

# MENTALLY ILL AND RETARDED, TUBERCULAR, BLIND, AND DEAF

## CHAPTER 271

HOUSE BILL NO. 1522  
(Solberg)

### SAN HAVEN STATE HOSPITAL

AN ACT to amend and reenact subsection 6 of section 25-01-01, sections 25-05-01, 25-05-02, 25-05-03, 25-05-06, 25-05-07, 25-05-10.1, 25-05-11, 25-05-16, subsection 3 of section 25-05-19, sections 25-05-33, 25-05-34, 25-09-01, subsection 1 of section 25-09-10, and section 54-23-01 of the North Dakota Century Code, relating to changing the name of the North Dakota state tuberculosis sanatorium to the San Haven state hospital, and providing the state director of institutions with authority to accept federal funds and programs on behalf of the hospital.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 6 of section 25-01-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

6. "State sanatorium" shall mean the San Haven state hospital;

SECTION 2. AMENDMENT.) Section 25-05-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-01. SAN HAVEN STATE HOSPITAL - MAINTAINED - LOCATION.) There shall be maintained at Dunseith, in the county of Rolette, a sanatorium known as the San Haven state hospital for the prevention and treatment of tuberculosis of every kind or nature. The San Haven state hospital and the North Dakota state medical center at the university of North Dakota shall cooperate in the joint use of facilities in the furtherance of the purposes for which each institution is organized, but the director of institutions shall be in charge of the administration of the San Haven state hospital in the manner provided by law.

SECTION 3. AMENDMENT.) Section 25-05-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-02. QUALIFICATIONS OF SUPERINTENDENT - RECORDS OF PATIENTS - SALARIES.) The superintendent of the San Haven state hospital must be either:

1. A duly licensed physician skilled in caring for and in treating persons who are afflicted with tuberculosis; or
2. A competent executive with at least five years' experience in hospital administration.

In the event a physician shall be appointed superintendent, he shall have power to appoint an assistant superintendent, necessary physicians, and all other employees and define their qualifications and duties; but he may name a personnel director to employ and discharge all employees except physicians. In the event an executive shall be named, he shall designate a duly licensed physician having at least five years' experience in the care of persons suffering from tuberculosis as chief of medical staff and such chief of staff shall have full power to employ additional physicians, nurses, and professional assistants and shall have full power to define their qualifications and duties, but all other employees shall be appointed and removed by the superintendent or a personnel director to be named by him. He shall cause complete case histories and records to be kept of all persons admitted as patients at the San Haven state hospital, including a record of the period of treatment of each patient. The salaries of all employees shall be fixed by the director within the limits of the legislative appropriations made for such purpose.

SECTION 4. AMENDMENT.) Section 25-05-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-03. ADMISSION TO SAN HAVEN STATE HOSPITAL - APPLICATION - EXAMINATION OF APPLICANTS REQUIRED.) All persons afflicted with tuberculosis of any kind or nature may be admitted to the San Haven state hospital. Applicants for admission shall be examined at such place in the state as may be designated by the director, and all examinations shall be made by a regularly authorized medical examiner of the San Haven state hospital. Each such examiner shall be a citizen of this state, and the director shall appoint such examiners as may be required. The fee of the examining physician shall not exceed four dollars in any one case, and such fee shall be paid by the applicant unless it shall appear to the board of county commissioners of the county in which the applicant resides that the applicant is unable to pay the same, in which case the fee shall be a charge against the county.

SECTION 5. AMENDMENT.) Section 25-05-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-06. SEGREGATION OF PATIENTS IN SAN HAVEN STATE HOSPITAL.) Incurable patients in the San Haven state hospital shall be kept separate and apart from the curable patients therein under such rules and regulations as may be prescribed by the

superintendent and the director of institutions.

SECTION 6. AMENDMENT.) Section 25-05-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-07. BIENNIAL REPORT OF SUPERINTENDENT TO DIRECTOR - CONTENTS - EXTRA COPIES OF REPORT MADE - COST.) The superintendent of the San Haven state hospital shall submit a biennial report to the director giving in detail the methods of treatment of patients, the results accomplished, and a general account of the conditions existing at the institution. Such report shall be included in and made a part of the biennial report of the director. The director may authorize the printing of copies of the separate report of such institution not exceeding one thousand in number. The charges for the printing of such separate copies shall be paid in the same manner as payment is made for printing reports of the various departments of the state.

