

MAINE STATE LEGISLATURE

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PART 4

HOSPITALS AND MEDICAL CARE

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GENERAL PROVISIONS

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§ 1701. Program of health services

The department, through its Bureau of Health, is authorized to administer a program to extend and improve its services for promoting the general public health.

The department is authorized to:

1. **Apply for federal aid.** Apply for federal aid under the Public Health Service Act (Public Law No. 410, 78th Congress Second Session as heretofore or hereafter amended);
2. **Cooperate with Federal Government.** Cooperate with the Federal Government through the United States Public Health Service in matters of mutual concern pertaining to general public health, including such methods of administration as are found to be necessary for the efficient operation of the plan for such aid;

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3. Reports. Make such reports in such form and containing such information as the Surgeon General of the United States Public Health Service may require, and comply with such provisions as said Surgeon General may find necessary to assure the correctness and verification of such reports.

The Treasurer of State shall be the appropriate fiscal officer of the State to receive federal grants on account of general public health services as contemplated by Public Health Service Act, as heretofore or hereafter amended, and the State Controller shall authorize expenditures therefrom as approved by the department.

R.S.1954, c. 25, § 33.

§ 1702. Hospital surveys

The department shall make a survey of the location, size and character of all existing public and private hospitals and health centers in the State; evaluate the sufficiency of such hospitals and health centers to supply the necessary physical facilities for furnishing adequate hospital, clinic and similar services to all the people of the State; compile such data and conclusions, together with a statement of the additional facilities necessary, in conjunction with existing structures, to supply such services; and utilize, so far as practicable, any appropriate reports, surveys and plans prepared by other state agencies.

R.S.1954, c. 25, § 34.

§ 1703. Acceptance of federal and other funds

The department shall have authority to accept any federal law now in effect or hereafter enacted which makes federal funds available for public health services of all kinds including the construction of hospitals and health centers and to meet such federal requirements with respect to the administration of such funds as are required as conditions precedent to receiving federal funds. The department, subject to the approval of the Governor and Council, shall have authority to accept funds from other sources for the same purposes.

R.S.1954, c. 25, § 35.

§ 1704. Advisory Hospital Council

An Advisory Hospital Council, as heretofore established, shall be appointed by the Governor, with the advice and consent

of the Council, to advise and consult with the Department of Health and Welfare in carrying out the administration of sections 1702 to 1704. The council shall consist of 8 members and shall include the Commissioner of Health and Welfare, ex officio, and shall include at least one member of the Maine Medical Association and at least one osteopathic physician and representatives of non-government organizations or groups, and of state agencies, concerned with the operation, construction or utilization of hospitals, including representatives of the consumers of hospital services selected from among persons familiar with the need for such services in urban or rural areas. The chairman shall be appointed by the Governor. Each member shall hold office for a term of 4 years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Council members, while serving on business of the council, shall receive no compensation but shall be entitled to receive actual and necessary travel and subsistence expenses while so serving away from their places of residence. The council shall meet as frequently as the chairman deems necessary but not less than once each year. Upon request by 2 or more members, it shall be the duty of the commissioner to call a meeting of the council.

R.S.1954, c. 25, § 36.

§ 1705. Individuals may select own physician

Nothing in this Title shall be construed to empower or authorize the department or its representative to interfere in any manner with the right of any individual to select the physician or mode of treatment of his choice, providing that sanitary laws, rules and regulations are complied with.

R.S.1954, c. 25, § 41.

§ 1706. Distribution of antitoxins in emergency

The department, with the approval of the Governor and Council may, for the purpose of aiding in national defense in case of war or in any state emergency declared by the Governor under the Civil Defense Law, procure and distribute within the State, and sell or give away, in its discretion, antitoxins, serums, vaccines, viruses and analogous products applicable to the prevention or cure of disease of man.

R.S.1954, c. 25, § 67.

§ 1707. Responsible relatives; duty of hospitals

The spouse, parents and adult children of a person receiving hospital care shall, if of sufficient ability, be responsible for the hospital bill of such person. The hospital furnishing care to a person may recover the amount due for such care from a responsible relative in a civil action.

Hospitals shall make every reasonable attempt to arrange for payment by the responsible relatives or the person hospitalized before making application for hospital aid.

Hospitals making application for hospital aid must submit to the department such information as the department deems necessary concerning the financial condition of the responsible relatives and of the person hospitalized.

R.S.1954, c. 25, § 19; 1961, c. 317, § 34.

§ 1708. Appropriations for aid of public and private hospitals

Such sums of money as may be appropriated by the Legislature in aid of public and private hospitals shall be expended under the direction of the department, and the expense of administration shall be charged to the appropriation of that department for general administration. The department is authorized to compensate hospitals located in the State of New Hampshire within 15 miles from the Maine-New Hampshire state line or hospitals located in the Provinces of Quebec or New Brunswick, Canada, within 5 miles of the international boundary, for cases where the hospital care is for persons resident in the State of Maine and, in the judgment of the commissioner, adequate local hospital facilities are not available. The department may compensate hospitals at such rates as it may establish for hospital care of persons whose resources or the resources of whose responsible relatives are insufficient therefor. Bills itemizing the expenses of such hospital care, when approved by the department and audited by the State Controller, shall be paid by the Treasurer of State.

R.S.1954, c. 25, § 18; 1955, c. 86; 1957, c. 226.