

The Tuberculosis Sanatoria and Hospitals Act

being

Chapter 263 of *The Revised Statutes of Saskatchewan, 1930*
(effective February 1, 1931).

FOR HISTORICAL REFERENCE ONLY

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER 263

An Act respecting Sanatoria and Hospitals for the Treatment of Tuberculosis

SHORT TITLE

Short title

- 1** This Act may be cited as *The Tuberculosis Sanatorium and Hospitals Act*.

1928-29, c.61, s.1; R.S.S. 1930, c.263, s.1.

INCORPORATION

Corporation continued

- 2** The Saskatchewan Anti-Tuberculosis League is hereby continued as a body corporate and politic.

1928-29, c.61, s.2; R.S.S. 1930, c.263, s.2.

OBJECTS

Objects

- 3** The objects of the League shall be the care, conduct and management of sanatoria and hospitals for the treatment of tuberculosis, the establishment, either independently or in co-operation with municipal, hospital or other authorities, of clinics for examination and diagnosis, and the adoption of such measures and the promotion of such works and undertakings as may in its opinion be deemed necessary or desirable for preventing the development and spread of tuberculosis in Saskatchewan.

1928-29, c.61, s.3; R.S.S. 1930, c.263, s.3.

MEMBERSHIP

Membership

- 4** The following persons shall be members of the League:
- (a) all persons who are members when this Act comes into force;
 - (b) the mayors of all cities and towns in Saskatchewan, the overseers of villages and the reeves of rural municipalities, during their respective terms of office;
 - (c) such other persons as may be admitted to membership under the bylaws, rules or regulations of the League.

1928-29, c.61, s.4; R.S.S. 1930, c.263, s.4.

BOARD OF DIRECTORS

Manages affairs of League

5 The affairs of the League shall continue to be managed by a board of directors who shall be appointed or elected in accordance with the provisions of this Act.

1928-29, c.61, s.5; R.S.S. 1930, c.263, s.5.

Appointment and election of directors

6(1) The directors who hold office on the date when this Act comes into force shall continue to do so until their successors are appointed or elected.

(2) The Lieutenant Governor in Council shall, on or before the thirtieth day of June, 1929, and every two years thereafter, appoint five persons to be directors, who shall hold office for a period of two years from the first day of July following their appointment.

(3) In each year five directors shall be elected at the annual convention of the Saskatchewan Association of Rural Municipalities to represent all the rural municipalities in the province.

(4) In each year two directors shall be elected at the annual convention of the Union of Saskatchewan Municipalities to represent all the urban municipalities in the province.

(5) The directors elected under the provisions of subsections (3) and (4) shall hold office for a period of one year from the first day of July following their election.

(6) The Lieutenant Governor in Council shall, on or before the thirtieth day of June in each year, appoint a director to represent all the local improvement districts in the province, who shall hold office for a period of one year from the first day of July following his appointment.

(7) In each year one director shall be elected at the annual meeting of the Saskatchewan Medical Association and shall hold office for a period of one year from the date of his election or until his successor is elected.

(8) One director shall be elected at each annual general meeting of the League, and shall hold office for a period of one year from the first day of July following his election. Such director shall be elected by and chosen from the members of the League other than those mentioned in clause (b) of section 4.

(9) Forthwith after any election under the provisions of subsections (3), (4) and (7), the name or names of the director or directors elected shall be communicated to the League.

1928-29, c.61, s.6; R.S.S. 1930, c.263, s.6.

Vacancies

7 In case of the death, resignation or removal of an elective director, the board may nominate a director to fill the vacancy for the remainder of the term.

1928-29, c.61, s.7; R.S.S. 1930, c.263, s.7.

President and chairman

8 The directors shall at the first meeting of the board after the first day of July in each year, choose from their number a president and a vice president, a chairman and a vice chairman, who shall hold office until their successors have been elected in like manner. The chairman shall act as presiding officer at meetings of the League and of the board, voting only when there is an equality of votes. In the absence of the president or chairman, their powers shall be exercised respectively by the vice president and vice chairman.