SECTION 7. AMENDMENT.) Section 25-05-10.1 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-10.1. CARE AND TREATMENT OF TUBERCULOSIS PATIENTS OR SUSPECTS PROVIDED WITHOUT CHARGE BY STATE.) Care and treatment provided by the state of North Dakota for persons suffering from tuberculosis, including diagnosis, tests, studies and analyses for the discovery of tuberculosis at the San Haven state hospital shall be available without cost or charge to anyone who is suffering from tuberculosis or is suspected of having tuberculosis. Any such person who volunteers to assume and pay for the cost of such care and treatment or for the cost of such diagnosis, tests, studies or analyses shall be permitted to do so; but no state, county or other public official shall request or require such payment or make or cause to be made any inquiry or investigation for the purpose of determining the ability of such person or of his legally responsible relatives to pay therefor. This section shall in no way bar freedom of the individual to seek treatment from a physician or in an institution of his choice at his own expense.

SECTION 8. AMENDMENT.) Section 25-05-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-11. ADMISSION OF PATIENTS SUBJECT TO APPROVAL OF SUPERINTENDENT AND DIRECTOR.) The admission of every patient to the San Haven state hospital shall be subject to the final approval of the superintendent of the hospital and of the director.

SECTION 9. AMENDMENT.) Section 25-05-16 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-16. REPORT, CUSTODY, OF PERSONS.) Upon report to, or receipt of information by, a local board of health that any person is afflicted with tuberculosis and, as a source of infection endangers other persons, such board shall investigate and, if convinced that an active case of infectious tuberculosis endangering other persons exists, shall request such person voluntarily to seek admission to the San Haven state hospital or to another appropriate facility for treatment, and if such person refuses to accept such admission and treatment, shall petition the tuberculosis board of the county where such person is found or resides for an order of admission to the San Haven state hospital or to another appropriate facility or institution under the control of the director of institutions, and that such person be placed in the custody of the director of institutions for necessary and appropriate care and treatment.

SECTION 10. AMENDMENT.) Subsection 3 of section 25-05-19 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

3. Authorize the director of institutions to receive and keep such person in its custody for necessary and appropriate care, treatment, quarantine, and isolation at the San Haven state hospital or another appropriate facility or institution under the control of the director of institutions.

SECTION 11. AMENDMENT.) Section 25-05-33 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-33. CARE OF TUBERCULAR PATIENTS - ACCEPTANCE OF FEDERAL FUNDS - EMERGENCY.) The director of institutions is hereby authorized to contract with public or private agencies for the care of tubercular patients if at any time the facilities of the state of North Dakota become insufficient to care for them. The director of institutions, after receiving approval from the legislative council committee on budget to receive federal funds for specific programs or projects, is hereby authorized to accept any federal funds or to enter into any federal programs on behalf of the San Haven state hospital.

SECTION 12. AMENDMENT.) Section 25-05-34 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-05-34. TRANSFER OF TUBERCULAR PERSONS TO THE SAN HAVEN STATE HOSPITAL.) When required for the protection of the public health, the control of tuberculosis, or the protection or treatment of the individual patient, any person committed to or confined in a state or county institution who has active, infectious tuberculosis may be removed from such institution to the San Haven state hospital or to another appropriate institution

under the control of the director of institutions. Such transfer may be made in the discretion of the director of institutions, if from an institution controlled by such board, or, in the case of transfer from an institution not so controlled, by agreement of the director of institutions and the agency responsible for the control of such other institution. If any person, so transferred, is maintained at the expense of a federal governmental unit or agency, the cost of maintenance in the institution to which he is transferred shall be charged to and collected from such governmental unit or agency.

SECTION 13. AMENDMENT.) Section 25-09-01 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-01. OPERATIONAL AND ADMINISTRATIVE EXPENSE OF INSTITUTIONAL CARE AND TREATMENT.) All of the operational and administrative expense of the state hospital, state school, and San Haven state hospital shall be appropriated from the state treasury.

SECTION 14. AMENDMENT.) Subsection 1 of section 25-09-10 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

1. If a person who has no legal residence in this state or whose residence is unknown is found to be a fit subject for care and treatment in the state hospital or the San Haven state hospital, such person shall be sent to such institution in the same manner, and accompanied by the same documents as in the case of a resident of this state. The supervising department shall immediately inquire as to the residence of such person, and if found to be in another state or country the supervising department may arrange for transportation of such person to the place where he belongs. The supervising department may enter into reciprocal agreements with other states regarding the mutual exchange, return, and transportation of mentally ill or tubercular persons who are within the confines of one state but have legal residence or legal settlement in another state. Such agreements shall contain no provision conflicting with any laws of this state.

