261.22 APPLICATION FILED.

Subdivision 1. **Duties of officials.** When the existence of a case described in section 261.21 shall come to the notice of the sheriff, town clerk, agent of a community health board as authorized under section 145A.04, public health nurse as defined in section 145A.02, subdivision 18, peace officer, public official, or physician or surgeon, then that person shall, and any other person may, file with the 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 the person's financial situation and of the persons, if any, legally charged with the indigent person's 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 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 the public official's 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 pay for such hospitalization or in case of a minor, the parents, guardians, trustee, or other person having legal custody over the minor or legally responsible for the minor's 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 an 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 county 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 hospitalization and treatment, together with any other information such physician may deem helpful to the county board or the physician attending the affected person.

Subd. 2. **Duties of county board.** If upon filing of the 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, that the afflicted person is financially unable to pay for the treatment and that the persons legally charged with the support and maintenance of that person, if any there be, are financially unable to provide hospitalization, the county board may grant or approve the application. If the county board is not so satisfied, it may take additional testimony or make any further investigation it deems proper and it shall reject any application if it finds that the facts do not merit the expenditure of public money for the relief of the person. Upon approval of the application, the chair of the county board shall arrange for the hospitalization of the person, in a hospital selected by the person to be hospitalized. If the county board shall find that the applicant or the person legally responsible for the applicant's support and maintenance is not able to pay in full but is able to pay in part for the hospitalization at the hospital, the county board may approve the application of the person on any terms of division of hospital charges and costs as it may deem equitable and just. The county board shall provide for transportation of the person to the hospital. When a physician certifies that an emergency exists in any case and that the person suffering is, in the physician's opinion, unable to pay for hospitalization, that person shall be admitted to any hospital the person selects upon the order of the chair of the county board or upon the order of the county commissioner of the district in which the alleged indigent person resides; and thereafter an investigation shall be made in the manner hereinbefore provided. 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 hospital the patient selects for a period not to exceed 72 hours; and thereafter an investigation shall be certified and made in the manner provided in sections 261.21 to 261.23.

History: *(3164-20) 1935 c 359 s 2; 1941 c 473 s 2; 1943 c 31 s 4; 1973 c 123 art 5 s 7; 1975 c 437 art 2 s 10; 1976 c 186 s 3; 1986 c 444; 1987 c 309 s 24; 2015 c 21 art 1 s 109*