HOSPITALS AND SANATORIA

Act 109 of 1945

AN ACT to protect and promote the public health and welfare and to enable boards of supervisors of certain counties to acquire, own, construct, establish, maintain and operate hospitals, county general hospitals, sanatoria and other institutions for the treatment of persons suffering from contagious and infectious diseases and for the treatment of indigent persons suffering from any physical ailment or impairment, and for temporary detention of mentally ill patients, both non-indigent and indigent, to authorize emergency treatment for emergency cases, to levy a tax therefor, appoint hospital trustees, authorize operation of hospitals by boards of county institutions, provide suitable means for the care of such afflicted persons, to limit the liability of counties maintaining such hospitals in respect to such cases, and to repeal acts inconsistent herewith.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- Am. 1955, Act 55, Imd. Eff. May 10, 1955 ;-- Am. 1956, Act 168, Imd. Eff. Apr. 16, 1956

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The People of the State of Michigan enact:

331.201 Hospitals; definition.

Sec. 1.

The term "hospitals" as used in this act shall include hospitals, sanatoria and other institutions operated for the purposes mentioned in section 2 of this act.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.201

331.202 County hospitals for contagious diseases, indigent and mentally ill; board of supervisors, construction, appropriation.

Sec. 2.

Hereafter it shall be competent and lawful for the board of supervisors of any county in this state now or hereafter having a population of more than 100,000 as determined by the last federal decennial census or by any federal decennial census hereafter taken, to acquire, own, construct, establish, maintain and operate a hospital for the treatment of persons suffering from contagious and infectious diseases and for the treatment of indigent persons suffering from any physical ailment or impairment, and may contain a psychiatric ward for mentally ill patients, both non-indigent and indigent, provided that such a ward has been approved by the state department of mental health. Said board of supervisors, in the case of construction of such hospital, shall designate the site on which such hospital shall be placed. The board of supervisors shall also determine the sum or sums of money to be appropriated for the acquisition, ownership, construction, establishment, maintenance, operational and equipment purposes.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.202 ;-- Am. 1956, Act 168, Imd. Eff. Apr. 16, 1956

331.203 County levy, hospitals; tax limitation, special fund.

Sec. 3.

The board of supervisors of any county coming within the provisions of section 2 of this act, is hereby authorized and empowered to raise by taxation necessary funds for the purpose of acquiring, owning, constructing, equipping, maintaining and operating a hospital for the treatment of contagious or infectious diseases and for the treatment of indigent persons suffering from any physical ailment or impairment, and for temporary detention of mentally ill patients, both non-indigent and indigent. In no case shall a tax for the original acquisition and construction exceed in any 1 year 1 mill on each dollar of the assessed valuation of said county. If deemed expedient by said board, moneys for acquisition or construction purposes hereunder may be raised by taxation during successive years, and said board of supervisors may also appropriate from any unexpended moneys in the general fund of the county for such purposes. All money raised by taxation within the county, and all moneys appropriated by said board of supervisors for such purposes, shall constitute a special fund for acquisition or construction and equipment of the hospital. Moneys raised by taxation or appropriated by the board of supervisors for acquisition or construction purposes, and subsequently found not to be needed therefor, may be used to defray the expenses of operation and maintenance.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.203 ;-- Am. 1956, Act 168, Imd. Eff. Apr. 16, 1956

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331.204 Board of trustees; appointment, terms, oath; cooperation with state health commissioner; management and control vested in board.

Sec. 4.

A board of trustees for the management of any hospital created hereunder shall be appointed by the board of supervisors of the county in which such hospital is to be acquired, maintained and operated. Said trustees shall be residents and freeholders of the county and may be members of the board of supervisors. Said board shall consist of 5 members to be appointed for terms of 3 years each: Provided, That of the members first appointed 1 shall be appointed for a term of 3 years, 2 for terms of 2 years each, and 2 for terms of 1 year each. Thereafter, each trustee shall hold office for a period of 3 years beginning on the first day of January next ensuing and until a successor is appointed and qualified. Each such trustee shall file with the county clerk the constitutional oath of office. It shall be the duty of said board of trustees to cooperate and advise with the state health commissioner and with the board of supervisors of the county, or with any committee selected thereby, in the equipping of the hospital. As soon as such hospital or institution is completed and equipped, the management and control thereof shall vest in said board of trustees, subject to the provisions of this act and subject to any direction or resolution of the board of supervisors of the county or any committee of said board of supervisors selected for that purpose.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.204

331.205 Board of supervisors; advertising for bids and letting of contract.

Sec. 5.

