

# MAINE STATE LEGISLATURE

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August 31, 1948

To N. S. Kupelian, M.D., Superintendent of Pownal State School

I received your memo of August 25th, relating to the responsibility of the Superintendent when boys and girls are taken from the institution by relatives or outsiders. You state that it has been the custom to grant permission to relatives and friends, sometimes to permanent employees, to take patients out for a good time for a day or part of a day, using their automobiles or going by bus or train, and also to give permission to patients to work outside, picking apples or beans, or doing other farm or home work in the neighborhood, for which they receive pay. These day trips are not covered by any signed agreement.

It is my opinion that, as Superintendent, you should secure signed agreements whenever possible, when anyone takes a patient off the grounds, and that you should refuse permission to any person whom you think unfit to operate an automobile or who has a record of having had an accident, to take patients for rides in automobiles. It is up to you to give or refuse permission to anyone to take patients from the grounds. I do not consider that you would be personally responsible in case an accident happened to these patients while they were out under these circumstances, provided you had exercised ordinary care in granting permission.

Ralph W. Farris  
Attorney General

RWF:c