

# MINNESOTA STATUTES 1947 ANNOTATIONS

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DEPARTMENT OF HEALTH 144.151

## HEALTH

### CHAPTER 144

#### DEPARTMENT OF HEALTH

##### **144.03 GENERAL DUTIES OF OFFICERS.**

Laboratory fees from certification of milk cannot be credited to the preventable diseases account. OAG May 28, 1945 (225-B-1).

##### **144.04 SALARIES AND EXPENSES.**

The salary of the secretary of the state board of health is fixed by L. 1947, c. 634, ss. 35, 48, and adds \$900 to the 1946-1947 salary of \$6,600, making the salary for the biennium ending June 30, 1949, \$7,500 per year. OAG July 11, 1947 (225).

##### **144.05 GENERAL DUTIES OF BOARD; REPORTS.**

Board of health may inspect milk product supply of state institutions; compel suppliers of milk from other states to comply with federal standards; and, cooperate with local officials in health supervision of milk. The powers of the board are not affected by sections 32.391 to 32.398. OAG July 12, 1945 (292f).

The department of health may issue a publication "Health Bulletin." It is not prohibited by L. 1945, c. 609. OAG Jan. 3, 1947 (225).

##### **144.10 FEDERAL AID FOR MATERNAL AND CHILD WELFARE SERVICE; CUSTODIAN OF FUND; PLAN OF OPERATION; LOCAL APPROPRIATIONS.**

Amended by L. 1947 c. 485 s. 1.

Money appropriated by congress for the training of personnel devoted to public health service, in the hands of the state treasurer may be disbursed by the state board of health, but state funds may not be used for that purpose. OAG Sept. 17, 1946 (454-E).

The state board of health is a state agency and as such may accept federal aid for hospital surveys, and expend the fund under the federal plan. OAG Oct. 31, 1946 (225-B-1).

##### **144.12 REGULATIONS OF BOARD.**

A health regulation, penal in its nature, cannot rest in parol but must be officially adopted, reduced to writing and made a public record. *State v Trask*, 170 M 6, 211 NW 673.

Regulations duly approved have the force of law. Merely charging that the regulation was violated does not state a public offense. Complaint for violation should set out the acts complained of. 1944 OAG 81, Sept. 13, 1944 (225-B-4).

##### **144.14 QUARANTINE OF INTERSTATE CARRIERS.**

The powers of the board relating to quarantine are not affected by sections 32.391 to 32.398. OAG July 12, 1945 (292f).

#### VITAL STATISTICS ACT

##### **144.151 DEFINITIONS FOR SECTIONS 144.151 TO 144.204.**

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NOTE: Sections 144.151 through 144.204 is the uniform vital statistics act with few modifications. Similar acts have been adopted by Alabama, Louisiana, Montana, Oregon, Pennsylvania, Tennessee, and Wyoming.

### 144.164 DEATH CERTIFICATES.

Admissibility of death certificate to show that death was suicidal. 16 MLR 209.

### 144.167 PRIMA FACIE EVIDENCE.

A physician's death certificate is not conclusive as to the cause or the contributing cause of death and may be contradicted, or explained by the evidence. *Krema v Gt. Northern Life*, 204 M 186, 282 NW 822.

### 144.168 CERTIFICATES FURNISHED TO PUBLIC.

The certificate should not be a resume statement of the contents, but should be in form a copy of all or a part of the original certificate. OAG Nov. 19, 1945 (225-L).

### 144.169 FEES; DEPOSITED WITH STATE TREASURER.

Under the provisions of L. 1939, c. 431, the registrar of vital statistics is required to deposit receipts for issuances of birth and death certificates daily. OAG Jan. 15, 1944 (196-S).

Sections 144.151 to 151.204 and 197.63 are reconcilable, and commencing Jan. 1, 1946, both are effective. OAG Aug. 17, 1945 (310).

### 144.175 ACCESS TO RECORDS.

Subdivision 3, repealed by L. 1947 c. 517 s. 8.

### 144.191 DUTIES OF REGISTRAR.

Subdivision 2, amended by L. 1947 c. 517 s. 1.

Subdivision 3, amended by L. 1947 c. 517 s. 2.

Subdivision 4, amended by L. 1947 c. 517 s. 3.

Subdivision 5, amended by L. 1947 c. 517 s. 4.

### 144.201 CLERK OF COURT.

Subdivision 1, amended by L. 1947 c. 517 s. 5.

The extent of the clerk's inquiry rests upon his own discretion, but the law contemplates ascertainment of the facts from available sources, and the duty must be performed even if no certainty of compensation. OAG May 15, 1946 (144-B-27).

If upon offering the birth certificate for filing the facts stated are incomplete or incorrect, the clerk may correct the certificate in a manner acceptable to the state registrar. After the clerk has satisfied himself the names and facts are correct, and has recorded same, an order of court is required to make a change. OAG Nov. 26, 1946 (225-L).

### 144.203 TRANSMISSION.

Subdivision 1, amended by L. 1947 c. 517 s. 6.

Subdivision 2, amended by L. 1947 c. 517 s. 7.

In computing the clerk's total emoluments, the fees received from drivers' license applications and vital statistics administration are included. OAG June 10, 1946 (144-A-4).

The clerk of a district court receiving a certified transcript of birth or death certificate from the clerk of the court where the birth or death occurred need make no investigation such as is required under sections 144.201 and 144.202. OAG July 16, 1946 (225-L).

**144.29 HEALTH RECORDS; CHILDREN OF SCHOOL AGE.**

A village may pay for services of physician in examining the health of school children of the village, the service being rendered at the request of the village health officer. OAG March 25, 1947 (169-L).

**144.44 REMOVAL TO PUBLIC SANATORIUM OR HOSPITAL.**

One afflicted with tuberculosis may be quarantined. As to how much force may be used to forcibly place a patient in a sanatorium is doubtful. Legislation is advised. OAG Feb. 27, 1947 (611-a-8).

**144.50 HOSPITALS MUST OBTAIN LICENSES.**

Probate court may properly commit an insane or inebriate patient to any hospital with facilities for care of such persons and has been granted a license without applicable restrictions. OAG Aug. 8, 1946 (248-B-3).

Even though only two persons are being cared for, and in a private home, a license is required. OAG June 26, 1944 (1001-E).

Minnesota soldiers home or any similar institution furnishing hospitalization and care as defined by statute must apply for a license. OAG March 30, 1944.

**144.52 APPLICATION FOR LICENSES.**

A local government unit operating a licensed general hospital is not required to obtain a license for a branch operated in a building other than that wherein the general hospital is operated. OAG June 6, 1947 (1001-C).

**144.53 FEES.**

Procedure to obtain funds, including those demanded before being deposited with the state treasurer, as well as those demanded after deposit. 1944 OAG 273, Jan. 15, 1944 (454e).

**144.59 HOSPITAL HEADS TO REGISTER.**

HISTORY. 1947 c. 240 s. 1.

**144.60 REGISTRATION PROCEDURE.**

HISTORY. 1947 c. 240 s. 2.

**144.61 ANNUAL REGISTRATION.**

HISTORY. 1947 c. 240 s. 3.

**144.62 GROUNDS FOR REFUSAL.**

HISTORY. 1947 c. 240 s. 4.

**144.63 RULES AND REGULATIONS.**

HISTORY. 1947 c. 240 s. 5.

**144.64 EXCEPTIONS.**

HISTORY. 1947 c. 240 s. 6.

**144.65 VIOLATIONS; PENALTIES.**

HISTORY. 1947 c. 240 s. 7.