1928-29, c.61, s.8; R.S.S. 1930, c.263, s.8.

General powers

9 The board may exercise all such powers of the League as are not by this Act required to be exercised by the League in general meeting.

1928-29, c.61, s.9; R.S.S. 1930, c.263, s.9.

Bylaws

10 The directors may make such bylaws as they deem necessary or desirable with respect to any of the matters enumerated in section 39, but such bylaws shall be valid and binding only until the next annual general meeting of the League unless they are then approved either wholly or with alterations or amendments, and they shall have force and effect thereafter only as so approved or as altered or amended.

1928-29, c.61, s.10; R.S.S. 1930, c.263, s.10.

MAINTENANCE AND MANAGEMENT

Management of sanatoria

11 The Lieutenant Governor in Council may, upon such of terms and conditions as he may deem expedient, commit to the League the care, control, conduct and management of all tuberculosis sanatoria and hospitals at any time owned by the province.

1928-29, c.61,s.11; R.S.S. 1930, c.263, s.11.

Maintenance of buildings and equipment

12 The League shall maintain and keep in good order and repair all sanatoria, hospitals and other buildings under its charge, and also all equipment used in connection therewith.

1928-29, c.61, s.12; R.S.S. 1930, c.263, s.12.

MEETINGS

Annual general meeting

13 A general meeting of the League shall be held at such place in Saskatchewan and at such time in the month of June in each year as the board may appoint. Due notice of such meeting written or printed, shall be given by the president to each member mailed to him at his last known place of address at least ten days previously to the date of meeting.

1928-29, c.61, s.13; R.S.S. 1930, c.263, s.13.

Special general meetings

14 Special general meetings may be called when deemed necessary by the president or the directors, or on a written request addressed to the president by twenty members.

1928-29, c.61, s.14; R.S.S. 1930, c.263, s.14.

APPOINTMENT OF OFFICERS**Superintendents and other employees**

15 The board may appoint one or more medical superintendents who have had a special training in the treatment and care of tuberculosis, a managing director, a secretary, a treasurer or secretary treasurer and such other officers and employees as are necessary and proper for the due administration of its affairs.

1928-29, c.61, s.15; R.S.S. 1930, c.263, s.15.

Physicians

16 The board may appoint one or more physicians to examine applicants for admission to the sanatoria or hospitals and to determine whether such persons are suffering from tuberculosis.

1928-29, c.61, s.16; R.S.S. 1930, c.263, s.16.

POWERS OF THE LEAGUE**Agreements with Dominion Government**

17(1) The League may enter into agreements with the Dominion Government, undertaking the care of tubercular patients for whom such government is responsible, upon such terms and conditions as may be deemed expedient.

(2) Unless an agreement has been made by the League under subsection (1), no such patient shall be entitled to receive care and treatment at the expense of the League.

1928-29, c.61, s.17; R.S.S. 1930, c.263, s.17.

Agreements with hospitals

18 The League may enter into agreement with the governing body of any hospital or other institution for treatment with hospitals therein of tubercular patients, under the direction of the League, and for payment for such treatment to such hospital or institution of the average cost incurred by the League during the preceding year for treatment of patients in the sanatoria under its charge.

1928-29, c.61, s.18; R.S.S. 1930, c.263, s.18.

Agreements with various bodies

19 The League may enter into agreements with the Dominion or Provincial Government, the University of Saskatchewan or any medical school for any purpose connected with the better carrying out of the objects of the League.

1928-29, c.61, s.19; R.S.S. 1930, c.263, s.19.

Visitation of hospitals

20 Officers of the League shall have power and authority to visit all hospitals where patients are being treated for tuberculosis in order to ascertain what facilities are afforded for their treatment and to advise with regard thereto.

1928-29, c.61, s.20; R.S.S. 1930, c.263, s.20.

GOVERNMENT AID**Annual grant**

21 In lieu of any sums payable under *The Hospitals Act*, the Lieutenant Governor in Council may, out of any moneys appropriated for the purpose by the Legislature, authorise payment to the League of a semi-annual grant at the rate of \$1 per day:

- (a) for each day's actual treatment and stay of every patient in the sanatoria or hospitals under its charge;
- (b) for each day's actual treatment and stay of every patient who had made application to the League for hospital treatment and has been admitted at the request of the League to a hospital receiving public aid under *The Hospitals Act*.