Contracts for the acquisition or construction and the equipment of any hospital to be acquired, erected, operated and maintained under the provisions of this act shall be let by the

board of supervisors of the county. In the case of construction, such work may be let as an entirety or in sections, whichever may be deemed most advantageous. In all cases where the cost of construction or the purchasing of equipment exceeds the sum of $500.00, bids shall be advertised for in 1 or more newspapers published or circulated within the county concerned not less than 2 weeks prior to the date when bids are to be received. The board of supervisors may adopt reasonable rules and regulations concerning the manner of advertising for bids and the letting of contracts. In all cases the right to reject any and all bids presented shall be reserved. Each contract let hereunder shall provide, that the work shall be done or the material purchased subject to the approval of the board of supervisors of the county or by any committee of said board of supervisors selected for that purpose.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.205

331.206 Board of trustees; medical staff, employment, rules, qualification standards.

Sec. 6.

Subject to the provisions of this act each such board of trustees shall operate the hospital or institution under its charge and may employ, within appropriations made by the board of supervisors of the county, a medical superintendent, physicians, nurses, and such other employees as may be necessary. The medical staff of the hospital shall with the approval of the board of trustees adopt rules, regulations and policies governing the professional work of the hospital and the eligibility and qualifications of its medical staff, which may conform, as nearly as practicable, to the applicable standards recommended by the American College of Surgeons. Money to defray the expenses of maintenance and operation subject to audit as in section 8 provided shall be paid by the county treasurer having such funds in its custody on the warrant of the president of the board of trustees of the hospital, countersigned by the secretary.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.206

331.207 Contagious or infectious disease patients; admission upon certificate of county health officer; admission of indigents or others; regulations.

Sec. 7.

Any person afflicted with a contagious or infectious disease, for whose treatment and care the county maintaining such hospital or institution is responsible, shall be admitted to such hospital or institution upon the certificate of the health officer of such county.

Any indigent person suffering from any physical ailment or impairment for whose treatment and care the county maintaining such hospital or institution, or any township or city therein, is responsible, shall be admitted to such hospital or institution upon the order of the social welfare board of said county.

If the facilities of the hospital or institution will permit, the board of trustees, in its discretion, may accept other persons afflicted with contagious or infectious diseases and other indigent persons suffering from any physical ailment or impairment, and for temporary detention of mentally ill patients, both non-indigent and indigent, and upon such terms and conditions as may be fixed by the board of supervisors of the county.

The board of trustees may make regulations governing the conduct of patients and may exclude any person or persons wilfully violating such regulations.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.207 ;-- Am. 1956, Act 168, Imd. Eff. Apr. 16, 1956

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331.208 Board of trustees; compensation and expenses; claims, claims submitted to board; vacancies; body corporate.

Sec. 8.

No member of the board of trustees of any hospital established or maintained hereunder shall be entitled to receive compensation for his services. Any such trustee, however, shall be reimbursed on account of any expense necessarily incurred by him in the performance of his official duties. All claims against the hospital shall be submitted to the board of trustees thereof, and, if approved, shall be subject to audit by the board of supervisors, and shall be paid in the manner other claims against the county are paid. Any vacancy occurring on the board of trustees shall be filled for the remainder of the term by the board of supervisors of the county. Any trustee may be summarily removed by the board of supervisors for misfeasance or malfeasance in office or for failure to follow any direction or resolution of the board of supervisors or any committee of said board of supervisors empowered to make such direction or resolution. Said board of trustees for the purpose of this act shall constitute a body corporate.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.208

331.209 Gifts, devises, bequests and donations.

Sec. 9.

Any person or persons, firm, organization, corporation or society may make donations of money, personal property or real estate for the benefit of such hospital, and shall have the right to vest title of the property so donated in the county. Such gifts, when accepted, shall be used in accordance with the terms of the deed, gift, devise or bequest of such property, if any; otherwise, the same shall be used in such manner as the board of supervisors shall direct for the benefit of said hospital or institution.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.209

331.210 Board of trustees; report to supervisors; estimate of necessary funds; appropriations; referendum.

Sec. 10.

