

NURSING HOMES: County nursing homes, established under
COUNTY MEMORIAL HOSPITALS: Chapter 205, are not eligible for match-
MATCHING STATE FUNDS: ing state funds as provided in 184.290,
because county nursing homes cannot, by
definition, be termed county memorial
hospitals or additions thereto.

March 28, 1966

Opinion No. 196

Mr. Gerald D. Woods
Program Director
Department of Public Health
and Welfare
State Office Building
Jefferson City, Missouri



Dear Mr. Woods:

This is in response to your request for an official opinion of this office which reads in part as follows:

"This office has recently received inquiries as to the possibility of state financial aid being available to hospital districts and to counties for the purpose of erecting nursing homes under the provisions of Section 184.290, Revised Statutes of Missouri, 1959.

"It is requested that this office be provided an opinion in the matter so that we might be in a better position to answer such inquiries in the future."

Section 184.290, RSMo 1959, provides for matching funds, not to exceed \$10,000 from the state to be used for the purchase or establishment and the operation of, a county memorial hospital, or a memorial addition to an existing county hospital.

Matching state funds under Section 184.290, RSMo 1959, will be available for the building of nursing homes only if such nursing homes come within the definition of county memorial hospitals, or memorial additions to existing county hospitals.

County nursing homes are defined by statute at Section 205.-375, RSMo 1959, which reads in part as follows:

" * * * 'nursing home' means a facility for the accommodation of convalescents or other persons who are not acutely ill and not in need of hospital care, but who require skilled nursing care and related medical services

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"(1) Which is operated in connection with
a hospital * * * ." (Emphasis ours)

Chapter 205 also includes provisions for the establishment and maintenance of county hospitals (Sections 205.160 to 205.370) but the fact that nursing homes are separately defined and considered, indicates that the terms "hospital" and "nursing home" are not identical. Likewise the above quoted language of Section 205.375 indicates the contemplation of two separate and distinct institutions, first by stating that a nursing home is a facility for persons "not in need of hospital care", and by stating that a nursing home may be operated "in connection with a hospital" not as a hospital.

CONCLUSION

It is the opinion of this office that county nursing homes, established under Chapter 205, are not eligible for matching state funds as provided in 184.290, because county nursing homes cannot, by definition, be termed county memorial hospitals or additions thereto.

The foregoing opinion, which I hereby approve, was prepared by my assistant, J. Gordon Siddens.

Very truly yours,



NORMAN H. ANDERSON
Attorney General