The day on which a patient is admitted, and the days during which he is under observation for purposes of diagnosis, shall be reckoned in computing the amount of the grant which may be authorised under this section.

1928-29, c.61, s.21; R.S.S. 1930, c.263, s.21.

FINANCES**Temporary loans**

22(1) The board may from time to time by resolution authorise the president to borrow such sums as are deemed necessary to meet current expenditures upon such terms and conditions as may be deemed advisable, and the amount so borrowed shall be secured by the promissory note of the president given on behalf of the board.

(2) The board may also from time to time by resolution authorise the president to borrow from the endowment fund any sum required to meet current expenditures.

1928-29, c.61, s.22; R.S.S. 1930, c.263, s.22.

Payment of board

23 The board may make provision for paying its members for attendance at meetings of the board and their expenses in going to and returning from such meetings, including an allowance for sustenance.

1928-29, c.61, s.23; R.S.S. 1930, c.263, s.23.

Annual estimates

24(1) The board shall, as soon as practicable in each year, prepare in detail an estimate of the portion of the probable net expenditure of the League for the year, to be borne by municipalities, and an estimate of the portion of such expenditure to be borne by local improvement districts, as hereinafter provided, including in such estimates a proper proportion of any sum required to repay any temporary loan falling due during the year, and deducting a proper proportion of the estimated amount of the grants receivable under section 21.

(2) If the board over-estimates its probable net expenditure for any year, the amount over-estimated shall be deducted, in proper proportion, from its estimates for the following year.

(3) If the board under-estimates its probable net expenditure for any year, the amount under-estimated shall be added, in proper proportion, to its estimates for the following year.

1928-29, c.61, s.24; R.S.S. 1930, c.263, s.24.

Apportionment of sum chargeable against municipalities

25(1) The board shall apportion that part of the net estimated expenditure, to be borne by municipalities, among all the municipalities in the province, both urban and rural.

(2) The proportion of the net estimated expenditure to be borne by the urban municipalities shall be forty per cent, and the proportion to be borne by the rural municipalities shall be sixty per cent.

(3) The board shall apportion that part of the net estimated expenditure to be borne by urban municipalities among all such municipalities, and that part of such expenditure to be borne by rural municipalities among all such municipalities, on the basis of their total equalised assessments for the preceding year, as shown in the statement forwarded to the board by the Saskatchewan Assessment Commission under section 30.

1930, c.84, s.2; R.S.S. 1930, c.263, s.25.

Notice to municipalities

26 On or before the fifteenth day of April in each year, the board shall mail to the clerk or secretary of each municipality a notice showing the portion of the net estimated expenditure to be borne by the municipality, and giving the following additional particulars, namely:

- (a) the number of patients who received care and treatment under section 40 during the preceding year;
- (b) the cost of such treatment;
- (c) the total sum received or payable on account of such patients by grants from the province during the preceding year;
- (d) the total equalised assessment of the municipalities of the province.
- (e) the total amount of estimated expenditure to be borne by municipalities.

1928-29, c.61, s.26; 1930, c.84, s.3; R.S.S. 1930, c.263, s.26.

Payment by municipalities

27 The council shall pay to the League one-half of the amount shown on the notice mentioned in section 26 on or before the thirtieth day of June and the balance on or before the thirty-first day of December of the current year.

1928-29, c.61, s.27; R.S.S. 1930, c.263, s.27.

Power to make special municipal levy

28 Sums required for the purposes of this Act may be included in the general municipal levy or may be raised by special levy. In the latter case the tax shall be levied in the same manner as municipal rates, and all the provisions of the appropriate municipal Act respecting the assessment and collection of municipal taxes, including penalties for non-payment and provisions for enforcing payment of the same, and the provisions of *The Arrears of Taxes Act*, shall apply to such tax in the same manner and to the same extent as if it were part of the general municipal levy.

