

CHAPTER 58.

PRIVATE ASYLUMS, HOSPITALS AND SOCIETIES.

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58.01 Private institutions for orphans, indigents and delinquent children. (1) Any corporation organized for the establishment and maintenance of any hospital, asylum or other institution for the care and relief of sick, infirm, indigent or homeless persons, or for any similar charitable purpose may receive all such persons as shall be lawfully committed thereto or placed therein, and shall have and maintain the custody, care and control of such persons until lawfully discharged.

(5) Any clergyman of good standing shall be granted reasonable facilities, at proper times and places, freely to minister and impart moral and religious instruction, according to the usages of his church or denomination, to every inmate of such institution belonging to such church or denomination, or who shall desire him so to do.

(6) The officers designated therefor by the by-laws of such corporation may at any time discharge any adult inmate when, in their discretion, it is for his interest or the interest of the corporation.

History: 1955 c. 575.

58.05 Private institutions for the insane and feeble-minded. (1) The articles of organization of any corporation organized under the laws of this state for the establishment and maintenance of any hospital, asylum or other institution for the care, treatment or relief of insane or feeble-minded persons, or both, may contain provisions authorizing it to receive general, special, permanent or temporary endowments and to secure the repayment of the same in accordance with the terms and conditions upon which they may be made by a mortgage upon its real or personal property, or both, or otherwise, in the manner in such articles provided.

(2) Any insane or feeble-minded person may, upon the written request of his guardian, be committed to any such hospital, asylum or institution in the manner insane persons are committed to the state hospitals for the insane; but the county in which such person resides shall be liable for his support, maintenance and treatment only when he has been committed upon the request of the county board thereof, and such hospital, asylum or institution shall not be required to keep, care for or treat any insane or feeble-minded person longer than his guardian or friends or the county from which he shall have been committed shall defray the expenses of his care and treatment. Any person may voluntarily place himself in such hospital, asylum or institution for care and treatment.

(3) If at any time complaint is made to the state department of public welfare that any person is improperly confined in any such hospital, asylum or institution, the department shall examine into the case in such manner as it deems best; and if it shall appear to the department that such person is improperly confined it shall order his immediate release, and thereupon such person shall be released. The corporation owning or maintaining any such hospital, asylum or institution shall not, nor shall any officer or employe thereof, be liable for the detention of any person duly committed or detained at the request of his guardian or friends or of any county board unless such person shall have been detained after the state department of public welfare shall have ordered his release or after a court shall have directed his discharge; and such liability shall exist only for such detention as shall have occurred after the service of a copy of the order of such department or court upon the superintendent or other officer in charge of such hospital, asylum or institution.

(4) Any letter, communication or complaint addressed to such department or to any member thereof by any inmate, employe or subordinate officer in any such hospital, asylum or institution shall be forthwith forwarded as addressed without interference therewith, breaking of the seal or reading thereof by any officer or employe therein.

(5) Every such corporation shall, on or before the first day of each July make a report to the state department of public welfare for the preceding year, which shall be in form and substance as required by said department and be verified by the president of such corporation or the superintendent or other officer having charge of such hospital, asylum or institution.

(6) Every such corporation that shall receive nonresident patients into such hospital, asylum or institution for care, treatment or relief shall execute to this state and file in the office of the secretary of state a bond in such sum and with such surety or sureties as the governor shall determine and approve, conditioned to indemnify the state and every municipality therein against expense in case any such patient shall become a pauper in this state. When any nonresident patient shall have been discharged from such hospital, asylum or institution and shall leave this state all liability of such corporation upon its bond on account of such patient shall thereupon cease.

History: 1955 c. 506.

58.06 Private tuberculosis sanatoriums. (1) Any fraternal or mutual benefit society organized for the sole purpose of providing disability benefits in cases of tuberculosis may purchase or lease the necessary lands and buildings for the operation of a tuberculosis sanatorium or sanatoria for the benefit of its members. Whenever the sanatorium facilities are not all needed for the treatment of members, nonmembers of the society may be admitted to any such sanatorium upon payment of at least the cost of maintenance and treatment, which payments shall be placed in the funds of the society.

(2) Any private, philanthropic tuberculosis sanatorium organized on a nonprofit basis, if approved by the state board of health, may admit patients committed to it by any county, or transferred to it by the state department of public welfare, in the manner and upon the terms provided by ss. 50.03 and 50.04 except that if the amount charged such patients is more than the actual per capita cost as determined under s. 50.04 they shall not be entitled to state aid.

History: 1953 c. 430; 1957 c. 526, 698.

Under (2), a philanthropic tuberculosis sanatorium approved by board of health may receive public patients at state and county expense notwithstanding that it rents the buildings and equipment from another nonprofit corporation. The rent paid is a proper item of expense to be considered in calculating the per capita cost of main-

tenance, and the provisions of 50.07, relating to depreciation, have no application. Reasonableness of the rental charge is to be considered by the board of health in determining whether to approve the sanatorium, but the use of the rent money by the owning corporation is immaterial. 44 Atty. Gen. 47.

58.07 Humane societies. (1) The superintendent or other chief officer of any humane society, upon approval of his appointment by the governor, is vested with the powers of a police officer and constable, and may exercise the same throughout the state.

(2) Any agent of any such society, appointed for the purpose of aiding in the enforcement of the laws for the prevention or punishment of cruelty to animals, children, women, aged or dependent people or criminals in any municipality, and whose appointment as such shall have been approved by the governor, is vested for that purpose with the powers of a police officer and constable in such municipality.

(3) The authority of any such superintendent or agent shall be evidenced by the governor's certificate of approval; and all police officials shall co-operate with him in the exercise of his functions.

(4) Such superintendent or agent shall not be entitled to any compensation for his services, except as provided in subsection (5); but shall be paid witness fees and mileage and expenses for taking any child committed to the state department of public welfare at the rate and in the manner other officers are paid in like service.

(5) Any county, city or village may appropriate for the maintenance and support of such societies in the prosecution within their respective boundaries of the work for which they are organized any sum of money deemed needful. Each county may, in addition thereto, appropriate and pay to one authorized and active agent of any such society such salary as the county board may fix.

History: 1953 c. 193.

58.566 Lease of lands for radio range station. [Not printed; created 1947 c. 93; see 1947 c. 560 s. 9]