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# The Crippled Children's Law

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### Oregon's Provision for Child Conservation

**T**HE effectiveness of Oregon's new law providing for medical and surgical treatment of sick, deformed and indigent children, will depend very largely upon the interest that each and every citizen of the state takes in its administration. The results from similar laws in other states show that more than ninety per cent of the children treated become self-supporting in gainful occupations, and that nearly all are relieved from pain during the remainder of their lives.

The changing of these probable future dependents to normal, useful and self-supporting citizens, is a privilege in which every one may share by reporting to the county judge in each county the name of any child who might in any way profit by the help that this new law provides.

The children and the state need your very best cooperation.

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## The Significance of the Law

Under the provisions of Senate Bill 105, effective May 21, 1917, children under sixteen years of age needing surgical or medical treatment, and whose parents or other persons legally responsible for their support are unable to provide such care, may be sent to the hospital under the control of the medical college of the University of Oregon for such treatment and care, at no expense to the parents. In order that the child may receive the benefit of this act, any county Judge may, on his own motion, or on complaint filed by any probation officer, school teacher or school officer, relief officer, or physician authorized to practice his profession in the state of Oregon, appoint some physician to examine the child and make a written report to the county Judge regarding the condition of the child. The county judge will then fix a day for the hearing. If the county judge finds that the child is suffering from a deformity or malady that can probably be remedied by surgical or medical treatment and hospital care, and that the parent or guardian is unable to pay the expenses, the county judge, with the consent of the parent or guardian, will send the child to the hospital under the control of the Medical College of the University of Oregon.

The first organized effort in behalf of the crippled children of the State was made by the state federation of clubs at their annual meeting **In** 1914, and their interest continues unabated. The inception of this particular act came as the result of a request made by the Thursday Charity Club of Eugene to Fred D. Merritt, Professor of Social Service in the Extension Division of the University of Oregon, for some practical method of helping the hundreds of children in Oregon that are suffering from some deformity or chronic ailment. From the rough draft of a bill read before a meeting of this club, a bill was finally whipped into shape, and the original first eleven sections as submitted were unanimously passed by the Senate and House without amendment. Oregon joins the states of New York, Massachusetts, Minnesota, Kansas, Nebraska and Iowa in this progressive legislation.

The usefulness of the working of similar laws in other states has been demonstrated not only as the means of abating a vast amount of cruel and absolutely needless suffering, but as economic measures, that return to the community a great number of useful and effective individuals who would otherwise become dependents for life on the charity of the state.

Few people appreciate what modern medical science can accomplish and what wonderful cures can be made with but little pain to the child. In fact, in most instances, the child is relieved from pain at the very commencement of the treatment.

## Hospital Care is Especially Desirable

Many people have an inherent repugnance to hospitals, but the experience of the states having similar laws shows that the child should be treated through convalescence at the hospital instead of being sent home, because in the home it is difficult to secure efficient execution of the surgeon's orders even among fairly intelligent people. It is also a difficult social problem in the home of poor parents to secure the minimum comforts; fresh air, nutritious food and cleanliness which are required for successful convalescence. The status of the crippled child in the home is an exceedingly strong reason for the removal of the child while being treated. The child while in a hospital has a chance to develop its self reliance and is relieved from the humiliation of the rest of the family's view point; for the child almost invariably occupies one of two positions in the estimation of the family; either it is petted or it is neglected. After cure and development of self reliance, the child returns to the family and occupies the position of a normal child.

## School Facilities in the Hospital

The Medical College of the State University has made arrangements with the Portland school board for teachers to carry on the school work of the children while in the hospitals and undergoing treatment. Careful individual teaching during the time of treatment will produce wonderful results. The experience in other states shows that with few exceptions, these children with special teachers can "keep up," or even make more rapid progress than normal children in the public schools.

The hospital, by reason of having obtained its first hold upon the patient, due to the immediate physical benefits conferred, is in a better position than the home or school to hold the patient and complete the kind of an education necessary to make him independent socially as well as physically. Where the child comes direct from grade work in the home schools, it will be the aim to return the child to the classes from which he dropped out. Every child will put forth an extra effort to "keep up" with the home classes.

## A Children's Hospital the Logical Outgrowth

It has been the history of the last three states having a similar law, that within four years after its passage, there has been built by each state a children's hospital for the treatment of the diseases provided for by law. Each of these hospitals has been provided with proper school facilities.

A complete restoration of the individual to the normal is, in many cases, impossible, but a much larger number can be cured or improved

than is ordinarily supposed. In many cases the parents have been led to believe that the condition of the child was hopeless, when the fact is that the relief or cure is a simple matter.

The common difficulties met in the different states, where a similar law has been passed, have been of two kinds: First, to have a knowledge that there is such a law so widely disseminated that all parents of children affected by the law may know of it; second, that so large a number of cures can be effected. The difficulty of disseminating a knowledge of the existence of this law, and the large percentage of cures that can be made by its application, can be largely overcome by the active aid of the newspapers, the federated clubs, Mothers' Congress and Parent Teachers' Association, Consumers' League, Woman's Christian Temperance Union, the granges, the labor unions and other organized bodies. The law is now in force and there is no need that the children of Oregon who can be helped should suffer, when by extra effort of these organizations, notice of it can be brought to those who are to be benefited by its provisions.

