

that no levy shall be made at a rate that will produce more than \$85,000 in taxes collected and paid into the revenue fund of said county, which rate calculated to produce said amount shall be based on the percentage of the taxes, currently payable in the preceding year, which have been collected by July first of the year in which the levies authorized hereby are made.

Filed February 15, 1943.

CHAPTER 30—S. F. No. 49

An act fixing the salary of the county treasurer in certain counties.

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

Section 1. Salary of County Treasurer in certain Counties.
—In each county of this state containing not less than 18 nor more than 20 full or fractional congressional townships and having a population of not less than 31,600 nor more than 32,500 inhabitants, according to the last preceding federal census, and having an assessed valuation of all property, including money and credits, at last previously equalized, of not less than \$19,000,000 nor more than \$25,000,000, the county treasurer shall receive from the county in full payment for his services an annual salary of \$3,000.

Filed February 15, 1943.

CHAPTER 31—S. F. No. 102

(AMENDING SECTIONS 158.03, 158.04, 158.09, 261.22, MINNESOTA STATUTES 1941.)

An act relating to the hospitalization of indigent persons and to amend Mason's Statutes 1927, Sections 4579, 4580 and 4590, and to amend Laws 1941, Chapter 473, Sections 2 and 3.

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

Section 1. Law amended—officers to report cases needing hospital care.—Mason's Statutes 1927, Section 4579, is hereby amended so as to read as follows:

“Whenever the existence of a case described in Section 2 of this act shall come to the notice of the sheriff, town clerk, health officer, public health nurse, policeman, or any other public official, or any physician or surgeon, it shall be his duty to, and any other person may, file with the *board of county commissioners* of the county of the residence of such person, an application for the treatment of such person at the Minnesota General Hospital.

“Such application shall be made in duplicate on blanks to be furnished by the Minnesota General Hospital, and shall contain a full statement of the financial situation of the person sought to be treated and a general statement of his physical condition, and shall be verified. Upon the filing of such application, the *board of county commissioners* shall make investigation in such manner as it shall deem advisable, and it shall be the duty of any public official of any county, city, town, village or ward of the residence of the person sought to be treated to supply to the *county board* on request thereof, all information within his knowledge relative to the financial situation of the person sought to be treated. If after such investigation, *the county board* shall be satisfied that the person on whose behalf the application is made is not financially able to provide himself with such treatment, or, in case of a minor, that his parent, guardian or trustee, in representative capacity, or the person having legal custody over him or legally responsible for his support or maintenance, is not financially able to provide such treatment, then *the county board* shall appoint a physician of said county whose duty shall be personally to make an examination of the person on whose behalf said application for treatment has been filed. Said physician shall thereupon make and file with the *county board* a verified report in writing, setting forth the nature and history of the case, and such other information as will be likely to aid in the medical or surgical treatment of the disease, malady, deformity or ailment affecting said person, and shall also state in said report whether or not, in his opinion, the condition of such person can probably be remedied at a hospital. The report of said physician shall be made in duplicate within such time as the *county board* may direct, and upon blanks to be furnished by the Minnesota General Hospital for that purpose. Said report shall include any information within the knowledge of said physician relative to the financial situation of the person proposed to be treated. The physician appointed to make said examination unless he is already a salaried officer of the state or some division thereof, shall receive \$5.00 for making said examination and in any case shall receive his actual and necessary expenses; which fee and expenses shall be paid by the county of residence of said patient; and it shall be the duty of the board of county commissioners to provide for such payment.

“If, upon filing of said report, the *county board* shall be satisfied that the case is one which should be treated at the Minnesota General Hospital and that the person to be treated, or his parent, guardian, trustee or other person having legal custody of his person in case of a minor, is not financially able to provide such person with proper treatment, the *county board* shall enter an order finding such facts. In case the *county board* is not so satisfied, it may make such further investigation as to it shall seem proper. The *county board* may reject any application which is found to be without sufficient merit. Upon the entry of the order of the *county board* approving said application, it shall communicate with the superintendent of the Minnesota General Hospital and ascertain whether or not the applicant can be received as a patient. If the Minnesota General Hospital can receive such applicant, the *county board* shall thereupon certify its approval of such application. One copy of the application and the physician's report shall be sent to the superintendent of said hospital.

“If the *county board* should find that an applicant or the person legally responsible for him is able to pay in part but not in full for care at the Minnesota General Hospital at the rate to be charged as determined in Section 5 the *county board* may approve the application of such patient on such terms of division of hospital charges as it may deem equitable and just.”

Sec. 2. Law amended—transportation of patients—payment for by County.—Mason's Statutes 1927, Section 4580, is hereby amended so as to read as follows:

“Upon approval of such application, if the patient is unable to travel alone the Board of County Commissioners may appoint a suitable official or person to take the patient to said hospital, and such person shall receive his actual and necessary expenses, and, if not a salaried officer of the state or any subdivision thereof, shall receive in addition \$3.00 per day for the time actually and necessarily consumed in transporting said patient to said hospital and returning. The traveling expenses of such patient, the per diem and expenses of the person appointed to accompany him, and one-half of the expense charged against such patient while an inmate of the hospital shall be paid by the county of residence of said patient, and it shall be the duty of the Board of County Commissioners of said county to provide for such payment. *Provided, however, that if the county of residence of the patient is not the county in which the patient has legal settlement for the purposes of poor relief, then the county of residence may seek reimbursement from the county in which the patient has settlement for the purposes of poor relief for all costs it has necessarily incurred and paid in connection with the hospitalization of said patient.*”

Sec. 3. Law amended—certain powers of judges of probate transferred to County Board.—Mason's Statutes 1927, Section 4590, is hereby amended to read as follows:

"The several boards of county commissioners in the state and any members of such a board may receive, investigate and act upon applications for treatment in the general hospital."

