

## Health

## CHAPTER 144

## DEPARTMENT OF HEALTH

Sec.	Sec.
144.01 State board of health	144.28 County attorney to prosecute violations
144.02 Meetings; officers; quorum	144.29 Health records; children of school age
144.03 General duties of officers	144.30 Copies of records evidence in juvenile court
144.04 Salaries and expenses	144.31 Children's bureau to receive reports
144.05 General duties of board; reports	144.32 False statements to be cause for discharge
144.06 State board of health to provide instruction	144.33 Healers to report defective children; available to children's bureau
144.07 Powers of board	144.34 Investigation and control of occupational diseases
144.08 Powers and duties; hotel inspectors and agents; inspections and reports	144.35 Pollution of water
144.09 To cooperate with federal authorities	144.36 Appeal to district court
144.10 Federal aid for maternal and child welfare service; custodian of fund; plan of operation; local appropriations	144.37 Other remedies preserved
144.11 Rules and regulations	144.38 Pollution of waters; board to administer and enforce laws
144.12 Regulations of board	144.39 Hearings and investigations
144.13 Notice of regulations published	144.40 Cooperation with board
144.14 Quarantine of interstate carriers	144.41 Assistance furnished to board upon order of department of administration
144.15 Vital statistics; board to have charge	144.42 Tuberculosis; physicians to report to state board; to local board in certain cases
144.16 Primary statistical registration districts; local registrars	144.43 Tuberculosis in institutions
144.17 Birth certificates; form and contents	144.44 Removal to public sanatorium or hospital
144.18 Death certificates; form and contents	144.45 Tuberculosis in schools; certificate
144.19 Duties of local registrars	144.46 Disinfecting of premises
144.20 Burial permits	144.47 Placard to be posted on infected premises
144.21 Records and reports by undertakers	144.48 Sputum, saliva
144.22 Interment, duties of persons in charge	144.49 Violations; penalties
144.23 Personal and statistical records of inmates of institutions	144.50 Hospitals must obtain licenses
144.24 Forms and blanks furnished by the board	144.51 Existing hospitals to obtain licenses
144.25 Certificates preserved by state registrar	144.52 Applications for licenses
144.26 Fees; tabulations; certified copies; index; correction of birth or death records; records of judgments of paternity; illegitimacy not disclosed; birth and death records open to inspection; record of legitimation of child by marriage of parents	144.53 Fees
144.27 Certified copies as record of evidence	144.54 Inspections
	144.55 State department of health to issue licenses
	144.56 Standards established
	144.57 Application, to what institutions
	144.58 Information not to be disclosed

**144.01 STATE BOARD OF HEALTH.** The state board of health shall consist of nine members, learned in sanitary science, who shall be appointed by the governor for such periods that the terms of three members will end on the first Monday of January in each year. Vacancies therein shall be filled by like appointment for the unexpired term and each member shall serve until his successor qualifies.

[R. L. s. 2127; 1925 c. 426 art. 9 s. 1] (53-33) (5336)

**144.02 MEETINGS; OFFICERS; QUORUM.** The state board of health shall hold an annual meeting at the capitol on the second Tuesday in January at which time it shall elect from its members a president. Regular meetings shall be held at the same place on the second Tuesdays in April, July, and October of each year. Special meetings may be held at such times and places as the secretary or any two members of the board shall appoint upon three days' notice to the members by mail. The board shall elect a secretary to serve during its pleasure, who may or may not be one of its members. A majority shall be a quorum and any meeting may be adjourned from time to time.

[R. L. s. 2128] (5337)

**144.03 GENERAL DUTIES OF OFFICERS.** The president shall preside at the meetings when present and in the absence or disability of the secretary shall perform all the duties imposed upon the latter by law and be paid therefor, but he may appoint a secretary pro tem to keep the minutes of the meeting. The secretary shall be the executive officer of the state board of health and in addition to keeping a record of its proceedings shall see that all lawful rules and orders of the board and all duties laid upon it by law, are enforced and performed, and that every law

enacted in the interests of human health is obeyed. The president shall be the custodian of the official records and documents of the board.

[R. L. s. 2129] (5338)

**144.04 SALARIES AND EXPENSES.** The secretary of the state board of health shall receive a salary of \$2,500 per year and such additional sum as the board may deem necessary; also all expenses necessarily incurred by him in the performance of his duties. The members of the board shall receive no compensation as such, but the necessary expenses of their attendance upon its meetings shall be reimbursed. Subject to the provisions of Laws 1939, Chapter 441, the board may employ, and at pleasure dismiss, such agents, experts, and other assistants as it may deem necessary and fix their compensation, prescribe their duties, and allow their necessary expenses. All such salaries, compensation, and expenses shall be paid by the state upon vouchers approved by at least two members of the board; but the total for any year shall not exceed the appropriations of the year therefor.

[R. L. s. 2150] (5378)

**144.05 GENERAL DUTIES OF BOARD; REPORTS.** The state board of health shall exercise general supervision over all health officers and boards, take cognizance of the interests of health and life among the people, investigate sanitary conditions, learn the cause and source of diseases and epidemics, observe the effect upon human health of localities and employments, and gather and diffuse proper information upon all subjects to which its duties relate. It shall gather, collate, and publish medical and vital statistics of general value and advise all state officials and boards in hygienic and medical matters, especially those involved in the proper location, construction, sewerage, and administration of prisons, hospitals, asylums, and other public institutions. It shall report its doings and discoveries to the legislature at each regular session thereof, with such information and recommendations as it shall deem useful.

[R. L. s. 2130] (5339)

**144.06 STATE BOARD OF HEALTH TO PROVIDE INSTRUCTION.** The state board of health, hereinafter referred to as the board, is hereby authorized to provide instruction and advice to expectant mothers during pregnancy and confinement and to mothers and their infants after childbirth; and to employ such persons as may be necessary to carry out the requirements of sections 144.06 and 144.07. Such instruction, advice, and care shall be given only to applicants residing within the state. No woman receiving aid under sections 144.06, 144.07, and 144.09 shall for this reason be affected thereby in any civil or political rights, nor shall her identity be disclosed except upon written order of the board.

[1921 c. 392 ss. 1, 2, 3] (5340) (5341) (5342)

**144.07 POWERS OF BOARD.** The board may:

- (1) Make all reasonable rules and regulations necessary to carry into effect the provisions of sections 144.06, 144.07, and 144.09, and may amend, alter, or repeal such rules or regulations;
- (2) Accept private gifts for the purpose of carrying out the provisions of those sections;
- (3) Cooperate with agencies, whether city, state, federal, or private, which carry on work for maternal and infant hygiene; and
- (4) Make investigations and recommendations for the purpose of improving maternity care.

The board shall include in its report to the legislature a statement of the operation of those sections.

[1921 c. 392 s. 4] (5343)

**144.08 POWERS AND DUTIES; HOTEL INSPECTORS AND AGENTS; INSPECTIONS AND REPORTS.** The department of health shall have and exercise all of the authority and perform all the duties imposed upon and vested in the state hotel inspector. With the advice and consent of the department of administration, the department of health shall appoint and fix the compensation of a hotel inspector and such other inspectors and agents as may be required for the efficient conduct of the duties hereby imposed. These inspectors, by order of the department of administration, may be required to inspect any or all food products subject to inspection by the department of agriculture, dairy, and food and to investigate and report to such department violations of the pure food laws and the regulations of the department of agriculture, dairy, and food pertaining thereto. The reports of

these inspectors to the department of agriculture, dairy, and food shall have the force and effect of reports made or required to be made by the inspectors of such department.

