

PUBLIC HOSPITALS Act 350 of 1913

AN ACT to enable counties to establish and maintain public hospitals, levy a tax and issue bonds therefor, borrow money and issue bonds and notes therefor, elect hospital trustees, maintain training schools for nurses, maintain nursing home facilities, provide suitable means for the care of tuberculous persons, and to make possible the ultimate establishment of an adequate supply of hospitals.

History: 1913, Act 350, Eff. Aug. 14, 1913;—Am. 1933, Act 219, Eff. Oct. 17, 1933;—Am. 1964, Act 242, Eff. Aug. 28, 1964.

The People of the State of Michigan enact:

331.151 County public hospital; contagious diseases; establishment, referendum.

Sec. 1. Any county board of supervisors may establish a public hospital when approved by the electors of the county. The hospital, when established, shall offer among its services the treatment of contagious and infectious diseases. The question of establishing a hospital shall be presented to the county electors at a special or regular county election. The election proceedings hereunder shall be conducted in accordance with Act No. 116 of the Public Acts of 1954, as amended, being sections 168.1 to 168.992 of the Compiled Laws of 1948.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10858;—Am. 1917, Act 231, Eff. Aug. 10, 1917;—Am. 1923, Act 198, Eff. Aug. 30, 1923;—CL 1929, 7063;—CL 1948, 331.151;—Am. 1960, Act 43, Imd. Eff. Apr. 19, 1960.

331.151a Repealed. 1960, Act 43, Imd. Eff. Apr. 19, 1960.

Compiler's note: The repealed section pertained to county hospitals and sanatoria and provided for exercise of powers in absence of bond issue.

331.152 Referendum; election procedure, ballots.

Sec. 2. Said election shall be held at the usual places in such county for the election of county officers, the vote to be canvassed in the same manner as that for county officers. The ballots to be used at any election at which the said question is submitted shall be printed with a statement substantially as follows:

Shall the county of establish a county hospital in accordance with the terms of Act No. 350 of the Public Acts of 1913, as amended?

Yes [] No []

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10859;—CL 1929, 7064;—CL 1948, 331.152;—Am. 1960, Act 43, Imd. Eff. Apr. 19, 1960.

331.153 Board of trustees; appointment; number of trustees; qualifications; terms.

Sec. 3. If a majority of all the votes cast upon the question are in favor of establishing a county public hospital, the board of commissioners shall proceed at once to appoint 9 trustees chosen from the citizens at large of the county with reference to their fitness to such office, 1 of whom shall be the chief executive officer of the hospital and not more than 3 of whom may be licensed physicians, who shall constitute a board of trustees for the public hospital. The trustees shall hold their offices until the end of the next following calendar year. In September, prior to the expiration of their terms of office, the board of trustees shall submit to the board of commissioners the names of not more than 2 qualified candidates for each appointment or reappointment. The board of commissioners, at its October meeting, shall appoint for terms commencing next January 1, 3 trustees for 2 years, 3 trustees for 4 years and 3 trustees for 6 years. As terms expire thereafter appointments shall be made for 6 years in the same manner. Appointments to unexpired terms shall be made in the same manner. All appointments and reappointments shall meet general eligibility qualifications hereinbefore stated.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10860;—Am. 1917, Act 231, Eff. Aug. 10, 1917;—CL 1929, 7065;—CL 1948, 331.153;—Am. 1963, Act 81, Eff. Sept. 6, 1963;—Am. 1971, Act 167, Imd. Eff. Nov. 30, 1971.

331.154 Board of trustees; oath; organization; officers; compensation; powers and duties; money; legal advisor; meetings; record; quorum; pecuniary interest; board as body corporate; suits.

Sec. 4. (1) The trustees shall within 10 days after their appointment qualify by taking the oath of civil officers, and organize as a board of hospital trustees by electing 1 of the trustees as chairperson, 1 as secretary, and any other officer as the board considers necessary, but no bond is required of a trustee. The county treasurer of the county in which the hospital is located is the treasurer of the board of hospital trustees.

The treasurer shall receive and pay out all the money under the control of the board as ordered by the board, but the treasurer shall not receive compensation from the board. Each trustee may receive compensation as established by the county board of commissioners for the trustee's services in attending meetings of the board, and not to exceed 10 cents per mile for each mile necessarily traveled in going to and returning from the place of meeting each day the board is in session, when the rate of compensation and mileage as provided in this section is approved by the county board of commissioners. Each trustee may receive reimbursement for any other necessary expenses as are allowed by the county board of commissioners.

(2) The board of hospital trustees shall make and adopt bylaws and rules for its own guidance and for the government of the hospital as considered expedient for the economic and equitable conduct thereof not inconsistent with this act, and the ordinances of the city or town in which the public hospital is located.

