

Section 1. Minnesota Statutes 1953, Section 525.83 is amended to read:

525.83 Notice. When notice of hearing is required by any provision of this chapter by reference to this section, such notice shall be given once a week for three consecutive weeks in a legal newspaper designated by the petitioner in the county wherein the proceedings are pending; or, if no such designation be made, in any legal newspaper in such county; or, if the city or village of the decedent's residence is situated in more than one county, in any legal newspaper in such city or village. The first publication shall be had within two weeks after the date of the order fixing the time and place for the hearing.

At least 14 days prior to the date fixed for hearing the petitioner, his attorney or agent, *shall in guardianship mail a copy of the notice to such persons as the court may direct and in estates shall mail a copy of the notice to each heir, devisee, and legatee whose name and address are known to him and, if the decedent was born in any foreign country, or left heirs, devisees, or legatees in any foreign country, to the consul or representative referred to in section 525.28, or, if there be none, to the chief diplomatic representative of such country at Washington, D.C., or to the secretary of state at St. Paul, Minnesota, who shall forward the same to such representative.*

Proof of such publication and mailing shall be filed before the hearing. No defect in any notice nor in the publication or service thereof shall invalidate any proceedings.

Approved February 21, 1957.

CHAPTER 31—H. F. No. 172

[Coded in Part]

An act relating to the employment of persons in certain public institutions; the treatment of said employees for tuberculosis; amending Minnesota Statutes 1953, Sections 251.041, 251.042 and 251.043.

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

Section 1. Minnesota Statutes 1953, Section 251.041, is amended to read:

251.041 Employees contracting tuberculosis to receive medical care and compensation. Any sanatorium, *medical laboratories* or institutional employee of the state or of any county or *other* subdivision of the state, *or any duly licensed nurse employed by the state or by any county, city, village, nursing district or other subdivision of the state,* whose duties

in connection with such employment bring or have brought him in contact with patients or persons who are afflicted with tuberculosis, or with tuberculosis contaminated material, who contracts tuberculosis, shall be entitled to the medical care and compensation provided by sections 251.041 to 251.045. "Contracts tuberculosis" shall be construed to mean the development of demonstrable lesions of tuberculosis or the demonstration of the germs of tuberculosis in that person's secretions or excretions.

Sec. 2. Minnesota Statutes 1953, Section 251.042, is amended to read:

251.042 Report of illness of employee, hearing on claim. Whenever the superintendent of any state, county, city or village sanatorium, *medical laboratories* or other institution, or the head of any department of the state or of any county, city, village, nursing district or other subdivision of the state employing licensed nurses, learns that any employee of such institution or department whose duties bring him in contact with patients or inmates therein or who works in and around any tuberculosis contaminated material, has contracted tuberculosis while employed in such institution or department, such superintendent or department head shall report such illness to the industrial commission. Copies of such report shall be sent to the commissioner of public welfare if a state institution; to the head of the department if a department of the state; to the county board if a county institution or department; or and to the governing body of the city, village or other subdivision of the state which employs the afflicted person. The industrial commission upon receiving such report, shall mail to the superintendent of such institution or the head of such department blank forms 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 on for hearing and determination in the same manner as claims of other public employees under the workmen's compensation law are heard and determined.

Sec. 3. Minnesota Statutes 1953, Section 251.043, is amended to read:

251.043 Findings, payment of medical care and compensation. [Subdivision 1.] If upon the evidence mentioned in the preceding section, the industrial commission finds that such employee is suffering from tuberculosis contracted in the institution or department by contact with inmates or patients therein or by contact with tuberculosis contaminated material therein, it shall order the superintendent of such institution or head of such department to apply for the admis-

sion of the employee to the state sanatorium for consumptives or any county tuberculosis sanatorium. There shall be paid to the institution where such employee may be received, the same fee for the maintenance and care of such person as is received by such institution for the maintenance and care of a non-resident patient. If the employee worked in a state tuberculosis sanatorium or in a county tuberculosis sanatorium, payment for such care shall be made by the department of social security out of funds heretofore or hereafter appropriated for aid to or maintenance of county tuberculosis sanatoria. If employed in any other institution or department such payment shall be made from funds allocated or appropriated for the operation of such institution or department, or in such other manner as the appropriate county board or city or village or other governing body may determine. Such employee shall receive full hospital care and medical care, without cost, for the duration of his illness, or any recurrence thereof or any disability resulting therefrom. The industrial commission shall order payment to such employee of two-thirds of his salary during the period of disability and until the employee is able to resume his previous position or until the medical board of the institution where the employee is or has been hospitalized shall certify that such employee is able to pursue, without injury, some other normal work or occupation. If such employee dies leaving dependents as defined by the workmen's compensation law of the state, there shall be paid to such dependents the sum of \$7,500, if tuberculosis was the authentic cause of death. Such compensation for death shall be paid to such dependents in installments of two-thirds of the employee's wage at intervals when the wage was payable, as nearly as may be. The industrial commission shall certify and supervise the payment of such compensation.

Sec. 4. [Subd. 2.] *Whenever it appears that any employee subject to the provisions of sections 251.041 to 251.045 has come into contact with persons who are afflicted with tuberculosis or with tuberculosis contaminated material in connection with his employment and has subsequently contracted tuberculosis it shall be presumed that such employee contracted tuberculosis by such contact and while working within the scope of his employment.*

Sec. 5. [Subd. 3.] *When an employee has contracted tuberculosis within the meaning of Section 3, the limitations of time specified in Section 176.66 and 176.664 shall not apply, and the periods of time specified in Section 176.141 shall be computed from the date that a confirmed diagnosis of tuberculosis is first communicated to the employee.*

Approved February 21, 1957.