[1925 c. 426 art. 9 s. 2] (53-34)

**144.09 TO COOPERATE WITH FEDERAL AUTHORITIES.** The state of Minnesota, through its legislative authority:

(1) Accepts the provisions of any act of congress providing for cooperation between the government of the United States and the several states in public protection of maternity and infancy;

(2) Empowers and directs the board to cooperate with the federal children's bureau to carry out the purposes of such acts; and

(3) Appoints the state treasurer as custodian of all moneys given to the state by the United States under the authority of such acts and such money shall be paid out in the manner provided by such acts for the purposes therein specified.

[1921 c. 392 s. 5] (5344)

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

The state treasurer is hereby appointed as the custodian of all moneys received, or which may hereafter be received, by the state by reason of any federal aid granted for maternal and child welfare service and for public health services, which moneys shall be expended in accordance with the purposes expressed in the acts of congress granting such aid and solely in accordance with plans to be prepared by the state board. The plans so to be prepared by the board for maternal and child health service shall be approved by the United States children's bureau; and the plans of the board for public health service shall be approved by the United States public health service. Such plans shall include the training of personnel for both state and local health work and conform with all the requirements governing federal aid for these purposes. Such plans shall be designed to secure for the state the maximum amount of federal aid which is possible to be secured on the basis of the available state, county, and local appropriations for such purposes. The board shall make reports, which shall be in such form and contain such information as may be required by the United States children's bureau or the United States public health service, as the case may be; and comply with all the provisions, rules, and regulations which may be prescribed by these federal authorities in order to secure the correction and verification of such reports.

[Ex. 1936 c. 70 s. 1] (5391-1)

**144.11 RULES AND REGULATIONS.** The board may make such reasonable rules and regulations as may be necessary to carry into effect the provisions of section 144.10 and alter, amend, suspend, or repeal any of such rules and regulations.

[Ex. 1936 c. 70 s. 2] (5391-2)

**144.12 REGULATIONS OF BOARD.** The board may adopt, alter, and enforce reasonable regulations of permanent application throughout the whole or any portion of the state, or for specified periods in parts thereof, for the preservation of the public health. Upon the approval of the attorney general and the due publication thereof, such regulations shall have the force of law, except in so far as they may conflict with a statute or with the charter or ordinance of a city of the first class upon the same subject. In and by the same the board may control, by requiring the taking out of licenses or permits, or by other appropriate means, any of the following matters:

(1) The manufacture into articles of commerce, other than food, of diseased, tainted, or decayed animal or vegetable matter;

(2) The business of scavenging and the disposal of sewage;

(3) The location of mortuaries and cemeteries and the removal and burial of the dead;

(4) The management of lying-in houses and boarding places for infants and the treatment of infants therein;

(5) The pollution of streams and other waters and the distribution of water by private persons for drinking or domestic use;

(6) The construction and equipment, in respect to sanitary conditions, of schools, hospitals, almshouses, prisons, and other public institutions, and of lodging houses and other public sleeping places kept for gain;

(7) The treatment, in hospitals and elsewhere, of persons suffering from communicable diseases, including all manner of venereal disease and infection, the

disinfection and quarantine of persons and places in case of such disease, and the reporting of sicknesses and deaths therefrom; provided, that neither the board nor any local board of health nor director of public health shall have authority to make or adopt any rule or regulation for the treatment in any penal or correctional institution of any person suffering from any such communicable disease or venereal disease or infection, which rule or regulation requires the involuntary detention therein of any person after the expiration of his period of sentence to such penal or correctional institution, or after the expiration of the period to which the sentence may be reduced by good time allowance or by the lawful order of any judge or magistrate, or of any parole board;

(8) The prevention of infant blindness and infection of the eyes of the newly born by the designation of a prophylactic to be used in such cases and in such manner as the board may direct, unless specifically objected to by the parents or a parent of such infant;

(9) The furnishing of vaccine matter; the assembling, during epidemics of smallpox, with other persons not vaccinated, but no rule of the board or of any public board or officer shall at any time compel the vaccination of a child, or exclude, except during epidemics of smallpox and when approved by the local board of education, a child from the public schools for the reason that such child has not been vaccinated; any person thus required to be vaccinated may select for that purpose any licensed physician and no rule shall require the vaccination of any child whose physician shall certify that by reason of his physical condition vaccination would be dangerous;

(10) The accumulation of filthy and unwholesome matter to the injury of the public health and the removal thereof;

(11) The collection, recording, and reporting of vital statistics by public officers and the furnishing of information to such officers by physicians, undertakers, and others of births, deaths, causes of death, and other pertinent facts;

(12) The construction, equipment, and maintenance in respect to sanitary conditions of lumber camps and other industrial camps; and

(13) The general sanitation of tourist camps, summer hotels, and resorts in respect to water supplies, disposal of sewage, garbage, and other wastes and the prevention and control of communicable diseases; and, to that end, may prescribe the respective duties of county and local health officers; and all county and local boards of health shall make such investigations and reports and obey such directions as the board may require or give and, under the supervision of the board, enforce such regulations.

[R. L. s. 2131; 1917 c. 345 s. 1; 1923 c. 227 s. 1] (5345)

**144.13 NOTICE OF REGULATIONS PUBLISHED.** Three weeks' published notice of such regulations, if of general application throughout the state, shall be given at the seat of government; if of local application only, as near such locality as practicable. Special rules applicable to particular cases shall be sufficiently noticed when posted in a conspicuous place upon or near the premises affected. Fines collected for violations of regulations adopted by the board shall be paid into the state treasury; and of local boards and officers, into the county treasury.

[R. L. s. 2132] (5346)

**144.14 QUARANTINE OF INTERSTATE CARRIERS.** When necessary the board may establish and enforce a system of quarantine against the introduction into the state of any plague or other communicable disease by common carriers doing business across its borders. Its members, officers, and agents may board any conveyance used by such carriers to inspect the same and, if such conveyance be found infected, may detain the same and isolate and quarantine any or all persons found thereon, with their luggage, until all danger of communication of disease therefrom is removed.

[R. L. s. 2133] (5347)

**144.15 VITAL STATISTICS; BOARD TO HAVE CHARGE.** The board shall have general supervision and charge of the state system of registration of births and deaths and may make and enforce any regulations necessary for the proper carrying out of the same. The secretary of the board shall be designated and known as the state registrar and shall be the administering officer of the state in connection therewith, charged with the enforcement of the provisions of sections 144.15 to 144.28. Subject to the provisions of Laws 1939, Chapter 441, the state registrar may appoint, and at his pleasure remove, an employee of the board as deputy

state registrar, who shall render such aid as the state registrar may require of him in the discharge of his official duties.

[1913 c. 579 s. 1; 1937 c. 263 s. 1] (5354)

**144.16 PRIMARY STATISTICAL REGISTRATION DISTRICTS; LOCAL REGISTRARS.** Each town, village, and city shall, for the purposes of sections 144.15 to 144.28, constitute a primary registration district, and the town and the village clerk and, in cities, the health officer shall be the local registrar for the town, village, or city comprising such primary registration district. The local registrar shall perform all the duties required of him by the provisions of those sections.

He may appoint a deputy for whose actions he shall be responsible.

Any local registrar who neglects or refuses to perform the duties imposed by these sections shall be superseded by another to be appointed by the state registrar in his place. The board may appoint sub-registrars to receive certificates of births and deaths and issue burial permits in any designated territory. They shall be subject to the supervision of the state registrar and may be removed by him for cause. Each sub-registrar shall note thereon the date when any certificate is filed with him, sign the same, and forward it to the local registrar of the proper district within five days after receipt; and shall make a monthly report to the state registrar, on blanks furnished for that purpose, of all deaths where he has had charge of the remains or sold the casket.

