

ELEEMOSYNARY INSTITUTIONS:

Missouri not responsible for care of patients paroled from institutions in other states to persons in this state.

August 25, 1942

Hon. Ira A. Jones, President
Board of Managers
State Eleemosynary Institutions
Jefferson City, Missouri



Dear Mr. Jones:

This is to acknowledge receipt of your letter of August 21, in which you request the opinion of this department. You desire to know whether there is any legal reason why a patient, who has been confined in a mental hospital in another state and who is under a parole from that institution, may not be brought into this state.

Pursuant to your telephonic communication in regard to the above request, you have advised us that a patient is now in a Colorado institution for the insane, and that in accordance with the laws, rules and regulations governing institutions of that state, they desire to parole a patient to persons in another state, or in the State of Missouri. Unless there is some restriction placed on the patient by the authorities of the State of Colorado, the legal residence of the parolee, as to where the patient shall go, we can see no legal reason why such patient cannot come into the State of Missouri. We think, however, that you should have a clear understanding with the Colorado authorities that in the event that there is a recurrence of the mental disorder of the patient, Missouri shall assume no responsibility for the care of such patient and that she is still subject to the jurisdiction of Colorado, and is still their patient.

CONCLUSION

It is the opinion of this department that there is no legal reason why the patient cannot come into the State of Missouri, subject to the limitations mentioned above.

Respectfully submitted,

COVELL R. HEWITT
Assistant Attorney General

APPROVED:

ROY MCKITTERICK
Attorney General