

HOSPITALS AND THE LAW

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Hospitals and the Law by Edwin Valentine Mitchell

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EDWIN VALENTINE MITCHELL

**HOSPITALS
AND THE LAW**

HOSPITALS AND THE LAW

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FOREWORD

THE motive of the writer of these pages has been to supply a short analysis of the general propositions of law relating to health institutions, and to make it readily comprehensible to those who are professionally or otherwise interested in such establishments.

The author acknowledges with appreciation the courtesy of Karl H. Van Norman, M.D., assistant superintendent of the Johns Hopkins Hospital, Baltimore; E. E. Southard, M.D., director of the Psychopathic Hospital, Boston, and George M. Kline, M.D., superintendent of the Danvers (Mass.) State Hospital, in sending copies of their record systems, which are models for hospitals of their type. On account of their comprehensive character it is impracticable to reproduce facsimiles in a book of this size.

Thanks are also due to John Sweet, M.D., of Hartford, Conn., for helpful suggestions.

E. V. M.

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HOSPITALS AND THE LAW

CHAPTER I

PRELIMINARY CONSIDERATIONS

Hospitals have existed for a very great space of time, quite possibly extending back much farther than our own era, but their tremendous increase has been all within comparatively recent years. While formerly a hospital performed a multifarious work, we have now in addition to the general hospital a vast number of special institutions which have for their object the exclusive care of certain classes of cases, such as those of a purely medical or surgical character, or those designed for the reception and care of the insane, for consumptives, for incurables, for the deaf-mute and blind, for inebriates and drug users, for the infirm and aged, and for a long list of other specialties. The result of this growth has been a corresponding expansion of the law relating to hospitals.

Somewhat over a century ago Lord Holt said, "An hospital is for those that are poor, and mean, and low, and sickly."¹ Heretofore the term was

¹ *Phillips v. Bury*, 2 Term Rep., 346, p. 353.