[1913 c. 579 s. 2; 1925 c. 190 s. 1] (5355)

**144.17 BIRTH CERTIFICATES; FORM AND CONTENTS.** The physician or midwife attending at the birth of any child, or, if there is no attending physician or licensed midwife, the father or mother, shall, within five days thereafter, subscribe and file with the local registrar of the district within which the birth occurs a certificate of birth specifying:

(1) Place of birth, including state, county, city, village, or town, with the street and house number, if any, or, in lieu thereof, the name of the hospital or other private, public, or state institution, if in such institution;

(2) Full name of child; if the child dies without being named before the certificate is filed, enter the word "unnamed" with the date of birth;

(3) Male or female;

(4) Whether one of twins, triplets, or other plural birth, and the number in order of birth;

(5) Legitimate or no;

(6) Date of birth, including year, month, day, and hour;

(7) Full name of father, provided that, if the child is illegitimate, the name or residence of, or other identifying details relating to, the putative father shall not be entered without his consent, except as provided in section 144.26;

(8) Residence of the father;

(9) Color or race of father, as, white, colored, Indian, Chinese, or other;

(10) Age of father at last birthday;

(11) Birthplace of father; state or foreign country;

(12) Occupation of father, with a statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in;

(13) Full maiden name of mother;

(14) Residence of mother;

(15) Color or race of mother, as, white, colored, Indian, Chinese, or other;

(16) Age of mother at last birthday;

(17) Birthplace of mother; state or foreign country;

(18) Occupation of mother, with a statement of the trade, profession, or particular kind of work; or the general nature of the industry or business engaged or employed in;

(19) Number of children born to this mother, including present birth;

(20) Number of children born to this mother now living;

(21) The fact of attendance and that the birth occurred at the time stated;

(22) Date of making and address of the person subscribing;

If the child is one of a plural birth, a separate certificate for each child shall be filed.

When the birth occurs in any lying-in hospital or in any private, public, charitable, or state institution without attendance by a physician or licensed midwife the

superintendent, manager, or person in charge shall make and file the certificate of birth.

If the birth occurs in any hotel, rooming or boarding house, or in any private dwelling or apartment other than the home of the parents, the keeper or occupant shall immediately notify the local registrar of that fact. The local registrar shall then procure the necessary information and the signature for a proper certificate of birth.

Whoever finds any child of unknown parentage shall immediately report the fact to the local registrar. The local registrar shall thereupon make and file a certificate of birth for the child; the certificate shall state, among other things, the date and place of finding, the sex, the color of the child, the approximate date of birth, and the name and the address of the person or institution with whom the child has been placed for care. The place where the child was found shall be known as the legal birthplace of the child. The date of birth shall be determined by approximation and shall be known as the legal date of birth. The person, superintendent, or manager of the institution with whom the foundling child is placed for care shall give the child a name and shall report the name given to the local registrar within ten days after the child has been received.

If any foundling child shall later be identified and a certificate of birth be found or obtained, the certificate of birth as a foundling child provided for shall be canceled by the state registrar with a citation to the certificate of birth on file in the department.

The attending physician or midwife shall deliver to the parents a blank for a supplemental report of the given name if the child is not named at the time of making the certificate of birth.

When a certificate of birth is filed without the given or baptismal name the local registrar shall deliver to the parents a blank for a supplemental report of the name. Such supplemental report shall be made and filed with the local registrar as soon as the child is named. If such report is not filed within 30 days from the date of birth, the local registrar shall obtain such name by other means.

When the state registrar shall receive a birth certificate which is incomplete or inaccurate, he shall endeavor to secure information relative to any errors or omissions and make corrections on the original in red ink when additional information is secured; provided, that when a certified copy of any such corrected birth certificate is issued the corrections shall be shown on the certified copy in red, and sections 144.15 to 144.28 shall be printed or typed on the form used for such certification.

Except that a certified copy of a new certificate of birth, as hereinafter provided, shall be issued without such corrections, and red ink corrections shall not be shown on certificates as provided herein.

When it satisfactorily appears to the state registrar that a birth record contains errors or omissions or is false in some respect he may attach a statement of the true facts to the same.

When any person shall execute an affidavit admitting that he is the father of a child, subscribed to in the presence of two witnesses, before any person authorized to administer an oath, the affidavit shall be filed in connection with the birth certificate.

A new certificate of birth may be made when the state registrar receives proof satisfactory to him:

- (1) That the previously unwed parents of a person have intermarried subsequently to the birth of such person; or
- (2) That a court of competent jurisdiction has entered a judgment, order, or decree relating to the parentage or adoption of a person.

Such new certificate for any person shall be in the form prescribed by the state registrar, subject to approval of the board and the department of administration and prepared on the following basis: Such person shall be treated as having had at birth the status subsequently acquired or established and of which proof is submitted; where such person is illegitimate and paternity has been established by legal proceedings, the name of such father shall be inserted; where such person has been adopted, the name of such child shall be that fixed by the decree of adoption and the foster parents shall be recorded as the parents of such child.

When a new certificate of birth is made the state registrar shall substitute such new certificate of birth for the one then on file, if any. The state registrar shall

place the original certificate of birth and all papers pertaining to the new certificate of birth under seal. Such seals shall not be broken except by order of a court of competent jurisdiction or on written order of the state registrar. Thereafter when a certified copy of the certificate of birth of such a person is issued it shall be a copy of the new certificate of birth, except when an order of a court of competent jurisdiction shall require the issuance of a copy of the original certificate of birth.

Upon receipt of a certified copy of a court order of annulment of adoption, the state registrar shall restore the original certificate.

The person certifying to the birth of an illegitimate child shall report such birth direct to the state registrar. The state registrar shall furnish the local registrar with an abstract of such birth containing the legal surname of the child, with the date of birth and sex of the child, directing that in case of inquiry, the local registrar shall refer such inquiry to the state registrar.

When the report of a birth which occurred in Minnesota is not on file with the state registrar or with any local registrar or with the clerk of the district court of the county in which birth occurred, a certificate of such birth may be filed with the state registrar or a clerk of the district court, and for such a birth which occurred in a city of 100,000 or more population, with the local registrar of such city. When for such delayed registration the birth certificate is not made and subscribed by the physician who attended the birth, the birth certificate shall be made and subscribed by the nearest of kin, if any, or otherwise by any person having personal knowledge of the facts of birth as given in such certificate and such certificate shall be accompanied by supporting affidavits by the person making and subscribing the certificate and, if possible, by the baptismal record and other documentary evidence.

The state registrar shall place on file any birth certificate made and subscribed by attending physicians and others, as herein provided. When a birth certificate so made and subscribed is filed with a clerk of the district court such clerk shall forward the certificate to the state registrar. The state registrar shall send certified copies of all delayed birth certificates filed with him, as herein provided, to the clerks of court of the counties in which such births occurred.