SECTION 15. AMENDMENT.) Section 54-23-01 of the 1969 Supplement to the North Dakota Century Code is hereby amended and reenacted to read as follows:

54-23-01. INSTITUTIONS UNDER CONTROL OF DIRECTOR OF INSTITUTIONS.) The director of institutions shall have full power to manage, control, and govern, subject only to the limitations contained in this chapter and in title 25, the penitentiary, the school for the blind, the school for the deaf, the Grafton state school, the North Dakota industrial school, and the San Haven state hospital. The director shall not have the power to manage, control, and govern the soldiers' home.

Approved March 22, 1971

## CHAPTER 272

SENATE BILL NO. 2279  
(Kautzmann, Nething, Chesrown, Unruh, Barth)

INVOLUNTARY HOSPITALIZATION  
FOR MENTAL HEALTH CARE

AN ACT to amend and reenact subsection 7 of section 25-03-11 of the North Dakota Century Code, relating to judicial procedures in hospitals upon order of mental health board.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Subsection 7 of section 25-03-11 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

7. If upon completion of the hearing and consideration of the record the mental health board finds that the proposed patient:
  - a. Is mentally ill, an alcoholic or a drug addict and because of his illness is likely to injure others or himself if allowed to remain at liberty; or
  - b. Is in need of custody, care or treatment in a mental hospital and, because of his illness, lacks sufficient insight or capacity to make responsible decisions with respect to his hospitalization,

it shall order his hospitalization at the state hospital or other suitable place, or it may order that he be hospitalized at a hospital duly licensed under the provisions of chapter 23-17.1 provided such hospital shall consent to provide such care and treatment and the cost thereof shall be paid by the patient, or if the board finds otherwise it shall dismiss the proceedings. No person who is being treated by prayer in the practice of the religion of any well recognized church, sect, denomination, or organization, shall be ordered detained or committed under the provisions of this chapter unless the county mental health board shall determine that he is or would likely become dangerous to himself or to the person or property of others, or unless, being an adult, he shall

consent to such detention or commitment, or, being a minor, his parent or guardian having custody of his person shall consent thereto.

Approved March 27, 1971

## CHAPTER 273

SENATE BILL NO. 2221  
(Lowe)

REPORT TO SCHOOLS  
FOR DEAF OR BLIND

AN ACT to require certain persons to report the names of blind persons to the school for the blind and the names of deaf persons to the school for the deaf.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. BLIND PERSONS - DUTY TO REPORT.) It shall be the duty of every public school superintendent, physician, ophthalmologist, oculist, optometrist, nurse, clinic, hospital, and social and welfare agency in this state to report in writing to the superintendent of the North Dakota school for the blind the name, age, and residence of persons under the age of twenty-one years who are blind within the definition of blindness as set forth in this section, and in such cases to furnish such additional pertinent information as the superintendent of the North Dakota school for the blind may request. All reports shall be forwarded to the superintendent of the school for the blind within thirty days after diagnosis, examination, or discovery. For the purposes of this Act, a blind person shall be defined as one who is totally blind or whose central visual acuity does not exceed twenty/two hundred in the better eye with corrective lenses, or the widest diameter of the visual field is no greater than twenty degrees.

SECTION 2. DEAF PERSONS - DUTY TO REPORT.) It shall be the duty of every public school superintendent, physician, otologist, audiologist, nurse, clinic, hospital, and social and welfare agency in this state to report in writing to the superintendent of the North Dakota school for the deaf the name, age, and residence of persons under the age of twenty-one years who are deaf or hard of hearing, and in such cases to furnish such additional pertinent information as the superintendent of the North Dakota school for the deaf may request. All reports shall be forwarded to said superintendent of the school for the deaf within thirty days after diagnosis, examination, or discovery.

Approved March 11, 1971



## CHAPTER 274

SENATE BILL NO. 2245  
(Jones, Page)

INSTRUCTION AT  
SCHOOL FOR THE DEAF

AN ACT to amend and reenact sections 25-07-02 and 25-07-06 of the North Dakota Century Code, relating to the instruction at the school for the deaf; and to repeal section 25-07-03 of the North Dakota Century Code, relating to the duties of the matron at the school for the deaf.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 25-07-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-07-02. SUPERINTENDENT TO POSSESS CERTAIN QUALIFICATIONS - SPECIAL DUTIES.) The superintendent of the school for the deaf shall be a capable person skilled in the sign language and in all the methods in use in educating the deaf and shall have knowledge of the wants and requirements of the deaf in their proper training and instruction. He shall reside at the institution.

