

CHAPTER 479—S. F. No. 1283

An act relating to the employment of persons in certain state institutions; the treatment of certain employees for tuberculosis contracted in such institutions, and the payment to them of compensation during a prescribed period of disability, and the manner and means of making such payments; providing for hearings by the Industrial Commission and determination of certain rights of such employees; and repealing Laws 1939, Chapter 116.

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

Section 1. Physical examinations for certain employees.—After the effective date of this act no new employee shall be given employment in any state institution under the direction of the Division of Public Institutions, Department of Social Security, whether certified for such employment by the State Civil Service Department or otherwise selected, unless such person presents to the appointing officer of such institution a certificate showing that he or she has undergone the physical examination hereinafter provided for and has been found to be free of tuberculosis.

Sec. 2. What included in examination.—Such physical examination shall include an X-ray examination of the lungs and such additional special diagnostic tests for the detection of the presence of tuberculosis as shall be set up in regulations of the State Board of Health in cooperation with said Division of Public Institutions. Such examination shall be made by a licensed physician and surgeon, who shall report in writing to the superintendent of the institution in which the employment is contemplated on a form set up by said Division of Public Institutions in cooperation with the State Board of Health showing the presence or absence of tuberculosis infection and disease based upon such examination.

Sec. 3. Superintendent to report illness.—Whenever the superintendent of any state institution under the direction of the Division of Public Institutions learns that any employee of such institution whose duties brought such employee in direct contact with inmates therein who were known to be afflicted with tuberculosis has contracted and become ill from tuberculosis while employed in such institution, he shall report such illness to the director of the Division of Public Institutions, who shall, in turn, report the same to the Industrial Commission. The Industrial Commission, upon receiving such report, shall mail to the superintendent of such institution blank forms for a petition to be filled out by such employee

claiming the medical and sanatorium treatment and compensation hereinafter provided for. The Industrial Commission shall thereupon set the claim for a hearing and determination in the same manner as claims of other state employees under the workmen's compensation law are heard and determined.

Sec. 4. Employees to be placed in sanatorium.—If, upon the evidence produced at such hearing, the Industrial Commission finds that such employee is suffering from tuberculosis contracted in such institution by contact with tuberculous inmates therein, it shall order the director of the Division of Public Institutions to apply for the admission of such 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 said patient may be received the same fee for the maintenance and care of such person as is received by said state sanatorium for consumptives or said county tuberculosis sanatorium for the maintenance and treatment of a non-resident patient. The Industrial Commission shall also order payment to such employee from the State Compensation Revolving Fund two-thirds of his salary during the period of his disability, not, however, to exceed 65 weeks. All such compensation payments made from said 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.

Sec. 5. 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 this act.

Sec. 6. Law repealed.—Laws 1939, chapter 116, is hereby repealed.

Sec. 7. This act shall take effect and be in force from and after its passage.

Approved April 26, 1941.