[1913 c. 579 s. 3; 1917 c. 220 s. 1; 1921 c. 273 s. 1; 1925 c. 190 s. 2; 1939 c. 89 s. 1] (5556)

**144.18 DEATH CERTIFICATES; FORM AND CONTENTS.** The undertaker or person acting as such at the burial, cremation, or other disposal of the body of any person dying in this state shall obtain and file with the local registrar of the district in which the death occurs a certificate of death containing:

(1) A statement authenticated by the signature of some person cognizant of the facts, specifying:

(a) Place of death, including state, county, city, village, or town, with the name of the street and house number, or in lieu thereof, the name of the hospital or other private, public, or state institution, if in such institution. If in an industrial or mining camp or mine, the name of the camp or mine;

(b) Full name of deceased; if an unnamed child, the surname preceded by "unnamed;"

(c) Male or female;

(d) Color or race, as, white, colored, Indian, Chinese, or other;

(e) Single, married, widowed, or divorced;

(f) Date of birth, including year, month, and day;

(g) Age in years, months, and days; if less than one day, the hours or minutes;

(h) Occupation; if the person had any remunerative employment, statement of the trade, profession, or particular kind of work, or the general nature of the industry or business engaged or employed in;

(i) Birthplace; state or foreign country;

(j) Name of father, provided that if the deceased was of illegitimate birth, the name or residence of, or other identifying details relating to the putative father shall not be entered without his consent, except as provided in section 144.26;

(k) Birthplace of father; state or foreign country;

(l) Maiden name of mother;

(m) Birthplace of mother; state or foreign country.

In addition, the undertaker or person acting as such shall obtain and report in the monthly report to the state registrar provided for in section 144.21 information

as to whether the deceased ever served in the military or naval forces of the United States.

(2) A medical certificate, which shall be subscribed by the attending physician, together with his address and date of making, stating fact and time of death, giving year, month, day, and hour; time of attendance; when last seen alive; the disease or injury causing death, with contributory cause or complication and the duration of the illness; if from violence, the means and circumstances of the injury and whether indicating accident, suicide, or homicide; when the physician cannot certify the cause of death because of a pending autopsy or incomplete findings, he may substitute for the cause the words "cause not yet determined." The medical certificate shall be made and subscribed by the coroner when the cause of death is investigated by him. In cities of the first, second, and third classes, the health officer, and, in towns, villages, and cities of the fourth class, the local registrar, or a sub-registrar, shall make and subscribe the medical certificate for any death occurring therein without medical attendance or investigation by the coroner. If the local registrar or sub-registrar is unable to determine the cause of death, he shall refer the case to a physician or to the coroner for certification;

(3) When the death occurs in a hospital or other institution or place other than the home of the deceased a statement of the length of time at the place of death, length of time in the state, usual place of residence, and where the disease was contracted;

(4) A statement showing place and date of burial, signed by the undertaker, with his address;

(5) In the case of a child dead at birth, a certificate of birth having the word "still-birth" inserted in place of the name, and also a certificate of death shall be made and filed with the local registrar and a burial permit issued as hereinafter provided. The medical certificate shall be signed by the attending physician and state the cause of death as "still-born," with the cause of the still-birth, whether a premature birth, and if so, the period of uterogestation in months; provided, that a certificate of birth or death shall not be required for a child that has not advanced the fifth month of uterogestation;

(6) In cases of still-births occurring without an attending physician, the medical certificate shall be made and subscribed as is herein provided in case of death without medical attendance;

(7) When the state registrar shall receive a death certificate which is incomplete or inaccurate he shall endeavor to secure information relative to any errors or omissions and make corrections on the original in red ink when additional information is secured; provided, that when a certified copy of any such corrected death certificate is issued, the corrections shall be shown on the certified copy in red and the provisions of sections 144.15 to 144.28 shall be printed or typed on the form used for such certification;

(8) When it satisfactorily appears to the state registrar that a death record contains errors or omissions or is false in some respect he may attach a statement of the true facts to the same.

[1913 c. 579 s. 4; 1917 c. 220 s. 2; 1921 c. 273 s. 2; 1925 c. 190 s. 3; 1927 c. 156; 1939 c. 89 s. 2] (5357)

**144.19 DUTIES OF LOCAL REGISTRARS.** The local registrar shall endorse on each certificate of birth and death filed with him the number of his district, the number of the certificate, in consecutive numbers, beginning with number one for the first birth and the first death in each calendar year, the date when filed with him, his post-office address, and subscribe the same. He shall record such certificates in a suitable record book and, on the fifth day of each month, transmit to the state registrar all original certificates filed with him during the preceding month. If no births or no deaths occurred in his district, within his knowledge, during any month, he shall report that fact to the state registrar on the fifth day of the following month. When required by the state registrar he shall supply any information or data necessary to make a complete record or to facilitate the administration of the provisions of sections 144.15 to 144.28.

[1913 c. 579 s. 5; 1939 c. 89 s. 3] (5358)

**144.20 BURIAL PERMITS.** Upon the filing of a proper certificate of death, completely filled out, with the local registrar or sub-registrar, but not otherwise, he shall issue a burial permit reciting the place and time of death; the full name,



age, sex, and nativity of the deceased; the cause of death; the name of the medical attendant; the time and place of interment; the name and address of the undertaker; that a certificate of death complying with the law has been filed in his office; and authorizing the burial or other disposition of the body. He shall sign the permit officially, date it the day of issue, and deliver it to the undertaker or person applying therefor, who shall deliver it to the person in charge of the place of burial or, when the body is transported by common carrier, to the person accompanying it, before interment or other disposition of the body is made. When the body is transported from without the state for burial within the state the transit permit issued in accordance with the law of the state where the death occurred shall be accepted by the local registrar of the district in which the interment is made in place of a certificate of death and a burial permit issued accordingly, with the fact that the body is brought in for interment endorsed thereon.

In unorganized townships burial permits shall be issued by a registrar or sub-registrar in any adjacent organized city, village, or town to whom application shall be made. When the permit is issued by a local registrar he shall transcribe the original death certificate in his local record book and, on or before the tenth of the month following, transmit such original death certificate to the state registrar. When the permit is issued by a sub-registrar he shall within five days transmit the original death certificate to the state registrar.

[1913 c. 579 s. 6; 1925 c. 190 s. 4] (5359)

**144.21 RECORDS AND REPORTS BY UNDERTAKERS.** Every person, firm, or corporation selling a casket shall keep a record showing the name of the purchaser, purchaser's post-office address, name of deceased, date of death, and place of death of deceased, which shall be open to inspection of the state registrar at all times. On the first day of each month the person, firm, or corporation selling caskets and every undertaker or other person attending to the burial or conducting the funeral of a dead person shall report to the state registrar such facts as he may require for the preceding month, on a blank provided for that purpose. No person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such record.

Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall enclose within the casket a notice furnished by the state registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the board concerning the burial or other disposition of a dead body.

[1913 c. 579 s. 7; 1925 c. 190 s. 5] (5360)

**144.22 INTERMENT, DUTIES OF PERSONS IN CHARGE.** The body of any person dying, or found dead, in this state, or the body of a still-born infant, shall not be interred, cremated, or otherwise disposed of or removed from one registration district to another, or held for more than 72 hours after death, unless and until a proper certificate of death has been filed and a permit issued as provided for by sections 144.15 to 144.28. In any case where it is impossible to secure such certificate or permit without delay, the state registrar may permit the attending embalmer or funeral director to remove the body to another registration district on the condition that such certificate and permit will be secured and properly filed before the body is buried, cremated, further transported, or otherwise disposed of. Where there is a person charged with the care or supervision of a cemetery, burial place, or other premises where human bodies are interred, cremated, or otherwise disposed of, the name of such person and his address shall be posted in a conspicuous place at the entrance of such premises. He shall not inter, nor permit the interment, cremation, or other disposition of the body of a deceased person until he receives a burial permit, as herein provided. He shall keep a record of all interments or other dispositions of bodies made on the premises under his charge, stating the name of the deceased person, place of death, date of burial or cremation, and the name and address of the undertaker. Such record shall be open to public inspection at all times.

