

**140.22 History:** 1947 c. 255; Stats. 1947 s. 140.22; 1969 c. 366 s. 117 (1) (a).

**140.23 History:** 1953 c. 330; Stats. 1953 s. 140.23; 1965 c. 294.

**140.24 History:** 1953 c. 330; Stats. 1953 s. 140.24; 1965 c. 294; 1969 c. 366.

**140.25 History:** 1953 c. 330; Stats. 1953 s. 140.25; 1965 c. 294.

**140.26 History:** 1953 c. 330; Stats. 1953 s. 140.26; 1965 c. 294; 1969 c. 366 s. 117 (1) (a).

**140.27 History:** 1953 c. 330; Stats. 1953 s. 140.27; 1955 c. 221 s. 46; 1965 c. 294; 1967 c. 222; 1969 c. 276 s. 584 (1) (a); 1969 c. 366 s. 117 (1) (a); 1969 c. 366 s. 117 (1) (a); 1969 c. 392 ss. 55s, 84g.

**140.28 History:** 1953 c. 330; Stats. 1953 s. 140.28; 1965 c. 294; 1967 c. 126; 1969 c. 366.

**140.29 History:** 1965 c. 294; Stats. 1965 s. 140.29; 1969 c. 336 s. 176; 1969 c. 366 s. 117 (1) (a).

**140.45 History:** 1957 c. 530; Stats. 1957 s. 140.45; 1959 c. 565; 1961 c. 191; 1969 c. 366 ss. 67, 68, 117 (1) (a).

On registration and employment of sanitarians see 47 Atty. Gen. 90.

**140.50 History:** 1963 c. 325; Stats. 1963 s. 140.50.

**140.51 History:** 1963 c. 325; Stats. 1963 s. 140.51; 1969 c. 276 s. 584 (1) (b).

**140.52 History:** 1963 c. 325; Stats. 1963 s. 140.52; 1969 c. 276, 366.

**140.53 History:** 1963 c. 325; Stats. 1963 s. 140.53; 1969 c. 276 s. 584 (1) (b); 1969 c. 366 s. 117 (1) (a).

**140.54 History:** 1963 c. 325, 459; Stats. 1963 s. 140.54; 1969 c. 276 s. 584 (1) (b); 1969 c. 366 s. 117 (1) (a).

**140.56 History:** 1963 c. 325; Stats. 1963 ss. 140.56, 140.57; 1969 c. 366 ss. 70, 71, 72, Stats. 1969 s. 140.56.

**140.58 History:** 1963 c. 325; Stats. 1963 s. 140.58; 1969 c. 276 s. 584 (1) (b); 1969 c. 366 ss. 73, 117 (1) (a).

**140.59 History:** 1963 c. 325; Stats. 1963 s. 140.59; 1969 c. 276 s. 584 (1) (b); 1969 c. 366 s. 117 (1) (a).

**140.595 History:** 1963 c. 325; Stats. 1963 s. 140.595.

**140.60 History:** 1963 c. 325; Stats. 1963 s. 140.60; 1969 c. 276 s. 584 (1) (b); 1969 c. 366 s. 117 (1) (a).

**140.65 History:** 1965 c. 176; Stats. 1965 s. 140.65.

**140.66 History:** 1965 c. 176; Stats. 1965 s. 140.66; 1969 c. 366.

**140.67 History:** 1965 c. 176; Stats. 1965 s. 140.67; 1969 c. 366 ss. 75, 117 (1) (a).

**140.69 History:** 1965 c. 176; Stats. 1965 s. 140.69; 1969 c. 366 s. 117 (1) (a).

**140.70 History:** 1965 c. 176; Stats. 1965 s. 140.70; 1969 c. 366 s. 117 (1) (a).

**140.71 History:** 1965 c. 176; Stats. 1965 s. 140.71; 1969 c. 366 s. 117 (1) (a).

**140.72 History:** 1965 c. 176; Stats. 1965 s. 140.72.

**140.73 History:** 1965 c. 176; Stats. 1965 s. 140.73; 1969 c. 366 s. 117 (1) (a).

**140.74 History:** 1965 c. 176; Stats. 1965 s. 140.74; 1969 c. 366 s. 117 (1) (a).

**140.75 History:** 1965 c. 176; Stats. 1965 s. 140.75; 1969 c. 366 s. 117 (1) (a).

**140.76 History:** 1965 c. 176; Stats. 1965 s. 140.76; 1969 c. 366 s. 117 (1) (a).

**140.77 History:** 1969 c. 146; Stats. 1969 s. 140.77.

## CHAPTER 141.

### Local Health Officials.

**141.01 History:** 1961 c. 563, 607; Stats. 1961 s. 141.01; 1967 c. 240; 1969 c. 366 s. 117 (1) (a).

A health officer is not required to be a resident of the town for which he acts. 13 Atty. Gen. 151.

