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Private Acts of 1933 Chapter 746

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We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Private Acts of 1933 Chapter 746

SECTION 1. That the County Courts in all counties in this State having a population of not less than one hundred fifty nine thousand and not more than one hundred sixty thousand according to the Federal Census of 1930, or by any subsequent Federal Census be, and they are hereby authorized to establish, operate and maintain a hospital for the insane of their respective counties.

SECTION 2. That such hospitals for the insane shall be established, operated and maintained by the Commissioners of the Poor as provided in Section 2681 of Shannon's Code. Said Commission shall have full power and authority with respect to the management of such hospital as it may be authorized and directed by said Quarterly County Court. It shall be its duty to appoint a suitable person as Superintendent of said Hospital who shall have actual charge and supervision of the patients and the buildings and grounds. But no person shall be appointed Superintendent of such institution unless he is a graduate of a reputable medical college, of good moral character, and he shall be skilled and experienced in the medical profession. He shall be appointed for a term of four years at a salary to be fixed by said Commission and paid by the county in monthly installments; and shall not be removed before the expiration of his term except for wilful misconduct or incompetence, and not then without reasonable notice of the charges against him submitted by or to said Commission in writing and opportunity for an open or public hearing on the same before said Commission.

Said Superintendent shall have and exercise all the power and authority conferred on him as such official by law, and shall be subject to and enforce all the rules and regulations of said hospital. Said Superintendent, in addition to his salary, shall be entitled to reside with his family, if any, on the hospital grounds and receive food supplies for his household from the regular supplies of the institution.

SECTION 3. That the said Commission is hereby authorized and empowered to elect a Transportation and Investigating Officer whose duty shall be defined by said Commission. He shall be appointed for a term of four (4) years, at a salary to be fixed by said Commission and paid by the County in month installments; and shall not be removed before the expiration of his term except for wilful misconduct or incompetence, and not then without reasonable notice of the charges against him submitted by or to said Commission in writing and an opportunity for an open or public hearing on the same before said Commission.

SECTION 4. That the purchase of all supplies of every description for said institution shall be made upon a purchase order issued by the authorized purchasing agent of the county.

SECTION 5. That in counties to which this Act shall apply, may commit in accordance with the provisions of this Act, two different classes of patients to the hospital.

First, That class known as charity patients.

Second, Private paying patients.

The first class, or charity patients, shall be those who are poor persons.

The second class, or private pay patients, are persons who are able to pay for their maintenance and treatment, and shall be committed to the hospital in the same manner and procedure as the former class, and shall be and include all patients committed or attempted to be committed to the hospital, who are not poor persons. This class of patients cannot be admitted to the hospital except after the execution of a contract between the county by the Superintendent of the hospital and the person obligated herein for the maintenance of the patient, binding and obligating said person to pay the expense of the maintenance of said patient in accordance with the rules and regulations of the hospital. The amount to be charged in each and every case for a private pay patient shall not be more than one hundred (\$100.00) dollars per quarter, the amount to be agreed upon by the party executing the contract and the Superintendent of the hospital. There shall also be executed at the same time as the contract by the party liable for the maintenance of the patient, a bond payable to the county for the use of the hospital in the sum of five hundred (\$500.00) dollars guaranteeing the fulfillment and compliance with contract above defined. Said bond shall be good and solvent and such rules and regulations as the Superintendent of the hospital deems proper may be made and enforced as to satisfy as to the solvency of the bond. The Superintendent of the hospital shall give preference to the first class as herein defined.

SECTION 6. That if any patient confined in the County Hospital shall escape therefrom he shall, after sixty days absence, be dropped from the records of the hospital, and if he be afterwards taken into custody, he may be returned to the hospital without further court proceedings upon an order of the county judge, or chairman, provided that he be a poor person as herein defined.

SECTION 7. That any person who shall attempt to, or entice any patient from the hospital to which he

has been legally committed, or shall counsel, influence or assist any such person to escape, or shall attempt to cause or influence any such patient to violate any rule of the institution or to rebel against the government or discipline of such hospital, shall be guilty of a misdemeanor, and upon conviction thereof shall pay a fine of not less than two (\$2.00) dollars, nor more than Fifty (\$50.00) dollars, or may be imprisoned not to exceed six months, or both, at the discretion of the Court.

SECTION 8. That a woman shall always accompany a female patient to the hospital unless she be accompanied by her father, brother, husband or son.

SECTION 9. That for the purpose of this Act, no person shall be admitted to the county hospital that is not a resident of the county; no person shall be considered a resident of the county unless he or she is a citizen of the State and has been a bonafide resident of the county for six (6) months, and was not insane at the time he or she came into the county; it being the county judge, or chairman, in hearing cases of this kind to investigate and determine the residence as herein defined, of the person, and certify the same to the Superintendent of the hospital.

When it is found that a person is a non-resident of the county has been determined insane, or received as an inmate of the county Hospital, or when this state of facts is reported to the Superintendent, it shall be the duty of the Superintendent to immediately report the same to the Commissioners, and the Commissioners shall take proper steps to cause such persons to be departed, if an alien, or if otherwise a non-resident of the state or county, to be taken to the state or county or place of his residence, and delivered to the proper authorities thereof.

SECTION 10. That the Superintendent of the county hospital may grant a furlough to a patient, under regulations prescribed by the Commissioners, for a period, not exceeding sixty days, and may receive said patient again when returned by the proper authorities, relatives or friends, or upon personal application of patient, after sixty days if the patient has not been returned to the hospital for further treatment, the patient shall be discharged and so recorded on the hospital records.

SECTION 11. That the County Court be, and is hereby authorized to appropriate funds at its July term each year, upon a budget submitted by said Commissioners, for the purpose of defraying all expenses incident to said institution.

SECTION 12. That should the courts declare any section or portion of this Act unconstitutional or invalid then such decision shall affect only that section or provision declared to be unconstitutional or unauthorized, and shall not affect the body of this Act or any other Section or provision or part thereof, and that this Act shall take effect from and after its passage, the public welfare requiring it.

SECTION 13. That no member of the County Court shall be eligible for membership on this Hospital Board.

Passed: April 22, 1933.

COMPILER'S NOTE: The powers vested in the commissioners of the poor herein were transferred to and vested in the county council by Private Acts of 1941, Chapter 156, which is published in full in Chapter I - County Government - County Council.

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