*** § 126-b. Establishment of Broome county nursing home.** 1. The board of supervisors of Broome county may establish, as hereinafter in this section provided, a nursing home to be approved by the state commissioner of health. All expenditures incurred by the state commissioner of health for and in connection with the location, construction and operation of such nursing home shall be a charge upon the county, and provision shall be made for the payment therefor by the board of supervisors of such county in the same manner as in the case of other charges against the county.

2. If the state commissioner of health shall approve, Broome county may use a building or buildings formerly used as a tuberculosis hospital or sanitorium.

3. When the board of supervisors of such county shall have determined to establish a nursing home as hereinbefore provided, such board shall:

(a) Erect all necessary buildings and alter any buildings, on the property when acquired for the use of said nursing home, provided that the location of the buildings and the plans and such part of the specifications as shall be required by the state commissioner of health for such erection or alteration, together with the initial equipment, shall first be approved by the state commissioner of health. Any changes in such location or plans shall also be first approved by the state commissioner of health, and the state commissioner of health and his duly authorized representatives shall have the power to inspect such nursing home during the course of its construction for the purpose of seeing that such plans are complied with.

(b) Cause to be assessed, levied and collected such sums of money as it shall deem necessary for suitable lands, buildings and improvements for said nursing home and for the maintenance thereof, and for all other necessary expenditures therefor; or may finance expenditures for the erection of such nursing home and for the purchase of a site therefor, pursuant to the provisions of the local finance law.

(c) Accept in its discretion and hold in trust for the county, any grant or devise of land, or any gift or bequest of money or other personal property, or any donation to be applied, principal or income, or both, for the benefit of said nursing home, and apply the same in

accordance with the terms of the gift.

(d) Whenever it shall deem it in the public interest so to do, and notwithstanding any inconsistent provision of this chapter or of any other general or special law, change the location of such nursing home and acquire a new site by purchase, lease or condemnation, and establish the nursing home thereon.

4. When the board of supervisors of such county shall have determined to establish a nursing home as hereinbefore provided, it shall, except where a board of managers has been appointed as provided in subdivision five of this section, appoint a superintendent of the nursing home to hold office at the pleasure of such board. Such superintendent shall be the chief executive officer of such home and, subject to by-laws, rules and regulations established by the board of supervisors governing such home, he shall:

(a) Before entering upon the discharge of his duties, file a bond in such sum as the board of supervisors may determine, to secure the faithful performance of such duties.

(b) Equip the nursing home with all necessary furniture, appliances, fixtures and other needed facilities for the care of patients and for the use of officers and employees thereof, and shall purchase all necessary supplies.

(c) Have general supervision and control of the records, accounts and buildings of the nursing home and all internal affairs, and maintain discipline therein and enforce compliance with and obedience to all by-laws, rules and regulations adopted by the board of supervisors for the government, discipline and management of said nursing home and the employees and patients thereof; and shall make such further rules, regulations and orders as he may deem necessary, not inconsistent with law, or with the rules, regulations and directions of the board of supervisors.

(d) Appoint such resident officers and such employees as are authorized by the board of supervisors for the efficient performance of the business of the nursing home, and prescribe their duties; and for cause stated in writing, after an opportunity to be heard, discharge any such officer or employee at his discretion.

(e) Cause proper accounts and records of the business and operation of

the nursing home to be kept regularly from day to day, in books and records provided for that purpose; and shall see that such accounts and records are correctly made up for the annual report to the board of supervisors.

(f) Receive into the nursing home in the order of application any person who is entitled to admission thereto under the by-laws, rules and regulations governing said nursing home; and shall cause to be kept proper accounts and records of the admission of all patients, their name, age, sex, color, marital condition, residence, occupation and place of last employment.

(g) Cause a record to be kept of the condition of each patient when admitted and from time to time thereafter.

(h) Discharge from said nursing home any patient who shall wilfully or habitually violate the rules thereof; or who is found not to need further care or treatment and to have recovered therefrom; or who for any other reason is no longer a suitable patient for treatment therein; and shall make a full report thereof at the next meeting of the board of supervisors.

(i) Collect and receive all moneys due the nursing home, keep an accurate account of the same, and transmit same to the treasurer of the county monthly on or before the tenth day of the month.

5. Where the board of supervisors of such county shall have determined to establish a nursing home as hereinbefore provided, it may appoint a board of managers in the same manner as provided in section one hundred twenty-seven of this chapter, and such board of managers, when appointed, shall have all the powers and duties of a board of managers of a public general hospital as set forth in section one hundred twenty-eight of this chapter.

* NB There are 2 § 126-b's