

SENATE, No. 196

STATE OF NEW JERSEY

INTRODUCED MARCH 10, 1947

By Mr. VAN ALSTYNE

Referred to Committee on Municipalities

AN ACT concerning county hospitals and other county institutions and facilities in counties having a population in excess of four hundred thousand inhabitants, other than counties of the first class, for the care of sick, disabled, or aged persons, for the mentally ill, and for persons suffering from communicable diseases, including tuberculosis.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. The board of chosen freeholders of any county having a population
2 in excess of four hundred thousand inhabitants other than a county of the first
3 class, may establish, erect and maintain a county hospital or hospitals for
4 sick, disabled, or aged persons, for the mentally ill, and for persons suffering
5 from communicable diseases, including tuberculosis, and for that purpose
6 shall have power to:

7 Purchase and lease real property therefor or acquire such real property
8 by condemnation pursuant to the provisions of chapter one of Title 20 of the
9 Revised Statutes (Eminent Domain §20:1-1 et seq.);

10 Erect all necessary buildings and make all necessary improvements,
11 plans and alterations, the plans first to be approved by the State Depart-
12 ment of Health;

13 Appropriate money for the purchase of a site and for the construction
14 or reconstruction of all necessary buildings, including the original furnish-

15 ings and equipment therefor, and borrow funds therefor on the credit of the
16 county and issue county obligations therefor in like manner as for other
17 county purposes;

18 Accept and hold in trust for the county any grant or devise of land or
19 any gift or bequest of money or other personal property or any donation
20 and apply the same in accordance with the terms of the gift.

1 2. The board of freeholders of any such county establishing and main-
2 taining a county hospital or hospitals under authority of this act shall have
3 power to appoint a board of seven managers from the citizens of the county,
4 irrespective of religious or political belief, of whom at least three shall be
5 practicing physicians. Three members shall be appointed for one year, two
6 for two years and two for three years and their successors shall be ap-
7 pointed for the full term of three years except that an appointment to fill
8 an unexpired term shall be for the remainder of the term. No physician
9 member of the board of managers shall treat patients in said institution.

10 Failure of a member to attend three consecutive regular meetings of the
11 board shall cause a vacancy in his office unless his absence be excused by
12 formal action of the board. Members of the board of managers shall
13 receive no compensation for services but shall be allowed their actual and
14 necessary expenses to be audited and paid in the same manner as other
15 expenses of the hospital, by the board of chosen freeholders. A member of
16 the board of managers may be removed by the board of chosen freeholders
17 for cause after opportunity to be heard.

1 3. The board of managers shall elect from its membership a president
2 and one or more vice-presidents. It shall appoint a superintendent who shall
3 hold office at the pleasure of the board. The superintendent shall not be a
4 member of the board. The board of managers shall determine the amount
5 of time the superintendent shall be required to spend at the hospital in the
6 discharge of his duties.

1 4. The board of managers shall appoint a secretary and a custodian of
2 funds. It shall also fix and determine the compensation, term of office, duties
3 and powers of such appointees and remove them at pleasure.

1 5. The board of managers shall fix the salaries of the superintendent
2 and other officers and employees subject to the approval of the board of
3 chosen freeholders within the limitations of the appropriation made there-
4 for, and such salaries shall be full compensation for all services rendered.

5 The board of managers shall have the general superintendence, manage-
6 ment and control of the hospital, its personnel and the patients and all mat-
7 ters relating to its government, discipline, contracts and fiscal concerns; shall
8 make necessary rules and regulations; shall adopt by-laws; shall furnish such
9 reports, estimates of appropriations and other information as may be re-
10 quired by the board of chosen freeholders; shall perform such other duties
11 and enforce such other regulations as from time to time may be prescribed
12 by the board of chosen freeholders.

1 6. The superintendent shall be the chief executive officer of the hospital
2 and subject to the rules, regulations and powers of the board of managers
3 shall:

4 Have general supervision and control of the records, accounts and build-
5 ings of the hospital and its internal affairs, and maintain discipline and
6 enforce all rules and regulations and make such further rules and regulations
7 as he may deem necessary consistent with law and the rules, regulations and
8 directions of the board of managers;

9 With the consent of the board of managers appoint such resident officers
10 and such employees as he may think proper and necessary for the efficient
11 performance of the business of the hospital, and prescribe their duties, and
12 for cause stated in writing after opportunity to be heard, discharge or sus-
13 pend any officer or employee, subject to formal investigation by the board
14 of managers;

15 Discharge any patient who shall willfully or habitually violate the rules
16 or regulations of the institution, or who is for any reason no longer a suit-
17 able patient.