Sec. 4. Law amended—application to be filed.—Laws 1941, Chapter 473, Section 2, is hereby amended so as to read as follows:

"Subdivision 1. Whenever the existence of a case described in section 1 of this act shall come to the notice of the sheriff, town clerk, health officer, public health nurse, peace officer, public official, or physician or surgeon it shall be his duty to, and any other person may, file with the county auditor of the county of the residence of such indigent person requiring care an application for the hospitalization of such indigent person. Such application shall be made in such form as the county board of such county may prescribe, and shall contain the name, age, residence, and physical condition of the person sought to be hospitalized and shall contain also a full statement of his financial situation and of the persons, if any, legally charged with his care and support, and such application shall be verified. The county board shall make a careful investigation of the matter in such manner as it shall deem advisable and expedient, and it shall be the duty of any public official of any county, city, village, or town of the residence of the person sought to be hospitalized to supply the county board on a request therefor all the information within his knowledge relative to the financial condition of the person sought to be hospitalized and of all persons, if any there be, who are legally liable for the support of such person. If after such investigation the county board shall be satisfied that the person on whose behalf the application is made is not financially able to provide himself with such hospitalization or in case of a minor, his parents, guardians, trustee, or other person having legal custody over him or legally responsible for his support and maintenance is not financially able to provide such hospitalization, then said county board shall direct the county physician or some other physician, to make an examination of the person on whose behalf such application was made. Such physician shall make and file with the county board a verified report in writing setting forth the nature and history of the case and such other information as will likely aid in the medical and surgical treatment of the disease, malady, injury, deformity, or ailment affecting such person, and shall state in such report his opinion whether or not the condition of such person can probably be remedied at a hospital. Such report shall be made in duplicate, one copy of which shall be filed with the coun-

ty auditor and the other shall be transmitted to the hospital at which such afflicted person is hospitalized; such report shall also give any information the examining physician shall have or acquire relative to the financial ability of the afflicted person to pay for the hospitalization and treatment of his disease, malady, injury, deformity, or ailment, together with any other information such physician may deem helpful to the county board or the physician attending him.

“Subdivision 2. If upon filing of such report and a full investigation of the application the county board shall be satisfied that the case is one which could be remedied by hospital treatment and that such afflicted person is financially unable to secure or provide the same for himself, and that the persons legally charged with the support and maintenance of such person, if any there be, are financially unable to provide such hospitalization, the county board may grant or approve said application. If the county board is not so satisfied, it may take additional testimony or make such further investigation as it shall deem proper and shall reject any application if it finds that the facts do not merit the expenditure of public money for the relief of such afflicted person. Upon the approving and granting such application and the relief therein prayed for the chairman of such county board shall arrange for the hospitalization of such afflicted person. If the county board shall find that the applicant or the person legally responsible for his support and maintenance is not able to pay in full but is able to pay in part for such hospitalization at such hospital the county board may approve such application of such afflicted person on such terms of division of hospital charges and costs as it may deem equitable and just. The county board shall provide for taking such afflicted person to the hospital. Provided, however, that when a physician certifies that an emergency exists in any case, and that he believes that the person suffering is unable to pay for hospitalization, such person shall be admitted to any such hospital upon the order of the chairman of the county board or upon the order of the county commissioner of the district in which such alleged indigent person resides; and thereafter an investigation shall be made in the manner hereinbefore provided. Provided further, that when a physician certifies in a case of an injury (or an emergency) that immediate surgical or medical treatment is necessary, the patient shall forthwith be admitted to any such hospital upon said certificate for a period not to exceed seventy-two (72) hours; and thereafter an investigation shall be certified and made in the manner hereinfore provided.”

Sec. 5. Laws 1941, Chapter 473, Section 3, is hereby amended so as to read as follows:

"The cost of hospitalization of such indigent persons exclusive of medical and surgical care and treatment shall not exceed in amount the full rates fixed and charged by the Minnesota general hospital under the provisions of Mason's Minnesota Statutes of 1927, Sections 4577 to 4586, inclusive, for the hospitalization of such indigent patients. The cost of the hospitalization of indigent persons under the provisions of this act shall be paid by the county of the residence of such indigent persons at such times as may be provided for in such contract; and in case of an injury or emergency requiring immediate surgical or medical treatment, for a period not to exceed 72 hours, the cost shall be paid by the county from which such patient, if indigent, is certified. *Provided, however, that if the county of residence of the patient is not the county in which the patient has legal settlement for the purposes of poor relief, then the county of residence may seek reimbursement from the county in which the patient has settlement for the purposes of poor relief for all costs it has necessarily incurred and paid in connection with the hospitalization of said patient.*"

Sec. 6. *The county board and the several members thereof of any county in this state are hereby authorized to delegate to the county welfare board of such county all the rights, powers, and duties conferred upon it and them by Mason's Statutes 1927, Sections 4577 to 4590, with reference to the hospitalization of indigent persons.*

Sec. 7. *The county board of any county in this state is hereby authorized to delegate to the county welfare board of such county all the rights, powers, and duties conferred upon it by Laws 1941, Chapter 473 with reference to the hospitalization of indigent persons.*

Filed February 15, 1943.

CHAPTER 32—S. F. No. 164

(AMENDING SECTION 306.85 MINNESOTA STATUTES 1941.)

An act relating to permanent care and improvement funds for the care, maintenance and improvement of certain cemeteries, and amending Mason's Minnesota Statutes 1927, Section 7624.

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