[1913 c. 579 s. 8; 1921 c. 273 s. 3; 1939 c. 89 s. 4] (5361)

**144.23 PERSONAL AND STATISTICAL RECORDS OF INMATES OF INSTITUTIONS.** All superintendents, managers, or persons in charge of lying-in or other hospitals, almshouses, charitable or other institutions, public or private, to which persons resort for confinement, treatment of disease, care, or are committed

by process of law, shall at once make and preserve a record of all the personal and statistical particulars relative to the inmates now in, or hereafter admitted to, their institutions, that are required to be stated in the certificate of birth and death provided for by sections 144.15 to 144.28 and, on or before the tenth of each month, shall file with the board, on a blank provided by the board for the purpose, a report of all births and deaths, or still-births, occurring in such institution during the previous month. If admitted for medical treatment of disease, the physician in charge shall specify in the record the nature of the disease and where it was contracted.

[1913 c. 579 s. 9; 1921 c. 273 s. 4] (5362)

**144.24 FORMS AND BLANKS FURNISHED BY THE BOARD.** The board shall prepare, provide, and furnish to the local registrar and to other persons requiring them all blanks, forms, and books of record necessary for carrying out the purposes of sections 144.15 to 144.28.

These blanks, forms, and books shall be furnished at the expense of the state and printed by the department of administration. The books of record for the local registrar shall be paid for by the city, village, or town comprising the registration district and furnished by the state at actual cost. These books shall be substantially made and contain space for recording all of the facts shown on the original returns of births and deaths.

[1913 c. 579 s. 10] (5363)

**144.25 CERTIFICATES PRESERVED BY STATE REGISTRAR.** The state registrar shall arrange, bind, and preserve in a systematic manner all original certificates of birth and death returned to him and maintain a suitable index of the same. He may assign to each registration district a number to be used as an identifying designation in connection with the name. He shall prepare and issue necessary instructions for the use of local registrars, physicians, undertakers, and others required to furnish information under the provisions of sections 144.15 to 144.28.

If any such officers or others fail or refuse to obtain and furnish the information so required, the board may obtain the same by other means and the reasonable cost thereof shall be paid by the city, village, or town where the expense is necessarily incurred.

[1913 c. 579 s. 11] (5364)

**144.26 FEES; TABULATIONS; CERTIFIED COPIES; INDEX; CORRECTION OF BIRTH OR DEATH RECORDS; RECORDS OF JUDGMENTS OF PATERNITY; ILLEGITIMACY NOT DISCLOSED; BIRTH AND DEATH RECORDS OPEN TO INSPECTION; RECORD OF LEGITIMATION OF CHILD BY MARRIAGE OF PARENTS.** Each local registrar, except those acting in cities which have a population of more than 100,000, shall receive, from the county in which his district is located, a sum of 25 cents for each birth certificate and each death certificate. He shall receive the same fee for each monthly report card of no births or deaths having occurred in his district, to his knowledge, providing such card is received by the state registrar before the fifteenth of the month following that to which it applies. Annually, on or before the first day of April, the state registrar shall tabulate all the facts shown in the returns of local registrars, except those acting in cities which have a population of more than 100,000, as having occurred during the preceding year, and transmit to the clerk of the district court of each county a certified copy of this tabulation, so far as the same relates to the vital statistics of that county, and each clerk of the district court shall file, index, and preserve such certified copy and the same shall be prima facie evidence of each and every fact contained therein. This tabulation shall show the whole number of births and deaths and reports of no births or deaths having occurred, transmitted by each local registrar during each year, but no fee shall be paid for "no report" cards if a report of a birth or death for that month is received later.

Upon the receipt and the filing of such certified copies the clerk of court shall issue to each local registrar within his county a voucher for the amount due him as shown by this tabulated statement. Upon the presentation of such voucher to the county auditor, a warrant for the amount thereof shall be issued by him. The forms of indexes and indexing shall be prescribed by the state registrar and made in a suitable book furnished at the expense of the county. All statistics of births and deaths shall be so indexed without other compensation than the clerk's salary, except that in counties where the clerk is not on a salary basis he shall be paid five cents by the county for each name so indexed.

When it satisfactorily appears to any clerk of court in Minnesota that a birth or death record on file in his office contains errors or omissions or is false in some respect he may attach a statement of the true facts to the same, when authenticated by an affidavit made by a person presuming to know the facts, which affidavit is to be filed with the clerk and made a part of the original record. He shall immediately furnish to the state registrar copies of such affidavits.

When the clerk of the district court shall report to the state registrar that a judgment has been entered determining the paternity of an illegitimate child the state registrar shall record the name of the father, the sufficient data to identify the judgment, in connection with the record of the birth of the child appearing in his office, and also in connection with the record of the death of the child, if there be such record. A report of the clerk of the subsequent vacation of such judgment shall be recorded in like manner. Likewise when any district court shall enter a judgment that any person named on a birth certificate or death certificate as the father of an illegitimate child is not in fact the father of such child, the clerk of such court shall forward to the state registrar and to the local registrar of the district in which such birth or death is reported, a copy of its judgment; whereupon it shall be the duty of such registrars to make such corrections as to the statement of paternity on such birth or death certificate, and to attach to the original, or to his record of the original, a copy of such judgment.

When any court of competent jurisdiction shall have made findings in relation to the true status of a child whose birth certificate is incomplete or inaccurate or false the state registrar shall prepare and file a new certificate setting forth the true information.

In the event it shall appear that a certificate of birth shall have been filed in behalf of a child said to be legitimate and such fact shall be controverted in the proceedings in any court of competent jurisdiction, the court shall hear all evidence pertaining to such fact and make its findings accordingly. In the event of the findings that a child whose birth is recorded as legitimate is in truth and in fact an illegitimate child, the court shall so certify and the state registrar shall prepare and file in behalf of such child a new certificate pursuant to such findings, which shall be deemed to be the original from thenceforth and the original certificate shall be preserved by the state registrar as in other cases hereinbefore provided.

Except when so ordered by a court of record, no member of the board, nor any state or local registrar, nor any person connected with the office of either, shall disclose the fact that any child was illegitimate, nor disclose the fact that a new certificate has been filed for an adopted child. The district court shall have jurisdiction, upon petition against and notice to the state registrar, to issue such orders permitting or requiring the inspection of records of births and deaths, as to it may seem just and proper, and the making and delivery of certified copies thereof.

The birth and death records of the board shall be open to inspection by the department of social security, or its designated agents, at all times and it shall not be necessary for the department of social security to obtain an order of court in order to inspect records of illegitimate children and new certificates filed for adopted children, or to secure certified copies thereof.

When the parents of a child whose birth has been reported to the board as illegitimate shall marry each other and when the father of such illegitimate child shall execute an affidavit that he is the father of the child and that at a certain specified time he married the mother of the child and mail the affidavit to the state registrar then the state registrar shall amend the birth record of the child so as to indicate the child is a legitimate child and certified copies thereof may be issued without a court order. The state registrar shall report to the local registrar the legitimation of the child by the marriage of his parents to each other and the local registrar shall note upon his records the fact that the child is legitimized and record the name of the father. The state registrar shall include in his annual report to the clerk of the district court of the county a copy of the affidavit of the father legitimizing the child and the clerk of court shall file the affidavit and enter on his records the name of the father and the fact that the child is legitimized.