1 7. The admission of any person to a county hospital established under
2 this act shall be subject to the regulations established by the board of man-
3 agers and on application in writing signed by the patient or a person inter-
4 ested in the admission of the patient by reason of relationship or marriage,
5 or by a person having the charge or care of such patient, or by the sheriff,
6 or by the overseer of the poor or person charged with the care and relief of
7 the poor, or by any chief of police or police captain in any municipality in
8 the county where such person may be, or by the chief executive officer of
9 any public or private charitable institution or hospital in which the patient
10 may be. All application forms shall be approved by the board of managers
11 for such hospital.

1 8. A county hospital or hospitals established under this act shall be de-
2 voted to the care and treatment of:

- 3 (a) persons suffering from communicable diseases, including tuberculosis;
- 4 (b) mentally ill persons;
- 5 (c) sick, disabled, or aged persons of the low-wage group, who are
6 hereby defined to be those persons who are unable to pay prevailing semi-
7 private hospital charges.

1 9. The board of managers shall designate an officer or employee of the
2 institution who shall be charged with the duty, upon the admission of a pa-
3 tient, of investigating the patient's circumstances and his ability to pay. If
4 upon such investigation it appears that the patient or legally responsible
5 relatives are able to pay for his care and maintenance, an order shall be
6 made by such officer or employee that payment shall be made to the cus-
7 todian of funds, of a specified charge in proportion to the financial ability
8 of the patient or such relative. Such designated officer or employee shall
9 have the same power to collect the charge specified from the estate of the
10 patient or his relatives as is possessed by an overseer of the poor or director
11 of welfare in like circumstances, including, but not limited to the right to
12 create a lien against the real estate of such patient or his relatives. If the

13 investigation shall disclose that the patient or his relatives are unable to
14 pay, the cost shall become a charge upon the county. Should there be a dis-
15 pute as to ability to pay or doubt in the mind of such officer or employee,
16 the court of common pleas may hear the matter and make such order as is
17 deemed to be proper.

1 10. The board of managers may in its discretion require any official or
2 employee to give bond for the faithful performance of his duties and fix the
3 amount of such bond. Where a surety company bond shall be given, the
4 amount of the premium required thereon shall be paid as an expense of the
5 hospital.

1 11. The board of managers may appoint and commission as many spe-
2 cial policemen for such county hospital as it may deem necessary. Within
3 such territory as shall be prescribed and for such time as shall be limited,
4 any such policeman shall have the same powers as a constable of the county
5 or police officer of the municipality or municipalities wherein such hospital
6 shall be located. Such special policemen shall be charged with the duty of
7 preserving order in and about the hospital and shall have power to arrest
8 and hold any offender against the public peace within the limits of said
9 territory.

1 12. No action at law shall lie or be maintained against any officer or
2 employee or member of the board of managers for refusing to admit any
3 person as a patient or for admitting, receiving, keeping, detaining, trans-
4 ferring or discharging any patient as provided by this act or as directed by
5 any order made in accordance with this act, whether such person made
6 his own application or the application was made by a friend or rela-
7 tive, or an order was made by a judge or court of the county or State, or
8 any municipality thereof in any of which cases any such application or order,
9 or certified copy thereof, shall be sufficient warrant and authority for the
10 admission, keeping, detention, transfer, discharge and for the reasonable

11 care, treatment, management and control of any patient received or com-
12 mitted under the terms of this act.

1 13. The board of managers shall have power to abolish any office or
2 employment which it shall find to be unnecessary, to combine and con-
3 solidate the functions of any office or employment as it may determine, to
4 transfer officers and employees and to promote and reduce the same, subject
5 to the provisions of the civil service law.

1 14. The board of chosen freeholders in any such county governed by
2 resolution may consolidate its county hospitals, homes for the aged, alms-
3 houses, psychiatric wards and other similar county agencies and facilities
4 on suitable lands owned by the county and erect, enlarge, furnish and
5 maintain suitable buildings thereon for such purpose. Upon the adoption of
6 any such resolution such county hospitals, homes for the aged, almshouses,
7 psychiatric wards and other similar county agencies and facilities shall be
8 regulated by the provisions of this act and the terms of all members of
9 boards of managers, superintendents, and other officers, not being civil serv-
10 ice employees, shall cease. The rights of all persons having civil service
11 status shall not be impaired by this act.

1 15. This act shall take effect immediately.

STATEMENT

The purpose of this bill is stated in its title.

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