

3308.

APPROVAL, BONDS OF PORTSMOUTH CITY SCHOOL DISTRICT,  
SCIOTO COUNTY, OHIO—\$10,000.00.

COLUMBUS, OHIO, June 9, 1931.

*Retirement Board, State Teachers Retirement System, Columbus, Ohio.*

3309.

DISTRICT HEALTH BOARD—HEALTH COMMISSIONER UNAUTHORIZED TO ESTABLISH DENTAL CLINIC—EXCEPTION—FREE DENTAL TREATMENT LIMITED TO CHILDREN OF INDIGENT PARENTS WHO CONSENT THERETO—WORD "SUPERVISION" IN SECTION 1261-26, G. C., DEFINED.

SYLLABUS:

1. *A district health commissioner is not authorized to establish a dental clinic, either upon his own initiative or upon order of the district board of health, for the rendering of remedial or corrective treatment, free of charge, except under the circumstances and to the extent authorized by section 7692, General Code, when the duties and powers with respect to health matters as the same are set forth in said section 7692, General Code, are delegated by a board of education to the board of health or officer performing the functions of a board of health within the school district.*

2. *The rendering of free dental, remedial and corrective treatment for school children is limited to the rendering of such treatment for children whose parents or guardians can not otherwise provide for the same, and consent thereto.*

3. *The dental "supervision" of school children authorized by Section 1261-26, General Code, is limited to the making of examinations and diagnoses and the rendering of such remedial or corrective treatment for the school children as may be prescribed by a board of education or the board of health when the duties with respect thereto are delegated to the board of health, and then only for such school children whose parents or guardians can not otherwise provide for the same, and consent thereto.*

COLUMBUS, OHIO, June 9, 1931.

HON. MARION F. GRAVEN, *Prosecuting Attorney, Wooster, Ohio.*

DEAR SIR:—This will acknowledge your request for my opinion which reads as follows:

"Mr. S., member of the Wayne County Board of Health, has requested an opinion respecting the powers and duties of the Wayne County Health Board and Health Commissioner with reference to the practice of dental surgery upon the school children of this county.

It appears that the Health Commissioner acting under Section 1261-26 of the General Code, gave the school children medical and dental supervision causing the teeth of the children to be examined by a dentist, and thereafter purchased a dental chair and established a dental clinic