[1913 c. 579 s. 12; 1917 c. 220 s. 4; 1921 c. 273 s. 5; 1925 c. 190 s. 6; 1939 c. 89 s. 5]  
(5365)

**144.27 CERTIFIED COPIES AS RECORD OF EVIDENCE.** The state registrar or any local registrar shall furnish any applicant therefor a certified copy of the record of any birth or death recorded under the provisions of sections 144.15 to

144.28, provided that the fact that any child was illegitimate shall not be disclosed except when ordered by a court of competent jurisdiction in accordance with section 144.26, for the making and certification of which the registrar shall be entitled to receive a fee of 50 cents, to be paid by the applicant. Such a copy of the record of a birth or death, when certified by the state or local registrar to be a true transcript therefrom, shall be prima facie evidence of the facts therein stated in all courts in this state. The state registrar shall keep a correct account of all fees or moneys received by him under the provisions of sections 144.15 to 144.28 and pay the same over to the state treasurer at the end of each month.

In cases where a record of birth of a child is required for a specific purpose only, the state registrar shall have power to issue a certificate setting forth the name, the place and date of birth of such child, and any other facts pertinent to the purpose for which the certificate is to be issued: Such certificate shall be evidence in any court upon the facts so recorded.

[1913 c. 579 s. 13; 1917 c. 220 s. 5; 1921 c. 273 s. 6; 1939 c. 89 s. 6] (5366)

**144.28 COUNTY ATTORNEY TO PROSECUTE VIOLATIONS.** The county attorney of each county shall make complaint and prosecute any person charged with violating any of the provisions of sections 144.15 to 144.28 when the facts and circumstances constituting such violation are presented to him by the state registrar or by any local registrar.

[1913 c. 579 s. 15] (5369)

**144.29 HEALTH RECORDS; CHILDREN OF SCHOOL AGE.** It shall be the duty of every school nurse, school physician, school attendance officer, superintendent of schools, principal, teacher, and of the persons charged with the duty of compiling and keeping the school census records, to cause a permanent public health record to be kept for each child of school age. Such record shall be kept in such form that it may be transferred with the child to any school which the child shall attend within the state and transferred to the board when the child ceases to attend school. It shall contain a record of such health matters as shall be prescribed by the board, and of all mental and physical defects and handicaps which might permanently cripple or handicap the child. Nothing in sections 144.29 to 144.32 shall be construed to require any child whose parent or guardian objects in writing thereto to undergo a physical or medical examination or treatment. A copy shall be forwarded to the proper department of any state to which the child shall remove.

[1929 c. 277 s. 1] (5356-1)

**144.30 COPIES OF RECORDS EVIDENCE IN JUVENILE COURT.** When any child shall be brought into juvenile court the court shall request, and the custodian of the record shall furnish, a complete certified copy of such record to the court, which copy shall be received as evidence in the case; and no decision or disposition of the pending matter shall be finally made until such record, if existing, shall be considered.

[1929 c. 277 s. 2] (5356-2)

**144.31 CHILDREN'S BUREAU TO RECEIVE REPORTS.** It shall be the duty of the commissioner of education to cause a report to be made periodically to the children's bureau of the state of all diseases and defects that are of a continuous nature or that might result in a permanent handicap to the child, which have not been heretofore reported. He shall also furnish to the state board of health such information from the records as that board shall desire.

[1929 c. 277 s. 3] (5356-3)

**144.32 FALSE STATEMENTS TO BE CAUSE FOR DISCHARGE.** Any intentionally false statement in such certificate and any act or omission of a superintendent or superior officer to connive at or permit the same shall be deemed good cause for summary discharge of the person at fault regardless of any contract.

[1929 c. 277 s. 4] (5356-4)

**144.33 HEALERS TO REPORT DEFECTIVE CHILDREN; AVAILABLE TO CHILDREN'S BUREAU.** Every duly licensed person practicing the art of healing in any way and every person diagnosing human ailments within the state who shall attend or treat any child of pre-school age or of school age who is not attending school, and every such person who observes any such child in a family in which he attends or treats any person for any cause, shall report directly to the state department to which communicable diseases are required to be reported any defect, injury, or disease of a continuous nature or which might permanently handicap the child, and which comes under his observation, provided such child is not under the age

of one year. He shall also particularly indicate those cases in which the parents or guardian of the child have not the knowledge or means necessary to insure all necessary treatment of the child. If there be filed with the clerk or secretary of such department a certificate of a reputable physician of the community that a defect, injury, or disease of a child is incurable or is being cared for, further compliance with the provisions of section 144.33 with respect to such defect or handicap shall not be required.

Such reports shall be made available to the children's bureau and the children's bureau shall disseminate information designed to prevent the permanent crippling or handicapping of children.

The board shall formulate and furnish to such persons blanks on which such reports may be made.

[1929 c. 328 ss. 1, 2, 3] (5705-24) (5705-25) (5705-26)

#### **144.34 INVESTIGATION AND CONTROL OF OCCUPATIONAL DISEASES.**

Any physician having under his professional care any person whom he believes to be suffering from poisoning from lead, phosphorus, arsenic, brass, silica dust, carbon monoxide gas, wood alcohol, or mercury, or their compounds, or from anthrax or from compressed-air illness or any other disease contracted as a result of the nature of the employment of such person shall within five days mail to the department of health a report stating the name, address, and occupation of such patient, the name, address, and business of his employer, the nature of the disease, and such other information as may reasonably be required by the department. The department shall prepare and furnish the physicians of this state suitable blanks for the reports herein required. No report made pursuant to the provisions of this section shall be admissible as evidence of the facts therein stated in any action at law or in any action under the workmen's compensation act against any employer of such diseased person. The department of health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases which have been reported to it, or which shall be reported to it, in accordance with the provisions of this section. The department is also authorized to study and provide advice in regard to conditions that may be suspected of causing occupational diseases. Information obtained upon investigations made in accordance with the provisions of this section shall not be admissible as evidence in any action at law to recover damages for personal injury or in any action under the workmen's compensation act. Nothing herein contained shall be construed to interfere with or limit the powers of the department of labor and industry to make inspections of places of employment or issue orders for the protection of the health of the persons therein employed. When upon investigation the board reaches a conclusion that a condition exists which is dangerous to the life and health of the workers in any industry or factory or other industrial institutions it shall file a report thereon with the department of labor and industry.

[1939 c. 322] (4327-1)

**144.35 POLLUTION OF WATER.** No sewage or other matter that will impair the healthfulness of water shall be deposited where it will fall or drain into any pond or stream used as a source of water supply for domestic use. The board shall have general charge of all springs, wells, ponds, and streams so used and take all necessary and proper steps to preserve the same from such pollution as may endanger the public health. In case of violation of any of the provisions of this section, the board may, with or without a hearing, order any person to desist from causing such pollution and to comply with such direction of the board as it may deem proper and expedient in the premises. Such order shall be served forthwith upon the person found to have violated such provisions.

[R. L. s. 2147] (5375)

**144.36 APPEAL TO DISTRICT COURT.** Within five days after service of the order, any person aggrieved thereby may appeal to the district court of the county in which such polluted source of water supply is situated; and such appeal shall be taken, prosecuted, and determined in the same manner as provided in section 145.19. During the pendency of the appeal the pollution against which the order has been issued shall not be continued and, upon violation of such order, the appeal shall forthwith be dismissed.

[R. L. s. 2148] (5376)

**144.37 OTHER REMEDIES PRESERVED.** Nothing in sections 144.36 and 145.17 shall curtail the power of the courts to administer the usual legal and equitable remedies in cases of nuisances or of improper interference with private rights.

