical. OAG Dec. 29, 1936 (556a-1).

Admission to liability for cost of maintenance in state sanatoriums is charged against the county of residence, or the county making request for admission. OAG June 7, 1937 (556a-1).

Eligibility for admission to county sanatoriums is decided upon residence rather than upon settlement. OAG Jan. 26, 1938 (556a-1).

376.35 GIFTS.

HISTORY. 1913 c. 500 s. 8; G.S. 1913 s. 724; G.S. 1923 s. 712; M.S. 1927 s. 712; 1945 c. 118 s. 1.

376.37 CERTAIN SANATORIUMS MAY COME UNDER PROVISIONS.

HISTORY. 1913 c. 500 s. 10; G.S. 1913 s. 726; G.S. 1923 s. 714; M.S. 1927 s. 714.

376.38 CERTAIN SANATORIUMS FOR WHICH TAX HAS BEEN LEVIED MAY COME UNDER PROVISIONS.

HISTORY. 1913 c. 500 s. 11; G.S. 1913 s. 727; G.S. 1923 s. 715; M.S. 1927 s. 715.

376.39 COUNTIES HAVING BOARD OF CONTROL OF HOSPITAL AND CHARITABLE FUNDS.

HISTORY. 1913 c. 500 s. 12; G.S. 1913 s. 728; G.S. 1923 s. 716; M.S. 1927 s. 716.

376.40 DEFINITIONS.

HISTORY. 1913 c. 500 s. 13; G.S. 1913 s. 729; G.S. 1923 s. 717; M.S. 1927 s. 717.

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376.41 MONEY ERRONEOUSLY PAID STATE REFUNDED TO COUNTY.

HISTORY. 1913 c. 500 s. 13A; 1917 c. 45 s. 1; G.S. 1923 s. 718; M.S. 1927 s. 718.

376.42 CERTAIN SANATORIUMS TO CONTINUE UNDER CERTAIN LAWS.

HISTORY. 1913 c. 500 s. 14; G.S. 1913 s. 730; G.S. 1923 s. 719; M.S. 1927 s. 719.

376.43 IMPROVING AND ENLARGING SANATORIUMS IN CERTAIN COUNTIES.

HISTORY. 1925 c. 243 ss. 1 to 3; M.S. 1927 ss. 708-1 to 708-3.

376.44 COUNTIES MAY JOIN WITH OTHERS IN MAINTAINING TUBERCULOSIS SANATORIUM.

HISTORY. 1921 c. 116 s. 1; G.S. 1923 s. 720; M.S. 1927 s. 720.

Upon discontinuance of its county sanatorium, Otter Tail county may join Wadena and Todd counties in maintaining sanatorium. OAG March 23, 1937 (556a).

376.45 PROCEEDINGS.

HISTORY. 1921 c. 116 s. 2; G.S. 1923 s. 721; M.S. 1927 s. 721.

376.46 COUNTIES ADMITTED TO SANATORIUM GROUPS.

HISTORY. 1921 c. 116 s. 3; G.S. 1923 s. 722; M.S. 1927 s. 722; 1931 c. 6 s. 1.

376.47 COUNTY BOARDS TO MEET AND APPORTION COSTS.

HISTORY. 1921 c. 116 s. 4; G.S. 1923 s. 723; M.S. 1927 s. 723; 1931 c. 6 s. 2.

Where there is sufficient money in the general fund, a county may unite with another county. If money is not available, warrants cannot issue until the next tax levy. OAG Dec. 28, 1944 (556a-10).

376.48 COUNTIES ATTACHED TO HAVE SAME RIGHTS AS ORIGINAL GROUP.

HISTORY. 1921 c. 116 s. 5; G.S. 1923 s. 724; M.S. 1927 s. 724.

376.49 TAX LIMITATION FOR SANATORIUM PURPOSES IN CERTAIN CASES.

HISTORY. 1939 c. 15; M. Supp. s. 699-1; 1941 c. 203; 1943 c. 268 s. 1.

376.50 TUBERCULOSIS, PREVENTING SPREAD OF.

HISTORY. 1911 c. 116 ss. 1, 2; G.S. 1913 ss. 731, 732; 1923 c. 216 ss. 1, 2; G.S. 1923 ss. 725, 726; 1927 c. 408 ss. 1, 2; M.S. 1927 ss. 725, 726.

Where Sibley county paid \$42.00 a month for treatment of a patient at the Minnesota state sanatorium and he was discharged "on condition that he receive treatments and have X-Ray pictures taken monthly by a doctor at Mankato", which treatments cost the county not to exceed \$10.00 per month, the county board may exercise its official judgment to prove claims presented by the Mankato physician. 1938 OAG 154, May 18, 1937 (556a-7).

Expenditure of money to care for those afflicted with tuberculosis is within the discretion of the county board. OAG Dec. 2, 1933.

A county having its own tuberculosis hospital may send patients to the state sanatorium. OAG Feb. 15, 1934.

A city of the first class under home rule charter may employ and pay the county sanatorium for handling and diagnosing persons suspected of having tuberculosis. OAG March 29, 1935 (556a-3).

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The county may pay the expense of treatment of a tubercular poor person outside of the state sanatorium. OAG May 18, 1937 (556a-7).

376.51 COUNTY BOARD MAY AID SOCIETIES IN CERTAIN CASES.

HISTORY. 1929 c. 228 ss. 1 to 3; M. Supp. ss. 726-3½, 726-3½a, 726-3½b.

376.52 FARMS FOR COUNTY CHARGES AFFLICTED WITH COMMUNICABLE DISEASES.

HISTORY. 1925 c. 125; M.S. 1927 s. 726-4.

376.53 STATE CONFERENCE OF CHARITIES.

HISTORY. 1905 c. 262 s. 1; G.S. 1913 s. 699; G.S. 1923 s. 676; M.S. 1927 s. 676.

Allowance for expense of attending conferences and conventions differ as between members of the board of county commissioners and members of the county welfare board. OAG Nov. 18, 1944 (124j).