SECTION 2. AMENDMENT.) Section 25-07-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-07-06. INSTRUCTION AT SCHOOL FOR DEAF.) The superintendent of the school for the deaf shall provide an educational program that is designed to give deaf children a usable and understandable language by which they are able to give and to receive ideas, to converse with other deaf persons, to understand the printed page, and to express themselves understandably by correspondence. Every effort to teach speech and speech reading shall be made. Every boy and girl shall also be provided with instruction in prevocational or vocational subjects.

SECTION 3. REPEAL.) Section 25-07-03 of the North Dakota Century Code is hereby repealed.

Approved March 17, 1971

## CHAPTER 275

SENATE BILL NO. 2122

(Christensen, Litten)

(From Legislative Audit and Fiscal Review Committee Study)

CHARGES FOR CARE AT STATE HOSPITAL  
AND GRAFTON STATE SCHOOL

AN ACT to create and enact sections 25-09-02.1, 25-09-02.2, 25-09-03.1, 25-09-04.1, and 25-09-11.1 of the North Dakota Century Code; to amend and reenact sections 25-09-02, 25-09-03, 25-09-04, 25-09-05, 25-09-06, subsection 2 of section 25-09-07, and section 25-09-08 of the North Dakota Century Code; and to repeal section 25-09-11 of the North Dakota Century Code, all relating to the expenses of care and treatment of patients at the Grafton state school and the state hospital.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 25-09-02 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-02. EXPENSES CHARGEABLE AGAINST PATIENT OR HIS ESTATE - FILING CLAIMS.) Except as provided in section 25-09-11.1, expenses for care and treatment of each patient at the state hospital and the Grafton state school shall be in accordance with the cost of providing care and treatment for the different degrees or conditions of mental and physical health. The supervising department shall recover monthly from the patient, if possible, or from the person who has been a patient in such institution after he has been discharged from the institution, expenses for care and treatment. If any patient is receiving social security or 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 supervising department except that the amount of seven dollars and fifty cents shall be credited to the patient's personal account from any social security money received.

SECTION 2.) Section 25-09-02.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-02.1. REDUCTION AND WRITEOFF OF ACCOUNTS - REPORTS REQUIRED.) The supervising department may authorize the reduction or writing off of a patient's past due account from the financial records of the institution upon making a

determination that the account is not collectible. The supervising department, thirty days after the close of each fiscal year, shall present a detailed report to the legislative audit and fiscal review committee on the status of accounts receivable for that fiscal year, which report shall include the following information:

1. An aging by patient classification of accounts remaining unpaid.
2. The amounts by patient classification by which accounts were reduced or written off for reasons other than payment during that fiscal year.

SECTION 3.) Section 25-09-02.2 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-02.2. FILING OF CLAIMS - NOTICE TO DEPARTMENT.) Claims for expenses incurred by the state for care and treatment of a patient at the state hospital or state school may be filed against the guardianship or the estate of such patient after his death or against the estate of a responsible relative after his death, at any time prior to final distribution thereof, by the supervising department with the same priority as claims of general creditors which are filed against estates of decedents. Any claim denied or rejected by an administrator, executor, or guardian, shall clearly state the reason or cause for such denial or rejection, written notice of which shall be served upon the supervising department. Every administrator or executor upon the granting of letters of administration or testamentary shall, at the same time that publication of notice to creditors is required, forward to the supervising department a copy of the petition or application commencing probate, heirship proceedings, or joint tenancy tax clearance proceedings in the respective county court, together with a copy or list of the names of the legatees, devisees, surviving joint tenants, and heirs at law of such estate. If no notice to creditors is required by the proceedings, such administrator, executor, or other petitioning party shall forward to the supervising department a copy of the petition or application commencing such proceedings, together with a list of the names of the legatees, devisees, surviving joint tenants, and heirs at law of such estate.