(3) The board of hospital trustees shall have the exclusive control of the expenditure of all money collected to the credit of the hospital fund, and of the purchase of sites, the purchase or construction of any hospital building, and of the supervision, care, and custody of the grounds, rooms, or buildings purchased, constructed, leased, or set apart for that purpose. All money received for the hospital must be deposited in the treasury of the county to the credit of the hospital fund, and paid out only upon warrants drawn by the auditor of the county or by the county clerk in counties not having a county auditor upon the properly authenticated vouchers of the hospital board.

(4) The board of hospital trustees shall appoint a chief executive officer, who is the board's direct representative in the management of the hospital. The board of hospital trustees may appoint an attorney to serve as its legal advisor.

(5) The board shall in general carry out the spirit and intent of this act in establishing and maintaining a public county hospital with equal rights to all and privileges to none. The board of hospital trustees shall hold meetings at least once each month and keep a complete record of all its proceedings. Four members of the board constitute a quorum for the transaction of business of the board. One of the trustees shall visit and examine the hospital at least twice each month and the board shall, no later than the first week in October of each year, file with the county board of commissioners a report of its proceedings with reference to the hospital, and a statement of all receipts and expenditures during the year, and shall at such times certify the amount necessary to maintain and improve the hospital for the ensuing year.

(6) A trustee shall not have a personal pecuniary interest either directly or indirectly in the purchase of any supplies, equipment, and other materials of a cost more than \$500.00 per year for the hospital, unless the supplies, equipment, and other materials are purchased by competitive bidding.

(7) Each board constitutes a body corporate and may sue and be sued.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10861;—Am. 1923, Act 11, Imd. Eff. Mar. 28, 1923;—CL 1929, 7066;—Am. 1933, Act 219, Eff. Oct. 17, 1933;—Am. 1945, Act 251, Eff. Sept. 6, 1945;—CL 1948, 331.54;—Am. 1961, Act 68, Eff. Sept. 8, 1961;—Am. 1971, Act 167, Imd. Eff. Nov. 30, 1971;—Am. 2018, Act 314, Imd. Eff. June 29, 2018.

Compiler's note: For provisions of section 9 of Act 177 of 1925, referred to in this section, see MCL 332.159.

331.154a Board of trustees; employee retirement or pension plan.

Sec. 4a. The board of trustees may allow its employees to become members of a retirement or pension plan of the county where the hospital is located or it may establish its own retirement or pension plan for its employees. Before a plan established by the board of trustees shall become effective or operative, it shall be approved by the county pension plan committee created by section 12a of Act No. 156 of the Public Acts of 1851, as amended, being section 46.12a of the Compiled Laws of 1948.

History: Add. 1971, Act 29, Imd. Eff. May 22, 1971.

331.155 Repealed. 1971, Act 167, Imd. Eff. Nov. 30, 1971.

Compiler's note: The repealed section pertained to vacancies in the board of trustees.

331.156 Board of trustees; bond issuance, referendum.

Sec. 6. If the board of supervisors determines that the establishment, equipping and construction of such hospital and the purchase of land therefor must be financed through the issuance of bonds, then such bonds shall be issued in accordance with Act No. 118 of the Public Acts of 1923, as amended, being sections 141.61 to 141.66 of the Compiled Laws of 1948. The bonding proposal may be presented at the election authorized under sections 1 and 2 of this act.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10863;—CL 1929, 7068;—CL 1948, 331.156;—Am. 1960, Act 43, Imd. Eff. Apr. 19, 1960.

331.158 State board of health; approval of building plans; bids, advertisement.

Sec. 8. No hospital building shall be erected or constructed under the plans and specifications made therefor and adopted by the board of hospital trustees, until approved by the state board of health, and bids advertised for according to law for other county public buildings.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10864;—CL 1929, 7069;—CL 1948, 331.158.

Compiler's note: The state board of health, referred to in this section, was abolished and its powers and duties transferred to the state health commissioner by MCL 325.4.

331.159 Annual appropriation.

Sec. 9. In counties exercising the rights conferred by this act the board of supervisors may appropriate each year in addition to tax for the original hospital construction, equipping and site a sum not exceeding 5% of its general fund for the improvement and maintenance of any public hospital so established.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10865;—CL 1929, 7070;—CL 1948, 331.159;—Am. 1960, Act 43, Imd. Eff. Apr. 19, 1960.

331.160 County hospital; admission, payment of compensation, regulations, nonresidents.

Sec. 10. Every hospital established under this act shall be for the benefit of the inhabitants of such county and of any person falling sick or being injured or maimed within its limits; but every such inhabitant or person who is not a pauper shall pay to such board of hospital trustees or such officer as it shall designate for such county public hospital, a reasonable compensation for occupancy, nursing, care, medicine, or attendants, according to the rules and regulations prescribed by said board, such hospital always being subject to such reasonable rules and regulations as said board may adopt in order to render the use of said hospital of the greatest benefit to the greatest number; and said board may exclude from the use of such hospital any and all inhabitants and persons who shall wilfully violate such rules and regulations. And said board may extend the privileges and use of such hospital to persons residing outside of such county, upon such terms and conditions as said board may from time to time by its rules and regulations prescribe.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10866;—CL 1929, 7071;—CL 1948, 331.160.

