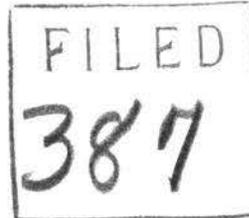


August 11, 1966

OPINION NO. 387
Answered by Letter
Stevens

Honorable Mark Scully
President
Southeast Missouri State College
Cape Girardeau, Missouri 63701



Dear Mr. Scully:

In your letter of July 8, 1966, requesting an opinion from this office, you state that in connection with your student nurses program, you have an agreement with the Southeast Missouri Hospital in Cape Girardeau, Missouri, whereby the student nurses receive laboratory at the hospital. You further state that the hospital carries compensation insurance on all of its employees and that the hospital has informed you that the student nurses are covered by the hospital compensation program.

You ask first, if the student nurses are to be considered employees of the hospital, and if injured, would they be covered by the Workmen's Compensation Law.

Second, you ask that "in the event the College agreed to allow student nurses to come within the coverage of the hospital Workmen's Compensation Program, as employees, would this be tantamount to an election by the College for a portion of its students or employees to come within the Act, thereby obligating the College to enter into a program for all its employees or causing it to have Workmen's Compensation liability to its employees?"

To answer your second question first, the fact that your student nurses may be considered employees of the hospital and hence covered by the Workmen's Compensation Law would in no wise affect the College.

We do not think it necessary to determine whether or not the student nurses are employees of the hospital and hence, subject to coverage under the Act. You have informed us that the Attorney for the hospital has rendered an opinion that these are "employees" of the hospital and covered by the Act.

Honorable Mark Scully

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This is a question that concerns only the hospital and the students. If they are "employees" of the hospital, this in no way affects the College. This fact would not obligate the College in any way nor would it bring other employees of the College under the Workmen's Compensation Act.

We do not believe that you should either approve or disapprove of this coverage of the students, as you are not affected thereby.

Very truly yours,

NORMAN H. ANDERSON
Attorney General

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