SECTION 4. AMENDMENT.) Section 25-09-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-03. EXPENSES CHARGEABLE AGAINST GUARDIANSHIP ESTATE OF PATIENT - RESTRICTIONS.) The expenses incurred by the state for the care and treatment of any patient at the state hospital or state school shall be charged against the guardianship estate of such patient, if he has such an estate, subject to the following restrictions:

1. No part of such estate shall be taken for such purpose if the patient has dependents within the United States dependent upon the estate for support and the taking of all or a portion of such estate would result in undue hardship to such dependents.
2. No real property belonging to such estate shall be sold during the lifetime of the patient except for the maintenance and support of his or her dependents, unless it is shown that the sale of such property will not result in undue hardship to such dependents, and in either such event, it shall be sold only upon the order of the county court having jurisdiction of the estate, with the consent of the supervising department.
3. No personal property belonging to such estate shall be sold within five years from the date upon which the patient was sent to the institution unless such property is ordered sold by the county court having jurisdiction of the estate for the reason that such property is likely to deteriorate in value during the time herein specified.
4. No claim shall be made to recover from the estate of a former resident of the state school who has left the state school and married, and leaves a spouse or issue dependent upon such estate.

If any real or personal property is sold pursuant to the provisions of this section, the county court shall order the proceeds of the sale to be invested safely for the benefit of the patient or to be used for the support and maintenance of his dependents, or used to pay the costs of care and treatment of the patient.

SECTION 5.) Section 25-09-03.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-03.1. CLAIMS AGAINST ESTATES OF RESIDENT RESPONSIBLE RELATIVES.) Claims against the estates of resident responsible relatives for the care and treatment of patients at the state school shall not exceed an amount equal to that portion of the value of the estate which would pass to the patient under the intestacy laws of this state as if the responsible relative died intestate during the life of the patient, but this limitation shall not bar additional or subsequent claims against any patient or any patient's estate regardless of the source of the property constituting such estate. Claims against the resident responsible relatives, or their estates, shall be retroactive to the time of admission of the patient to the state school and may be filed at any time prior to final distribution thereof by the supervising department.

SECTION 6. AMENDMENT.) Section 25-09-04 of the North

Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-04. RESPONSIBLE RELATIVES SHALL PAY FOR CARE AND TREATMENT - DEFINITION.) In the event of a patient's inability to pay for the costs of care and treatment, responsible relatives of such patient at the state hospital or state school shall pay to the supervising department monthly, the actual cost of care and treatment incurred by the state at each institution, or such lesser amount as may be determined by law. For purposes of this chapter and title 25 of this Code, "responsible relatives" shall mean the patient's spouse, father, or mother. In no event, however, shall responsible relatives be required to pay such costs for children upon reaching their twenty-first birthday.

SECTION 7.) Section 25-09-04.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-04.1. NONRESIDENT PATIENTS.) Nonresident patients at the Grafton state school and nonresident responsible relatives of such patients shall be liable for the full costs of care and treatment at the state school according to the provisions of sections 25-09-02 through 25-09-06.

SECTION 8. AMENDMENT.) Section 25-09-05 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-05. INABILITY TO PAY ALL OR PART OF EXPENSES.) The patient, former patient, his responsible relatives, or the executor, administrator, or guardian may make application to the supervising department to pay less than the costs or none of the costs incurred by the state for the patient's care and treatment at the state hospital or state school. Such application shall be accompanied by proof of the patient's or his estate's or responsible relatives or their estates' inability to pay. Upon receipt of such application, the supervising department shall direct the county welfare board of the county from which the patient was admitted in the case of a patient at the state hospital or the state school, to determine whether the patient, former patient, or his responsible relatives or their estates are able to pay all, a portion, or none of the expenses incurred by the state for such patient's care and treatment. The supervising department shall approve, reject, or amend the determination made by the county welfare board. The determination made by the supervising department may be appealed to the district court of Burleigh County or the district court of the county of residence of the patient or his responsible relatives. Any patient, former patient, responsible relative, guardian, executor, or administrator who seeks relief for the payment of the cost of care and treatment by filing an application for relief of payment, shall do so with the understanding that the supervising department may, in its discretion, and to its satisfaction, verify any statement made in such application for relief of payment

by a request for information from financial institutions, including commercial banks. Notwithstanding the provisions of section 57-38-57, this verification may include a review of such applicant's state income tax return or any other document or report submitted to or held by any office or department of the state of North Dakota or any of its political subdivisions.