1928-29, c.61, s.28; R.S.S. 1930, c.263, s.28.

Arrears recoverable with interest

29 All taxes due by a municipality for the purposes of this Act remaining unpaid to the board after the dates hereby fixed for payment of the same, shall be a debt due by the municipality to the board, bearing interest at the rate of eight per cent per annum from the said dates, and may be recovered, with accrued interest, by suit in the name of the board.

1928-29, c.61, s.29; R.S.S. 1930, c.263, s.29.

Statement of total equalised assessments furnished by Assessment Commission

30 The Saskatchewan Assessment Commission shall transmit to the League annually, on or before the first day of February, a statement showing the total equalised assessment for the preceding year of every city, town, village and rural municipality in the province.

1928-29, c.61, s.30; R.S.S. 1930, c.263, s.30.

Payment by Minister of Municipal Affairs of sum chargeable against local improvement districts

31 On or before the first day of March in each year the board shall mail to the Minister of Municipal Affairs a notice showing the portion of the net estimated expenditure to be borne by local improvement districts, and the minister shall pay to the League one-half of the amount required on or before the thirtieth day of June and the balance on or before the thirty-first day of December of the current year.

1928-29, c.61, s.31; R.S.S. 1930, c.263, s.31.

Power of minister to raise sum by special levy

32 Sums payable by the Minister under section 31 may be apportioned among the various local improvement districts in the same proportion as the tax levy in each district bears to the total tax levy under *The Local Improvement Districts Act*, as shown by the assessment rolls for the preceding year, or such sums may be raised by special levy, in which case the provisions of that Act shall apply in the same manner and to the same extent as if the tax was a part of the general levy.

1928-29, c.61, s.32; R.S.S. 1930, c.263, s.32.

Gifts, etc.

33 The League may receive, accept, hold, possess and enjoy such grants, devises, gifts and bequests as may be made to it for its purposes or for the use and benefit of the sanatoria or hospitals or any of them under its management.

1928-29, c.61, s.33; R.S.S. 1930, c.263, s.33.

Endowment fund

34(1) The League may establish an endowment fund and may transfer thereto the proceeds from such grants, devises, gifts and bequests, whether made directly to the League or in trust for the purposes of the League, and may also so transfer any other moneys from time to time belonging to the League.

(2) Any income derived from the endowment fund may be used for educational and other work for the prevention of tuberculosis and for paying any expenses incurred under section 41.

1928-29, c.61, s.34; R.S.S. 1930, c.263, s.34.

Power to make certain grants

35 The board may make such grants to the Fort San school district as are deemed necessary.

1928-29, c.61, s.35; R.S.S. 1930, c.263, s.35.

Financial year

36 The financial year of the League shall end on the thirty-first day of December, on which date the books and accounts shall be closed and balanced.

1928-29, c.61, s.36; R.S.S. 1930, c.263, s.36.

AUDIT

Appointment of auditor

37 The League shall each year at its annual general meeting appoint an auditor, who shall be a member of the Institute of Chartered Accountants of Saskatchewan.

1928-29, c.61, s.37; R.S.S. 1930, c.263, s.37.

Duties of auditor

38(1) The accounts of the League shall be audited quarterly, and the auditor shall submit an annual report to the League not later than the first day of February in each year.

(2) Such report shall show;

- (a) the total number of patients treated during the preceding year;
- (b) the total number of days during which such patients were under treatment;
- (c) the cost of such treatment;
- (d) the total sum received or payable by grant from the province during the preceding year;
- (e) the average daily cost per patient;

- (f) the total number of patients who received care and treatment under section 40 during the preceding year;
 - (g) the total number of days during which such patients were under treatment;
 - (h) the total sum received or payable on their account by grant from the province;
 - (i) the total amount due to the League by municipalities at the end of the preceding year;
 - (j) such other information as the directors may require.
- (3) The expression “**cost**” mentioned in clause (c) of subsection (2) shall include all expenditures for maintenance and operation of sanatoria, for consultant and clinic diagnostic services, and travelling expenses paid in accordance with a bylaw passed under the authority conferred by section 39.