331.161 Board of trustees; hospital operation rules, records, denial of privileges to physicians.

Sec. 11. When such hospital is established, the physicians, nurses, attendants, the persons sick therein and all persons approaching or coming within the limits of same, and all furniture and other articles used or brought there shall be subject to such rules, regulations and policies as said board, with the advice of the medical staff, may prescribe governing the operation of the hospital and the professional work, surgical privileges, conduct and maintenance of proper medical records of and by the physicians and surgeons using said hospital facilities. The board of trustees of the hospital may deny hospital privileges and facilities to any physician or surgeon who violates any of the provisions of this act or any rules, regulations or policies adopted under the provisions of this act.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10867;—CL 1929, 7072;—CL 1948, 331.161;—Am. 1958, Act 105, Eff. Sept. 13, 1958.

331.162 Board of trustees; acceptance of donations.

Sec. 12. Any person, or persons, firm, organization, corporation or society desiring to make donations of money, personal property or real estate for the benefit of such hospital, shall have the right to vest title of the money or real estate so donated in said county, to be controlled, when accepted by the board of hospital trustees according to the terms of the deed, gift, devise or bequest of such property.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10868;—CL 1929, 7073;—CL 1948, 331.162.

331.163 County hospitals; physician's right to treat patients, right to employ physicians or nurse.

Sec. 13. All physicians and surgeons licensed under the laws of Michigan shall have the privilege of treating patients in the hospital, subject always to such rules and regulations as shall be established by the board of trustees under the provisions of this act. The patient shall have the right to employ at his own expense his own physician or nurse, and when acting for any patient in such hospital the physician employed by the patient shall have charge of the care and treatment of such patient.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10869;—CL 1929, 7074;—CL 1948, 331.163;—Am. 1958, Act 105, Eff. Sept. 13, 1958.

331.164 Nurses' training school; establishment.

Sec. 14. The board of trustees of such county public hospital may establish and maintain in connection

therewith and as a part of said public hospital, a training school for nurses.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10870;—CL 1929, 7075;—CL 1948, 331.164.

331.164a Nursing home facilities; establishment.

Sec. 14a. Any public hospital established under this act may establish and maintain nursing home facilities as an integral part of its hospital operations.

History: Add. 1964, Act 242, Eff. Aug. 28, 1964.

331.165 Insanity; examination room.

Sec. 15. The said board of trustees shall at all times provide a suitable room for the detention and examination of all persons who are brought before the commissioners of insanity for such county: Provided, That such public hospital is located at the county seat.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10871;—CL 1929, 7076;—CL 1948, 331.165.

331.166 Tubercular patients; accommodations, rules, head nurse.

Sec. 16. The board of trustees of said hospital is hereby authorized to provide, as a department of said public hospital but not necessarily attached thereto, suitable accommodations and means for the care and treatment of persons suffering from tuberculosis, and to formulate such rules and regulations for the government of said persons, and for the protection from infection of other patients and nurses and attendants in such public hospital as it may deem necessary. And it shall be the duty of all persons in charge of or employed at such hospitals, or residents thereof to faithfully obey and comply with any and all rules and regulations. Said board of hospital trustees shall, if practicable, employ as head nurse to be placed in charge of said public tuberculosis sanatorium one who has had experience in the management and care of tuberculous persons.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10872;—CL 1929, 7077;—CL 1948, 331.166.

331.167 Charity patients; determination; compensation for care.

Sec. 17. The board of hospital trustees shall have power to determine whether or not patients presented at said public hospital for treatment are subjects for charity, and shall fix such compensation for care of patients other than those unable to assist themselves, as the said board may deem proper, the receipts therefor to be paid to the treasurer of said county and credited by him to the hospital fund.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10873;—CL 1929, 7078;—CL 1948, 331.167.

331.168 Indigent tubercular patients; contracts for care.

Sec. 18. The board of supervisors of any county where no suitable provision has been made for the care of its indigent tuberculous residents, may contract with the board of hospital trustees of any public hospital for the care of such persons in the sanatorium department of said hospital upon such reasonable terms as may be agreed upon.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10874;—CL 1929, 7079;—CL 1948, 331.168.

331.169 Dependent children; accommodations and care.

Sec. 19. The board of trustees of said hospital is hereby authorized to provide or establish as a department of said hospital, but not attached thereto, suitable accommodations and means for the care of dependent children. And said department shall be under the care and supervision of the trustees aforesaid of the county hospital in like manner as heretofore described in connection therewith.

History: 1913, Act 350, Eff. Aug. 14, 1913;—CL 1915, 10875;—CL 1929, 7080;—CL 1948, 331.169.