[R. L. s. 2149] (5377)

**144.38 POLLUTION OF WATERS; BOARD TO ADMINISTER AND ENFORCE LAWS.** The board is hereby given and charged with the power and duty of administering and enforcing all laws relating to the pollution of any of the waters of this state, whether such pollution affects the public health, live stock, or fish, or other aquatic life.

The board is hereby authorized and directed to investigate the extent, character, and effect of the pollution of the waters of this state and to gather data and information necessary or desirable in the administration or enforcement of pollution laws and it may make such classification of the waters of the state as it may deem advisable.

The board is hereby specifically authorized to cooperate with other departments of state, other state officers, with municipalities of all kinds, with other states and with the United States, with industries, societies, corporations, and individuals, to the end and purpose of protecting and freeing the waters of the state from pollution.

[1927 c. 273 ss. 1, 2, 3] (5377-1) (5377-2) (5377-3)

**144.39 HEARINGS AND INVESTIGATIONS.** To carry out the purpose of sections 144.38 to 144.41, the board is hereby authorized to hold such hearings or investigations as it may deem advisable, and in any such hearing or investigation any member of the board or the secretary thereof or any officer or agent of the board appointed by it to hold such hearing or investigation shall have the power to subpoena witnesses, to administer oaths, and to compel the production of books, papers, records, and other evidence. Witnesses shall receive the same fees and mileage as in civil actions. Disobedience of any subpoena in such proceeding or contumacy of a witness, upon application of the board, may be punished by the district court in the same manner as if the proceeding were pending in such court.

[1927 c. 273 s. 4] (5377-4)

**144.40 COOPERATION WITH BOARD.** The board, for the purpose of assisting in the performance of its duties under sections 144.38 to 144.41, may receive and accept any money, property, or services, or any form of cooperation from any person, firm, corporation, municipal corporation, the state, or any of its departments or officers, or any other state, or the United States.

[1927 c. 273 s. 5] (5377-5)

**144.41 ASSISTANCE FURNISHED TO BOARD UPON ORDER OF DEPARTMENT OF ADMINISTRATION.** The department of administration may, upon request of the board, by order require any department of this state or any state officer to furnish such assistance to the board in the performance of its duties or the exercise of its powers under sections 144.38 to 144.41 as the department of administration may in its order designate or specify; and, with the consent of the department concerned, the department of administration may charge or assign all or part of the cost or expense or amount of such assistance to such departmental fund or appropriation as the department of administration may deem just and proper.

[1927 c. 273 s. 6] (5377-6)

**144.42 TUBERCULOSIS; PHYSICIANS TO REPORT TO STATE BOARDS; TO LOCAL BOARD IN CERTAIN CASES.** Every physician in the state shall report to the board, on blanks furnished by the board for that purpose, full particulars as to every person under his treatment for tuberculosis, within one week after the diagnosis of the disease, except that physicians in cities and villages where they are required by ordinance or sanitary regulation to report tuberculosis to the local board of health will not be required to report such cases directly to the board, but the local health officer shall make returns of all such cases reported to him to the board once a month on blanks furnished for that purpose by the board.

[1913 c. 434 s. 1] (5381)

**144.43 TUBERCULOSIS IN INSTITUTIONS.** It shall be unlawful for the authorities in charge of any penal or charitable institution to care for any person afflicted with tuberculosis in the same room or ward with other inmates.

[1913 c. 434 s. 2] (5382)

**144.44 REMOVAL TO PUBLIC SANATORIUM OR HOSPITAL.** Any health officer shall have the right to report to the board of county commissioners of his county any person afflicted with tuberculosis whom he considers a menace to his family or other persons and, upon the approval of the board of county commis-

sioners, the health officer shall have the power to remove the person and place him in a public sanatorium or hospital where he shall remain until discharged therefrom by the superintendent of the institution.

[1913 c. 434 s. 3] (5383)

**144.45 TUBERCULOSIS IN SCHOOLS; CERTIFICATE.** No teacher, pupil, or employee about a school building who is afflicted with pulmonary tuberculosis shall remain in or about such building without having a certificate issued by the local board of health or by an agent duly authorized by the board stating that the person is in no sense a source of danger to others.

[1913 c. 434 s. 4] (5384)

**144.46 DISINFECTING OF PREMISES.** In case of the vacation of any apartment or premises by death from tuberculosis, or by the removal therefrom of a person sick with tuberculosis, it shall be the duty of the person or physician in charge to notify the health officer of the town, village, or city of the removal within 24 hours thereafter and the apartments or premises so vacated shall not again be occupied until renovated and disinfected as hereinafter provided.

In case of such vacation the health officer shall order that such premises or apartments and all infected articles therein be properly and suitably renovated and disinfected. In case there shall be no remaining occupants in such premises or apartments, the health officer shall cause a notice in writing to be served upon the owner, or agent of the owner, of such premises or apartments, ordering the renovation and disinfection of such premises or apartments under the directions of and in conformity with the regulations of the board.

[1913 c. 434 s. 5] (5385)

**144.47 PLACARD TO BE POSTED ON INFECTED PREMISES.** In case any orders or directions of the health officer requiring the disinfection of any articles, premises, or apartments, as provided in sections 144.42 to 144.46, shall not be complied with within 36 hours after such orders or directions shall be given, then it shall be the duty of the health officer to cause a placard, in words and form as follows, to be placed upon the door of the infected apartments or premises:

"NOTICE

TUBERCULOSIS IS A COMMUNICABLE DISEASE.  
THESE APARTMENTS HAVE BEEN OCCUPIED BY A  
CONSUMPTIVE AND MAY BE INFECTED. THEY MUST  
NOT BE OCCUPIED UNTIL THE ORDER OF THE  
HEALTH OFFICER DIRECTING THEIR RENOVATION  
AND DISINFECTION HAS BEEN COMPLIED WITH.

THIS NOTICE MUST NOT BE REMOVED UNDER A  
PENALTY OF LAW, EXCEPT BY THE HEALTH OFFI-  
CER OR AN AUTHORIZED OFFICER."

[1913 c. 434 s. 6] (5386)

**144.48 SPUTUM, SALIVA.** It shall be unlawful for any person having pulmonary tuberculosis to dispose of sputum, saliva, or other secretions or excretions so as to cause offense or danger to any person.

[1913 c. 434 s. 7] (5387)

**144.49 VIOLATIONS; PENALTIES.** Subdivision 1. Any person violating any regulation of the board or violating any lawful direction of a board of health or a health officer shall be guilty of a misdemeanor.

Subdivision 2. Any person who shall furnish false affidavits or false documentary evidence for the purpose of making or securing a delayed registration of birth shall be guilty of a misdemeanor.

Subdivision 3. Any person who shall violate any of the provisions of sections 144.15 to 144.28 or who shall wilfully neglect or refuse to perform any duty imposed upon him thereby or who shall furnish false information affecting any certificate or record provided in those sections or who shall disclose any information in violation of section 144.26 or section 144.27 shall be guilty of a misdemeanor; and, upon conviction thereof, fined not more than \$100.00, or imprisoned in the county jail for a period of not more than 90 days.

Subdivision 4. Any person violating any of the provisions of sections 144.42 to 144.48 shall be guilty of a misdemeanor.

Subdivision 5. Any person, partnership, association, or corporation establishing, conducting, managing, or operating any hospital, sanatorium, rest home, nursing home, or institution within the meaning of sections 144.50 to 144.58 without first obtaining a license therefor, as therein provided, or who shall violate any of the

Am 194 3-6 47-1

# MINNESOTA STATUTES 1941

## 144.50 DEPARTMENT OF HEALTH

1162

provisions thereof or regulations thereunder, shall be guilty of a misdemeanor; and, upon conviction thereof, punished by a fine of not to exceed \$100.00, or a sentence of not to exceed 90 days in the county jail.

