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EACH COUNTY—AUTHORIZED—ONE COUNTY HOSPITAL—  
ONE BOARD OF COUNTY HOSPITAL TRUSTEES—COUNTY  
HOSPITAL MAY HAVE SEVERAL BRANCHES IN DIFFERENT  
PARTS OF COUNTY—SECTION 339.01 et seq., R. C.

SYLLABUS:

Section 339.01 et seq., Revised Code, authorize for each county only one county hospital and only one board of county hospital trustees, but a county hospital may consist of several branches, providing hospital facilities in different parts of the county.

Columbus, Ohio, September 12, 1956

Hon. Oliver R. Marshall, Prosecuting Attorney  
Lake County, Painesville, Ohio

Dear Sir:

I am in receipt of your request for my opinion which reads as follows:

“For some years Lake County has operated a County Hospital under the provisions of the Code of Ohio, now Sections 339.01 and following. Last year a bond issue was passed in this county for the erection of an addition to the present existing hospital building at its present location. This is the only hospital in the county. This year the County Commissioners are again being asked to place a bond issue on the ballot for the erection of

an entirely separate County Hospital, to be located in a separate city of the county. My questions relate to the authority and means for providing a second and possible additional county hospital.

“Sections 339.01 and following of the Revised Code apparently contemplate only one Board of County Hospital Trustees. However, they do not expressly prohibit more than one such Board. Since they do not contemplate more than one hospital, these sections of the Revised Code do not prescribe whether additional hospitals shall be erected and operated by the existing Board of County Hospital Trustees or whether a new Board of County Hospital Trustees shall be appointed if and when the new bond issue passes. Therefore, I respectfully request your opinion as to the following:

- “1. Are County Commissioners authorized to have more than one County Hospital in any one county?
- “2. If your answer to question one is in the affirmative, is it required that each additional hospital shall have a separate Board of County Hospital Trustees and Administrator?”

Section 339.01, Revised Code, states:

“The board of county commissioners may purchase, appropriate, construct, enlarge, improve, and rebuild *a county hospital or hospital buildings*. No money shall be expended for the original purchase, appropriation, or construction of *such hospital or buildings* until the tax levy or bond issue therefor has been submitted to the electors of the county and approved by them. Such hospital may be designated as a monument to commemorate the services of the soldiers, sailors, marines, and pioneers of the county.”  
(Emphasis added.)

As you have observed, the language of that section and of the sections following seems to contemplate only one hospital in a county. Similarly, Section 339.02, Revised Code, and the other sections dealing with the board of county hospital trustees apparently provide for only one such board. The terms of these statutes being definite and clear, I must advise you that county commissioners are not authorized to have in one county more than one hospital or more than one board of county hospital trustees.

This, however, does not limit the county to only one hospital unit or building. The statute specifically mentions plural buildings. Nor do I see any reason why all such buildings must be erected on one site. It

is true that Section 339.03, Revised Code, authorizes the trustees to acquire *a site*—singular—, but it is inconceivable that the legislature meant to say to the counties that they can erect a hospital and thereafter expand its facilities as needs require only in so far as their expanded facilities can be built on their original acquisition of land. Such an interpretation of the statute would entirely defeat its purpose. Rejecting such an interpretation of Section 339.03, Revised Code, I conclude that, while there can be only one county hospital in a county, that hospital may include branches in different parts of the county.

You are undoubtedly aware that Section 339.14, Revised Code, now provides an alternative method of securing additional hospital facilities for a county.

In sum, I am of the opinion, and you are advised, that Section 339.01 et seq., Revised Code, authorize for each county only one county hospital and only one board of county hospital trustees, but a county hospital may consist of several branches, providing hospital facilities in different parts of the county.

Respectfully,  
C. WILLIAM O'NEILL  
Attorney General