

SECTION 2. EMERGENCY.) This act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 25, 1949.

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**INSANE, FEEBLE-MINDED, TUBERCULAR,  
BLIND, AND DEAF**

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CHAPTER 196

Senate Bill No. 210  
(Stucke, Mehlhaff, Solberg and Day)

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SPECIALISTS FOR STATE HOSPITAL PATIENTS

AN ACT

Requiring the hiring of specialists in the field of mental ills for the treatment of patients at the State Hospital for the Insane at Jamestown and for the treatment of persons not committed.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

SECTION 1. SPECIALISTS.) The Board of Administration is authorized and directed to provide at Jamestown competent specialists in the field of mental ills and diseases, at least one of which shall be qualified to teach in such field. Such specialists shall be available for the treatment of persons in the State Hospital for the Insane and for the treatment of other persons not committed to any institution, according to rules and regulations to be provided by the Board of Administration.

Approved March 8, 1949.

## CHAPTER 197

Senate Bill No. 9  
(Legislative Research Committee  
at the request of the State Board of Administration)

## COUNTY EXPENSE FOR CARE OF STATE HOSPITAL PATIENTS

## AN ACT

To amend and reenact section 25-0214 of the North Dakota Revised Code of 1943, relating to the expense for care of patients at the state hospital and declaring an emergency.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

SECTION 1. AMENDMENT.) Section 25-0214 of the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

25-0214. EXPENSE FOR CARE OF PATIENT IS CHARGE UPON COUNTY; COUNTY TO REMIT TO STATE TREASURER; COST OF CARE OF NONRESIDENTS.) The board, from time to time, shall fix the amount to be paid for the care, board, and treatment of patients at the state hospital. Such amount shall not exceed the sum of forty-five dollars per month for residents of this state, but non-residents shall pay the actual cost of their care, board and treatment. Each county shall pay to the state treasurer the amount specified by the board, limited as provided in this section, for the care and treatment of each patient sent from the county to the state hospital, and such amount shall be a charge against the county until it is paid. A statement verified by the superintendent shall be evidence of the amount due.

SECTION 2. EMERGENCY.) This Act is hereby declared to be an emergency measure and shall be in full force and effect from and after its passage and approval.

Approved February 25, 1949.

## CHAPTER 198

House Bill No. 127

(Leet)

## RECOVERY COUNTY CARE INSTITUTIONAL PATIENTS

## AN ACT

To amend and reenact section 25-0825 of the 1947 Supplement to the North Dakota Revised Code of 1943, relating to recovery of expenses for institutional care from patients, estates of patients, and from veterans, authorizing county auditors to collect such expenses for the county and the state, providing that the statute of limitations shall not bar the collection of such expenses.

*Be It Enacted by the Legislative Assembly of the State of North Dakota:*

SECTION 1. AMENDMENT.) Section 25-0825 of the 1947 Supplement to the North Dakota Revised Code of 1943 is hereby amended and reenacted to read as follows:

25-0825. EXPENSES OF INSTITUTIONAL CARE CHARGEABLE AGAINST ESTATE OF DECEASED PATIENT AND AGAINST PATIENT.) A claim for the expenses incurred by any county or by the state, including the amount advanced by the state from the institutional support funds, for the treatment and maintenance of any patient at the state hospital, the state school, or the state sanatorium may be filed against the estate of such patient after his death in the same manner and with the same effect as claims of general creditors are filed against estates of decedents. Such expenses may be recovered from a person who has been a patient in any such institution after such person has been discharged from such institution as cured. If any such patient is a veteran who has received, who is receiving, or who is entitled to receive compensation, or pension from the veterans administration, such expenses shall be a current claim against such patient and may be recovered monthly by the superintendent of the North Dakota state hospital.

SECTION 2. COUNTY AUDITOR AUTHORIZED TO COLLECT EXPENSES.) The county auditor is hereby authorized to collect the expense for the treatment and maintenance of the county's patients at the state hospital, state school, or the state sanatorium, incurred by the county or the state, including the amount advanced by the state from the institutional support funds. Such expense may be collected from such patients after they have been discharged from such institutions as cured, or from their estates after they are dead,

SECTION 3. COUNTY AUDITOR TO FILE CLAIM.) When the estate of a deceased person who has been a patient at the state hospital, state school, or the state sanatorium is entered in probate in the county court, and the expense incurred by the county or state, including the amount advanced by the state from the institutional support funds for his treatment and maintenance at such institution, or any part thereof, remains unpaid, the county auditor shall file a claim against the estate for the full amount due to the county and the state for such expense.

SECTION 4. STATUTE OF LIMITATIONS NOT TO BAR RECOVERY.) The statute of limitations shall not bar the right of recovery for the expense of such treatment and maintenance at such institutions either from the patient, or his estate after his death, but this act shall not apply to claims that are already barred at the time that this act takes effect.

SECTION 5. DISPOSITION OF FUNDS COLLECTED.) The amount collected from such persons or their estates by the county auditor shall be applied first in payment of the sum due to the county and the balance, if any, shall be paid to the state treasurer who shall credit the same to the charitable institutions revolving fund.

SECTION 6. COUNTY AUDITOR TO FURNISH LIST OF NAMES.) Within thirty days after this act takes effect the county auditor of each county shall furnish to the county judge of his county, a complete list of the names of all persons of his county whose expense for treatment and maintenance at such institutions remains unpaid in whole or in part.

SECTION 7. COUNTY JUDGE TO KEEP RECORD.) After receiving such list, the county judge shall strike therefrom the names of all such persons, as come to his knowledge, whose estates have been probated and closed, or who at their deaths left no estates for probate, or against whose estates the claims of creditors are barred by the statute of limitations at the time when this act takes effect, or when such persons are no longer residents of the county. After striking such names from the list, the county judge shall enter the remaining names in a record book in alphabetical order and keep the same in his office for reference. Thereafter when a person who is a resident of his county is committed to the state hospital, the state school, or a certificate of indigence is issued to a patient at the state sanatorium, the county judge shall enter the name of such person in his record book.

SECTION 8. COUNTY JUDGE TO NOTIFY COUNTY AUDITOR.) When the estate of any such deceased person is entered in probate in the county court, the county judge shall notify the auditor of the county of that fact, and the auditor shall file a claim against the estate as herein provided.

Approved March 19, 1949.