**141.015 History:** 1961 c. 563; Stats. 1961 s. 141.015; 1969 c. 366 s. 117 (1) (a).

On exercises of police power see notes to sec. 1, art. I; on delegation of power see notes to sec. 1, art. IV; on municipal home rule see notes to sec. 3, art. XI; and on communicable diseases see notes to various sections of ch. 143.

The office of city health officer is incompatible with that of a member of the city school board. 20 Atty. Gen. 462.

As a general rule the executive officer of a local board of health should not enter and make investigation to ascertain whether the law has been violated over the objection of the owner without an order from a court. 25 Atty. Gen. 643.

**141.02 History:** 1889 c. 326 s. 107 to 112; Ann. Stats. 1889 s. 925o sub. 107 to 112; 1893 c. 312 s. 33; Stats. 1898 s. 925—107 to 925—112a; 1919 c. 438; 1919 c. 671 s. 18; 1919 c. 702 s. 56; Stats. 1919 s. 925—107 to 925—112m; 1921 c. 242 s. 271 to 281; 1921 c. 258; 1921 c. 590 s. 78; Stats. 1921 s. 1411r; 1923 c. 448 s. 7; Stats. 1923 s. 141.02; 1947 c. 347; 1953 c. 165; 1957 c. 113; 1969 c. 255; 1969 c. 366 s. 117 (1) (b).

A city health officer is entitled, in addition to his annual salary, to his actual and necessary expenses incurred in the performance of his duties. 15 Atty. Gen. 404.

**141.04 History:** 1917 c. 72; Stats. 1917 s. 1411a; 1923 c. 448 s. 9; Stats. 1923 s. 141.04; 1961 c. 563.

Under 141.04, Stats. 1967, towns and villages in a given county can jointly provide for "health services" where there is no existing county health department or county health commission, and such joint arrangement would not be affected by a subsequent adoption of a county health commission by that county. 57 Atty. Gen. 245.

**141.045 History:** 1921 c. 87; Stats. 1921 s. 1411s (2) to (6); 1923 c. 448 s. 84; Stats. 1923 s. 149.09; 1931 c. 174; 1949 c. 402; Stats. 1949 s. 141.045; 1955 c. 456; 1969 c. 336 s. 176; 1969 c. 366 ss. 77, 117 (1) (a).

**141.05 History:** 1917 c. 123; Stats. 1917 s. 1411g; 1923 c. 448 s. 10; Stats. 1923 s.141.05; 1947 c. 283; 1961 c. 563; 1969 c. 366 s. 117 (1) (b).

**141.06 History:** 1913 c. 93; Stats. 1913 s. 697—10m; 1919 c. 311 s. 1, 2; 1919 c. 679 s. 55; Stats. 1919 s. 1411n; 1923 c. 448 s. 11; Stats. 1923 s. 141.06; 1927 c. 155; 1947 c. 283; 1965 c. 433; 1967 c. 298; 1969 c. 55; 1969 c. 366 s. 117 (1) (b).

The public health nurse is an employe, not a public officer. The terms of employment must be decided by contract between the county board and the nurse. 12 Atty. Gen. 119.

The county nurse must be employed by the county health committee upon authorization of the county board. The county board may authorize such employment by committee but cannot itself select and employ. 28 Atty. Gen. 22.

Whether the county nurse employed under this section is entitled to traveling and other expenses in addition to salary depends on the contract which the county makes with such nurse in any particular case. 29 Atty. Gen. 454.

**141.065 History:** 1935 c. 556; Stats. 1935 s. 141.065; 1969 c. 366 s. 117 (1) (a).

**141.07 History:** 1921 c. 157; Stats. 1921 s. 1411h; 1923 c. 448 s. 12; Stats. 1923 s. 141.07; 1969 c. 366 s. 117 (1) (a).