1928-29, c.61, s.38; R.S.S. 1930, c.263, s.38.

BYLAWS, RULES AND REGULATIONS

Power to make

39 Subject to the provisions of this Act and of any order in council made hereunder, the League may pass bylaws and make rules and regulations prescribing the terms and conditions upon which patients may be admitted into or discharged from the sanatoria and hospitals under its control and the fees to be paid for the care, while under observation, of persons other than those mentioned in section 40, providing for the management and control of such sanatoria and hospitals, and for paying the expenses of any incidental medical, surgical or dental services in connection with the treatment of any patient and the travelling expenses of any patient returning to his home, respecting the endowment of wards or beds or pavilions by individuals or organisations, and in general for carrying out the provisions of this Act and effecting the objects for which the League has been established.

1928-29, c.61, s.39; R.S.S. 1930, c.263, s.39.

GENERAL

Persons entitled to care and treatment

40(1) No person shall be admitted to the sanatoria or hospitals unless such person is a resident of Saskatchewan has been a resident thereof for the period of six months prior to ment his application for admission.

(2) Subject to the other provisions of this Act, every person suffering from tuberculosis, and every person who, on the certificate of a duly qualified medical practitioner, is suspected of so suffering, shall be entitled to receive care and treatment at the expense of the League.

(3) Where a person so suspected of suffering from tuberculosis is declared by any clinic of the League to be nontubercular, he shall be immediately discharged, and the expenses in connection with his care while under observation for purposes of diagnosis shall be charged at the average rate to costs of maintenance.

1928-29, c.61, s.40; 1930, c.84, s.4; R.S.S. 1930, c.263, s.40.

Vocational training of patients

41 The board may, in the interests of a patient, or to training of reduce the cost of caring for a patient who, in the opinion of the board, is fit for partial employment, make such provision and may erect such buildings as it deems necessary or desirable for the vocational training or employment of such patient and for his maintenance while so engaged.

1928-29, c.61, s.41; R.S.S. 1930, c.263, s.41.

Insurance of employees

42 The board may make such arrangements as it deems employees expedient, either with an insurance company or in any other manner, for indemnifying its employees against accident or sickness or both, and may also make similar arrangements for insuring the lives of its employees.

1928-29, c.61, s.42; R.S.S. 1930, c.263, s.42.

Collection of debts

43 Nothing herein contained shall affect the right of the League to collect accounts due to it on the date upon which this Act comes into force. Any grant for the benefit of sanatoria due on the said date to the Minister of Municipal Affairs under the provisions of *The Rural Municipality Act*, chapter 89 of *The Revised Statutes of Saskatchewan, 1920*, and amendments thereto, shall be deemed to be an account then due to the League.

1928-29, c.61, s.43; R.S.S. 1930, c.263, s.43.

Annual report

44(1) The board shall, on or before the first day of March in each year, transmit to the Minister of Public Health a report on the affairs of the sanatoria and hospitals under its charge, showing in detail the assets and liabilities of the League at the end of the preceding financial year and the number of patients received and treated during that year in such sanatoria and hospitals, and containing such further information as to the sanatoria and hospitals and the affairs of the League generally as the minister may require.

(2) Such report shall be laid before the Legislative Assembly during the first fifteen days of the then next ensuing session, or within fifteen days after its receipt if the Legislature is then sitting.

1928-29, c.61, s.44; R.S.S. 1930, c.263, s.44.

Inspection

45 The Minister of Public Health may appoint one or more inspectors to inspect and report upon the sanatoria and hospitals in charge of the League and for such purpose such inspectors shall make all proper inquiries as to the maintenance, management and affairs thereof, and, by examination of the registers and by such other means as may be deemed necessary, satisfy themselves as to the correctness of any returns made under this Act.

1928-29, c.61, s.45; R.S.S. 1930, c.263, s.45.

Visitor

46 The Lieutenant Governor shall be the visitor of the sanatoria and hospitals under the management of the League, with authority to do all acts which pertain to visitors as to him may seem meet.

1928-29, c.61, s.46; R.S.S. 1930, c.263, s.46.