Prior to the regular October session of the board of supervisors in each year, it shall be the duty of the board of trustees of the hospital or institution to make and present to the board a full and detailed report of the operations during the preceding year and of the receipts and disbursements. Said board of trustees shall present to said board of supervisors any information said board of supervisors may request concerning said hospital or institution. Said board of trustees shall present to the board of supervisors an estimate of the funds necessary to be raised in such county for the ensuing year. Thereupon, the board of supervisors, subject to the provisions of this act, shall vote such amount as it shall deem necessary to be raised by taxation. No moneys shall be expended by the board of trustees, except as appropriated by the board of supervisors. In case it is deemed expedient by any board of supervisors to raise in any 1 year, either for acquisition, construction, maintenance or operation purposes, an amount in excess of 1 mill on each dollar of assessed valuation of said county, the question of raising by taxation or borrowing such amounts as may be deemed necessary, shall be submitted to the

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electors of the county at any general election or at a special election called for that purpose. Said question shall be submitted and election held and conducted and returns thereof canvassed and declared in the same manner as is or may be provided by the general election law for the submission and determination of the question of issuing county bonds. If a majority of the electors of the county voting thereon authorize the raising of such additional sum or sums, the board of supervisors shall by resolution direct the raising of the same by taxation.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.210

331.211 Construction of act as to tuberculosis patient care.

Sec. 11.

No part of this act shall be construed to affect, alter or be in derogation of any statute of this state pertaining to the care, treatment, reporting, isolation, commitment or hospitalization of persons afflicted with tuberculosis.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.211

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331.212 Transfer of hospital control to board of trustees.

Sec. 12.

Any hospital now owned by a county may be transferred by the board of supervisors of said county to the control of a board of trustees created under this act, and thereafter maintained and operated under the provisions of this act.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.212

331.212a County general hospital; establishment and operation by board of supervisors, purpose, site, appropriation, control; out-patient facilities; claims against board, estimate of funds.

Sec. 12a.

It shall be competent and lawful for the board of supervisors of any county in this state now or hereafter having a population of more than 1,000,000 as determined by the latest of each succeeding federal decennial census to acquire, own, construct, establish, maintain and operate, in the same manner and by the same means as is provided by this act for the acquisition, construction, establishment, maintenance and operation of other hospitals authorized by this act, a county general hospital for the treatment of persons suffering from contagious and infectious diseases and for the treatment of indigent persons suffering from any physical ailment or impairment, and for the emergency treatment of any person who, in emergency, through accident or illness, would ordinarily be in danger of loss of life or serious bodily impairment, including persons hospitalized under the provisions of Act No. 267 of the Public Acts of 1915, as amended, being sections 404.101 to 404.112, inclusive, of the Compiled Laws of 1948. The board of supervisors, in the case of construction of such county general hospital, shall designate the site on which such county general hospital shall be placed. The board of supervisors shall also determine the sum or sums of money to be appropriated for the acquisition, ownership, construction, establishment and maintenance of said county general hospital, and for operational and equipment purposes. In any county having a

population of more than 1,000,000, as determined by the latest of each succeeding federal decennial census, maintaining or which shall hereafter maintain a county infirmary, county hospital or institution operated by a board of county institutions appointed pursuant to the provisions of section 55 of Act No. 280 of the Public Acts of 1939, as amended, being section 400.55 of the Compiled Laws of 1948, the said board of county institutions shall have and exercise direction, control and supervision over such county general hospital or institution, subject to any direction, ordinance or resolution of the board of supervisors: Provided, That in counties having a population of more than 1,000,000, as determined by the latest of each succeeding federal decennial census, where Act No. 370 of the Public Acts of 1941, as amended, being sections 38.401 to 38.427, inclusive, of the Compiled Laws of 1948, is in force, such medical superintendent, physicians, nurses and other employees shall be employed pursuant to the provisions of said act. There may also be maintained by said county general hospital, under the direction and control of the board of supervisors, out-patient facilities for the treatment of indigent persons suffering from contagious and infectious diseases and other types of illness, upon such terms and conditions as shall be fixed by the said medical superintendent, with the approval of the board of county institutions.

All claims against the hospital shall be submitted to the board of county institutions, and, if approved, shall be subject to audit by the board of supervisors, or by the board of county auditors in counties having a board of county auditors. Said board of county institutions shall present to the board of supervisors, or in counties having a board of county auditors, to the board of county auditors, an estimate of the funds necessary to be raised in such county for the ensuing year.

History: Add. 1955, Act 55, Imd. Eff. May 10, 1955

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331.213 Repeal.

Sec. 13.

All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

History: 1945, Act 109, Imd. Eff. Apr. 19, 1945 ;-- CL 1948, 331.213 ;-- Am. 2018, Act 313, Imd. Eff. June 29, 2018