

CHAPTER 224—S. F. No. 780.

An Act to amend Chapter 48, General Laws 1907, entitled, An Act to amend Section 1916, Revised Laws 1905, relating to the commitment of patients to hospitals or asylums for the insane and providing for the establishment of detention hospitals therefor, and to provide for the detention in and release and discharge therefrom of patients so committed, and creating a State Hospital Commission.

Be it enacted by the Legislature of the State of Minnesota:

Detention of hospital—Regulations.—Section 1. That chapter 48, General Laws 1907, be and the same is hereby amended by adding thereto sections 3, 4, 5, 6, 7 and 8, so as to read as follows:

Said board shall establish, erect, equip and maintain in connection with the said state hospitals three detention hospitals, to be known as first, second and third state detention hospitals, which shall be under the supervision respectively of the superintendent of the state hospital for the insane, at which it is located. Said board shall determine to what detention hospital patients shall be committed from each county and notify the probate judge thereof and of changes made from time to time. Each person found to be insane, except those criminally insane, shall be committed to the proper detention hospital, there to be kept and treated until the superintendent shall determine and certify either that he is not insane or that he is a fit subject for a state hospital for the insane. If he is found to be sane he shall be discharged, as provided by law in other cases. If, after a reasonable time, the superintendent deems him a fit subject for a state hospital or asylum, and so certifies to the board, it shall transfer him to a hospital or asylum, to be detained and treated as provided by law.

Transfer of Patients.—Sec. 2. Whenever one or more of the detention hospitals herein provided for is complete and ready for occupancy, all commitments from the district in which such completed detention hospital or hospitals is situated, as established by the state board of control under section 1916, Revised Laws 1905, shall be made thereto.

Terms of admission.—Sec. 3. Any person believing himself to be afflicted with mental disease and desiring to receive treatment therefor at a detention hospital may voluntarily place himself therein.

Before being admitted thereto he shall make and sign such written application as may be provided by the board of control for such admission, and when such application has been so signed, in presence of two witnesses not officers or employes of the detention hospital, and delivered to the superintendent thereof, such applicant may be received into the hospital for treatment. The

superintendent is hereby authorized and empowered to continue such detention in the same manner as the custody of inmates of state hospitals for the insane is now maintained as provided by law, when in his judgment the condition of the patient is such that his own safety or that of the public, or both, requires such detention. Should such patient demand of the superintendent his release from the detention hospital and should such release be deemed unsafe, the superintendent shall within three days call in the state hospital commission herein provided for, which commission shall at once take charge of the case and determine, as hereinafter provided, whether such patient is insane. If adjudged insane, he shall be committed to the hospital for the insane. If found to be sane, he shall be required to leave the hospital.

Application to judge of probate—Duties of judge.—Sec. 4. Any husband, wife, parent, son, daughter or guardian, believing their wife, husband, father, son, daughter, mother, brother, sister, or ward, to be afflicted with mental disease for which such person should be treated at a detention hospital, may apply to the judge of probate of the county in which such proposed patient is a resident for the appointment of a board of three physicians, one of whom shall be the family physician, if there be such. The judge of probate of such county shall immediately appoint such board which shall determine whether the proposed patient is, in fact, mentally disturbed and in need of treatment at such detention hospital, and if a majority of such board so determine, the proposed patient may be placed in such detention hospital by such relative, who shall sign the necessary application therefor, in the same manner and under the same restrictions and provisions as to detention, commitment to a hospital for the insane, or release, as provided in section 3 hereof for voluntary commitments.

Judge of probate to appoint examining board.—Sec. 5. When information is filed with any judge of probate that a resident of his county is in need of treatment at such detention hospital, he shall make proper investigation, and if the investigation so made substantiates the information filed, he shall at once appoint a board, as provided in section 4 hereof, which shall proceed in the same manner and under the same restrictions as provided therein to determine whether the proposed patient is in need of such treatment, and if it shall so determine, such patient shall be placed in such detention hospital under the same restrictions as to detention, commitment to the hospital for the insane, or release, as provided in section 3 hereof for voluntary commitments. The members of the board provided for in sections 4 and 5 hereof shall be paid the same amounts for services and travel as now provided by law for like service and in the same manner.

Duty of superintendent of detention hospital.—Sec. 6. When in the judgment of the superintendent of said detention hospital any person or persons placed therein, either voluntarily or otherwise, have recovered, they shall be required to leave the institution. When the superintendent is of the opinion that any such person is, in fact, insane, and that longer treatment in the detention hospital will be of no benefit, he shall report such case or cases to the state hospital commission herein provided for, which shall at once proceed to determine whether such patient is insane. If adjudged insane, he shall be committed as provided in section 3 hereof. If adjudged sane, he shall be required to leave the institution.

State hospital commission—Membership—Qualifications.—Sec. 7. There is hereby created at each city or village where a state hospital for the insane is located a commission, to be known as the state hospital commission. It shall be composed of three reputable persons, at least one of whom shall be a duly qualified physician. Said commission shall be appointed by the judge or judges of the district court of the county in which such detention hospital is situated, and shall hold office for two years or until their successors have been appointed and qualified by taking the oath of office prescribed by law, which oath shall be in writing and filed with the judge of probate of the county in which the institution is located. Said commission shall have power to examine such alleged insane person and determine as to his sanity. Such examination, determination, and commitment, shall be made as now provided by law.

When a person has been so committed, all subsequent proceedings relating to his detention, discharge from the hospital, and restoration to capacity, shall be governed by existing laws.

Time of meeting.—Sec. 8. The said state hospital commission shall meet at the detention hospital as often as may be requested by the superintendent thereof, but not oftener than twice each month except in cases requiring immediate action as herein provided. Its members shall receive compensation as provided by section 3862, Revised Laws of 1905, but in any case not to exceed ten (10) dollars per day for such service.

Sec. 9. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 10. This act shall take effect and be in force on and after its passage.

Approved April 17, 1909.