**141.10 History:** 1961 c. 564; Stats. 1961 s. 141.10; 1969 c. 366 s. 117 (1) (a), (b).

**141.15 History:** 1965 c. 590; Stats. 1965 s. 141.15; 1969 c. 366 ss. 78, 117 (1) (a).

## CHAPTER 42.

### Wisconsin General Hospital.

**142.01 History:** Spl. S. 1920 c. 17; Stats. 1921 s. 1417a—1; 1923 c. 448 s. 13; Stats. 1923 s. 142.01; 1927 c. 473 s. 34; 1927 c. 537 s. 1; 1927 c. 541 s. 22; 1931 c. 80 s. 2; 1939 c. 147, 232; 1959 c. 620; 1969 c. 276 s. 589 (1) (d), (3) (b).

When application is made for medical or surgical treatment for an indigent under 142.01, Stats. 1939, the statute gives the indigent the option to be treated at any one of the state institutions designated therein, but the statute gives no other option and none other is to be implied. *Reissmann v. Jelinski*, 238 W 462, 300 NW 164.

The fact that an applicant under the provisions of ch. 142 for admission to the Wisconsin general hospital as a public patient, otherwise eligible for admission to the hospital, possesses property, does not preclude granting of such application if the county judge finds, after investigation, that such applicant is financially unable to provide proper treatment for the deformity or ailment with which he is afflicted. 14 Atty. Gen. 294.

Where one who had a legal settlement in

Pardeeville married a man who had no legal settlement in Wisconsin, she retained her legal settlement in Pardeeville and an application for entrance into the Wisconsin general hospital should be made to the county judge of Columbia county. 20 Atty. Gen. 632.

Indigents are limited to hospitals designated by the county judge, pursuant to ch. 142, with the exception of emergency cases coming under 49.18 (2) and cases treated at the Wisconsin general hospital or Wisconsin orthopedic hospital for children pursuant to 142.04. 26 Atty. Gen. 239.

Under 142.01, Stats. 1937, one who does not have legal settlement within a county as provided for by 49.02, although he may have resided in the county a year or more, may not petition the county court for hospitalization. 27 Atty. Gen. 708.

See note to 49.03, citing 36 Atty. Gen. 438.

Under 142.02 and 142.04, Stats. 1949, a county judge may not commit an afflicted person to the Wisconsin general hospital unless such person has a legal settlement in the county. 40 Atty. Gen. 78.

See note to 49.10, citing 40 Atty. Gen. 380.

A county (with the exception of Milwaukee county) may not recover from a patient sent to the Wisconsin general hospital under ch. 142, or from his responsible relatives, the net cost to the county of such hospital care and maintenance. Under 46.10 (1) and (2) the state department of public welfare is the sole collecting agency. A contract by a patient with a county for reimbursement of the county is unenforceable for lack of consideration. Towns, cities, and villages may not legally contract with a county to accept charge-backs by the county for hospitalization under ch. 142. 45 Atty. Gen. 104.

**142.02 History:** Spl. S. 1920 c. 17; Stats. 1921 s. 1417a—2; 1923 c. 448 s. 13; Stats. 1923 s. 142.02; 1927 c. 537 s. 1; 1931 c. 80 s. 2; 1959 c. 620.

A town chairman, in a county operating under the county system of poor relief, had no official duty to perform in respect to furnishing relief, except that when a person entitled to medical or surgical treatment under 142.01 came to his notice he had the duty to file with the county judge an application for such treatment at a hospital designated in 142.01. A county relief director, as the person designated by the county board to act in county relief matters, was subject to the duties imposed by 142.02. *Reissmann v. Jelinski*, 238 W 462, 300 NW 164.

**142.03 History:** Spl. S. 1920 c. 17; Stats. 1921 ss. 1417a—3, 1417a—11; 1923 c. 448 s. 13; Stats. 1923 s. 142.03; 1923 c. 449 s. 10; 1927 c. 186; 1927 c. 537 s. 1; 1931 c. 80; 1937 c. 239; 1939 c. 232; 1943 c. 238; 1951 c. 55; 1959 c. 620; 1965 c. 20; 1969 c. 276 ss. 589 (1) (d), (3) (a), (b), 603 (2).

The word "physician" as used in 142.03 (2), Stats. 1941, includes licensed osteopathic physicians. 30 Atty. Gen. 274.

The fee fixed by 142.03 (2), Stats. 1941, may not be paid to a physician for filing a verified report on a patient's condition unless such physician has also examined the patient personally under an appointment made for that purpose by the county judge. Where appli-