[R. L. s. 2132; 1913 c. 579; 1915 c. 434 s. 8; 1917 c. 220 s. 6; 1939 c. 89 s. 1; 1941 c. 549 s. 10] (5346) (5356) (5367) (5388)

*3/11/43-649-1*  
**144.50 HOSPITALS MUST OBTAIN LICENSES.** No person, partnership, association, or corporation shall establish, conduct, or maintain in the state any hospital, sanatorium, rest home, nursing home, boarding home, or other institution for the hospitalization or care of human beings without first obtaining a license therefor in the manner hereinafter provided.

Hospital, sanatorium, rest home, nursing home, boarding home, and other related institutions, within the meaning of sections 144.50 to 144.58 mean any institution, place, building, or agency in which any accommodation is maintained, furnished, or offered for any fee, gift, compensation, or reward, or in expectation thereof, for the hospitalization of the sick or injured or care of any aged or infirm persons requiring or receiving chronic or convalescent care. Nothing therein shall apply to hotels or other similar places that furnish only board and room, or either, to their guests.

Nothing in sections 144.50 to 144.58 shall authorize any person, partnership, association, or corporation to engage in any manner in the practice of healing or the practice of medicine, as defined by law.

[1941 c. 549 s. 1]

*3/11/43-649-1*  
**144.51 EXISTING HOSPITALS TO OBTAIN LICENSES.** No person, partnership, association, or corporation may continue to operate an existing hospital, sanatorium, rest home, nursing home, or boarding home, nor open a hospital, sanatorium, rest home, nursing home, or boarding home after January 1, 1942, unless such operation shall have been approved and regularly licensed by the State of Minnesota as hereinafter provided.

Before a license shall be issued under sections 144.50 to 144.58, the person applying shall submit evidence satisfactory to the state department of health that he is not less than 21 years of age and of reputable and responsible character; in the event the applicant is an association or corporation like evidence shall be submitted as to the members thereof and the persons in charge. All applicants shall in addition submit satisfactory evidence of their ability to comply with the minimum standards of sections 144.50 to 144.58 and all regulations adopted thereunder.

[1941 c. 549 s. 2]

*3/11/43-649-1*  
**144.52 APPLICATIONS FOR LICENSES.** Any person, partnership, association, or corporation desiring a license hereunder shall file with the state department of health a verified application containing the name of the applicant desiring the license; whether the persons so applying are 21 years of age; the type of institution to be operated; the location thereof; the name of the person in charge thereof. Application on behalf of a corporation or association shall be made by any two officers thereof or by its managing agents.

[1941 c. 549 s. 3]

**144.53 FEES.** Each application for a license to operate a hospital, sanatorium, rest home, nursing home, or boarding home, or related institution, within the meaning of sections 144.50 to 144.58, shall be accompanied by a fee to be determined by the number of beds available for patients thereof; those with less than 50 such beds shall pay a fee of \$10.00; those with 50 beds or more and less than 100 beds shall pay a fee of \$15.00; those with 100 beds or more and less than 200 beds shall pay a fee of \$20.00; those with 200 beds or more shall pay a fee of \$25.00. No such fee shall be refunded. All licenses issued hereunder shall be renewed annually upon payment of a like fee. All such fees received by the state department of health shall be paid into the state treasury to the credit of the state department of health for the purpose of carrying out the general provisions of sections 144.50 to 144.58.

No license granted hereunder shall be assignable or transferable.

[1941 c. 549 s. 4]

**144.54 INSPECTIONS.** Every building, institution, or establishment for which a license has been issued shall be periodically inspected by a duly appointed representative of the state department of health under the rules and regulations to be established by the state department of health. No institution of any kind licensed pursuant to the provisions of sections 144.50 to 144.58 shall be required to be licensed or inspected under the laws of this state relating to hotels, restaurants, lodging houses, boarding houses, and places of refreshment.

[1941 c. 549 s. 5]



**144.55 STATE DEPARTMENT OF HEALTH TO ISSUE LICENSES.** The state department of health is hereby authorized to issue licenses to operate hospitals, sanatoriums, rest homes, nursing homes, or other related institutions, which after inspection are found to comply with the provisions of sections 144.50 to 144.58 and any reasonable regulations adopted by the state department of health. All decisions of the state department of health thereunder may be reviewed in the district court in the county in which the institution is located or contemplated.

The state department of health is hereby authorized to suspend or revoke a license issued thereunder on any of the following grounds:

(1) Violation of any of the provisions of sections 144.50 to 144.58 or the rules and regulations issued pursuant thereto;

(2) Permitting, aiding, or abetting the commission of any illegal act in such institution; or

(3) Conduct of practices detrimental to the welfare of the patient.

Before any such license issued thereunder is suspended or revoked, 30 days' written notice shall be given the holder thereof of the date set for hearing of the complaint. The holder of such license shall be furnished with a copy of the complaint and be entitled to be represented by legal counsel at such hearing. Such notice may be given by the state department of health by registered mail.

If a license is revoked as herein provided a new application for license may be considered by the state department of health if, when, and after the conditions upon which revocation was based have been corrected and evidence of this fact has been satisfactorily furnished. A new license may then be granted after proper inspection has been made and all provisions of sections 144.50 to 144.58 and rules and regulations thereunder as heretofore or hereinafter provided have been complied with and recommendation has been made therefor by the hospital inspector as an agent of the state department of health.

[1941 c. 549 s. 6]

**144.56 STANDARDS ESTABLISHED.** The state department of health shall have the power to establish reasonable standards under sections 144.50 to 144.58 which it finds to be necessary and in the public interests and may rescind or modify such regulations from time to time as may be in the public interest, in so far as such action is not in conflict with any of the provisions thereof.

An advisory board of five members shall be appointed in the following manner to make recommendations to the state department of health and to assist in the establishment of such standards and any amendments thereto. This board shall consist of three members to be appointed annually from the membership of the Minnesota hospital association by the board of trustees thereof and two members shall be doctors of medicine to be appointed annually from the Minnesota state medical association by the council of the Minnesota state medical association. No regulation nor requirement shall be made, nor standard established under sections 144.50 to 144.58 for any sanatorium, nursing home, nor rest home conducted in accordance with the practice and principles of the body known as the Church of Christ, Scientist, except as to the sanitary and safe condition of the premises, cleanliness of operation, and its physical equipment.

[1941 c. 549 s. 7]

**144.57 APPLICATION, TO WHAT INSTITUTIONS.** All hospitals, sanatoriums, rest homes, nursing homes, and related institutions within the meaning of sections 144.50 to 144.58, including such hospitals as are strictly maternity hospitals only, shall come within those sections and they shall be in extension of the maternity hospital licensing law and shall not in any way be construed to restrict or modify such act, except that such maternity hospital licenses shall hereafter be issued by the state department of health. All personnel now a part of the division of social welfare who are charged with the enforcement of the maternity hospital licensing law shall be transferred to the state department of health. Such transferred employees shall retain their present civil service status.

[1941 c. 549 s. 8]

**144.58 INFORMATION NOT TO BE DISCLOSED.** Information received by the state department of health through inspections and authorized under sections 144.50 to 144.58 shall be confidential and not disclosed except in a proceeding involving the question of licensure.

[1941 c. 549 s. 9]