*** § 126-b. Public hospitals for chronically ill.** 1. (a) The governing board of a county or city may by resolution determine that there shall be in such county or city a public hospital for the care and treatment of the chronically ill and make provision for the establishment and operation of such a hospital by such county or city in the same manner and in accordance with the same procedure as is prescribed by the provisions of this article for the establishment and operation of public general hospitals; and the provisions of sections one hundred twenty-six, one hundred twenty-seven, one hundred twenty-eight, one hundred twenty-nine, one hundred thirty-one, one hundred thirty-two, one hundred thirty-three, one hundred thirty-five-a and one hundred thirty-five-b shall apply thereto except to the extent they shall be inconsistent therewith.

(b) Provided the state board of social welfare shall approve, such county or city may use for the operation of such a hospital a building or buildings formerly used as a tuberculosis hospital or sanatorium or a part thereof.

2. (a) If such a hospital is established, provision shall be made for the admission of patients thereto, upon the authorization of the commissioner of public welfare of the county or city, as the case may be, who are receiving public assistance or care from such commissioner or who may be determined to be needy by such commissioner in accordance with the standards and criteria of his public welfare district pursuant to the provisions of the social welfare law, and for payment by such commissioner for the cost of care provided such patients.

(b) When a patient who is not the concern of the public welfare commissioner is admitted, the superintendent shall cause to be made such inquiry as he may deem necessary relative to the ability of such patient, and of the relatives legally liable for his support, to pay for his care and treatment. If he finds that such patient, or said relatives, are able to pay for his care and treatment in whole or in part, an order shall be made by the superintendent directing such patient, or said relatives, to pay to the treasurer of such hospital for the support of such patient a specified sum per week, in proportion to their financial ability, but such sum shall not exceed the actual cost of maintenance. The superintendent shall have the same power and

authority to collect such sums from the patient, or his relatives legally liable for his support, as is possessed by a public welfare official in like circumstances. If the superintendent find that such patient, or his said relatives, are not able to pay, either in whole or in part, for his care and treatment in such hospital, the unpaid cost of his maintenance shall become a charge upon the county or city by which the hospital is maintained, but may be subject to chargeback to another public welfare district pursuant to the provisions of the social welfare law. The provisions of this paragraph shall not apply to any person admitted for care and treatment of tuberculosis, as defined and provided for in the public health law.

(c) No employee of such hospital shall accept from any patient thereof any fee, payment or gratuity whatsoever for his service.

3. (a) Whenever a county or city has, prior to the enactment of this section, established a public hospital for the care of the chronically sick, the governing body of such county or city may by resolution provide that such hospital shall thereafter be controlled and maintained in accordance with the provisions of this section and article.

(b) Any public hospital for the care of the chronically sick which may hereafter be established by the governing board of any county or city shall be subject to the provisions of this section and article.

* NB There are 2 § 126-b's