SECTION 9. AMENDMENT.) Section 25-09-06 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-06. APPLICATION FOR REVIEW OF ABILITY TO PAY.) Any patient or former patient at the state hospital or state school or any responsible relative or their executors, administrators, or guardians, may make application to the supervising department not more often than once each calendar year for a review of the determination made by the supervising department in regard to the ability of such persons or their estates to pay costs of care and treatment. Such application and review shall be treated in the same manner as an original application by such persons for a determination of their inability to pay costs of care and treatment. Upon such review, the supervising department may reaffirm or alter the previous determination and shall have authority to make such redetermination retroactive. In addition, the supervising department on its own motion may review the ability of the patient, former patient, or his responsible relatives, or their estates, to pay for costs of care and treatment, which determination may be made retroactive.

SECTION 10. AMENDMENT.) Subsection 2 of section 25-09-07 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

2. The state hospital and state school are permitted to contract with North Dakota nonprofit hospital collection associations or collection agencies located in the state for the collection of amounts due the state for expenses incurred by the state of North Dakota for the care and treatment of patients at the state hospital or state school.

SECTION 11. AMENDMENT.) Section 25-09-08 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-09-08. DISPOSITION OF FUNDS COLLECTED.) The amount collected from patients, former patients, their estates, or responsible relatives or their estates, by the supervising department under the provisions of this chapter shall be deposited with the state treasurer and credited to the operating fund of each institution.

SECTION 12.) Section 25-09-11.1 of the North Dakota Century Code is hereby created and enacted to read as follows:

25-09-11.1. REDUCTIONS IN CLAIMS AGAINST RESIDENT PATIENTS OF THE GRAFTON STATE SCHOOL AND THEIR RESPONSIBLE RELATIVES.) Upon filing a statement with the director of institutions certifying that making payments for the full cost of care and treatment would cause economic hardship, responsible relatives shall not be liable for more than a sum equal to six hundred dollars per annum, payable in equal monthly installments.

SECTION 13. REPEAL.) Section 25-09-11 of the North Dakota Century Code is hereby repealed.

Approved March 29, 1971

## CHAPTER 276

SENATE BILL NO. 2084  
(Lips, Morgan, Sanstead)  
(Legislative Council Study)

## MENTAL HEALTH COORDINATING COMMITTEE

AN ACT to repeal section 25-10-03 of the North Dakota Century Code, relating to the mental health coordinating committee.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE  
STATE OF NORTH DAKOTA:

SECTION 1. REPEAL.) Section 25-10-03 of the North Dakota Century Code is hereby repealed.

Approved February 19, 1971



## CHAPTER 277

SENATE BILL NO. 2502  
(Melland)

SOUTH CENTRAL MENTAL HEALTH  
AND RETARDATION CENTER

AN ACT to amend and reenact section 25-12-03 of the North Dakota Century Code, relating to the control of the south central mental health and retardation center.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF NORTH DAKOTA:

SECTION 1. AMENDMENT.) Section 25-12-03 of the North Dakota Century Code is hereby amended and reenacted to read as follows:

25-12-03. BOARD OF DIRECTORS - APPOINTMENT - TERM.) Each mental health and retardation service unit, whether established by a political subdivision or a body corporate, except the south central mental health and retardation center, shall be governed by and under the general supervision of a board of directors. The board of directors shall be appointed by the governing body of the political subdivision which comprises such unit, and if more than one political subdivision comprises such unit then appointed by the governing bodies of each such political subdivision meeting jointly. The board of directors shall not exceed thirteen members, but may be less in the discretion of such governing bodies. The term of office of the board members shall be three years, staggered so that the term of office of an equal number of the board members, if possible, expires each year. Vacancies occurring on the board for other than the expiration of a term shall be filled in the same manner as original appointments, except that appointments shall be made only for the unexpired term. No compensation shall be allowed the board members, but they shall be allowed the same mileage and expenses as is allowed state officials. The board shall elect a chairman from their membership and such other officers as the board deems necessary. All members of each board of directors shall be residents of the area served by the mental health and retardation service unit and such membership shall represent as nearly as possible local health departments, medical societies, county welfare boards, hospital boards, and other lay and professional organizations and people. The south central mental health and retardation center shall be operated in conjunction with and under the general supervision

of the state hospital. The board of directors of the south central mental health and retardation center shall serve in an advisory capacity to the state hospital in matters related to such center. The state hospital shall have the authority to exercise such powers in matters related to the south central mental health and retardation center as are provided in this chapter for the boards of directors of mental health and retardation units.

Approved March 27, 1971