The Medical College of the University of Oregon has made ample preparation for the immediate treatment of patients under the provisions of this act.

## CHAPTER 145

### AN ACT

[S. B. 105]

To provide medical and surgical treatment for sick and deformed indigent children, under the supervision of the medical department of the University of Oregon; and providing the manner and method of defraying the necessary expenses thereof.

Be It Enacted by the People of the State of Oregon:

Section 1. That any county Judge of the State of Oregon may on his own motion, or on complaint filed by any probation officer, school teacher or school officer, relief officer, or physician authorized to practice his profession in the State of Oregon, alleging that the child named therein is under sixteen years of age and is afflicted with some deformity or suffering from some malady that can probably be remedied, and that the parents or other persons legally chargeable with the support of such child are unable to provide means for the surgical and medical treatment and hospital care of such child, shall appoint some physician who shall personally examine such child with respect to its deformation or malady. Such physician shall make a written report to the county Judge giving such history of the case as will be likely to aid the surgical or medical treatment of such deformity or malady and describing the same, all in detail, and stating whether or not in his opinion the same can probably be remedied. Such report shall be made within such time as may be fixed by the county Judge and upon blanks to be furnished

as hereinafter provided. The county judge may also appoint some suitable person to investigate on the other matters charged in said complaint.

Section 2. Upon the filing of such report or reports the county judge shall fix a day for said hearing upon the complaint and shall cause the parent or parents, guardian, other person or institution, having the legal custody of said child to be served with a notice of hearing, and shall notify the district attorney, who shall appear and conduct the proceedings, and upon the hearing of such complaint, evidence may be introduced; and if the county judge finds that said child is suffering from a deformity or malady which can probably be remedied by surgical or medical treatment and hospital care, and that the parent or parents, guardian, other person or institution legally chargeable with his support is unable to pay the expenses thereof, the county judge, with the consent of the parent or parents, guardian or other person or institution having the legal charge of the child, may enter an order directing that the child shall be taken or sent to the cot, bed, ward or hospital under the direction of the medical college of the University of Oregon for surgical and medical treatment and hospital care and said child shall be provided with proper and sufficient clothing.

Section 3. It shall be the duty of the dean of the medical college of the State University, or other person designated by the authorities in direction of said medical college, upon said child being received, to provide for such child, if available, a cot or bed, or ward in the hospital, and such person shall also designate the clinic of the medical college to which the patient shall be assigned for treatment of the deformity or malady in each particular case,

The said medical college shall not be required to receive any child unless the physician or surgeon in charge of the department of said medical college in which such surgical or medical treatment is to be furnished shall be of the opinion that there is a reasonable probability that the child will be benefited by the proposed medical or surgical treatment.

If the physician or surgeon of the clinic to which such child has been assigned for treatment declines to treat such child, he shall make a report, in duplicate, of his examination of such child, and state therein his reason or reasons for declining such treatment, and one of said duplicates shall be preserved in the records of said medical college and the other transmitted to the clerk of the court of said county where said order committing said child was entered.

When any patient has been admitted to the clinic for treatment the physician or surgeon in charge thereof shall proceed with all proper diligence to perform such operation and bestow such treatment upon such patient as in his judgment shall be proper, and such patient shall receive proper hospital care while therein.

Section 4. No compensation shall be charged by or allowed to the physician or surgeon who shall treat such patient.

Section 5. The superintendent of the hospital or---ether person designated by the authorities of the medical college el the university shall keep a correct account of the medicine, treatment, nursing and maintenance furnished to said patient, and shall' set forth therein the actual, reasonable and necessary cost thereof, and shall make and file monthly with the county judge of the county from which the patient was committed, an itemized, sworn statement, *as far* as possible, of the expense so incurred at said hospital other than the free- surgical and medical treatment, as hereinbefore provided, and the said statement shall be forwarded to the county judge of the county from which the patient was committed.

Section 6. The county judge shall present the said statement to the board of county commissioners which, upon being satisfied that the same is correct and reasonable, shall approve the same, and shall direct that warrants be drawn by the county clerk upon the county treasurer for the amount of such bills as are allowed from time to time, and the said warrants as drawn by the county clerk [shall be transmitted] to the treasurer of the State University of Oregon and the same shall be placed by him to the credit of the university funds which are set aside for the support of the cot or bed, or ward in the hospital under the direction of the medical college of the University of Oregon, and the county treasurer shall pay said warrants out of the funds collected for the relief of the poor of the county.

Section 7. The county judge may, in his discretion, appoint some person to accompany the child from the place where he may be to the medical college of the State University of Oregon, or to accompany the said child from the said medical college to such place as may be designated by the county judge, the parent or parents, guardians or persons having legal custody of said child consenting.

Any person appointed by the county judge to accompany said child to or from the medical college, or to make an investigation and report of any of the questions involved in the complaint other than the physician making examination, shall receive the sum of Three Dollars per day for the time actually spent in making such investigation (except in cases where the person appointed by the county judge is a parent or a relative or where the officer appointed therefor receives a fixed salary or compensation, in which case there shall be no compensation) and his actual necessary expenses incurred in making such investigation or trip. The physician appointed by the court to make the examination and report shall, if he so demand, be paid not exceeding the sum of Five Dollars for each and every examination and report so made, and his actual necessary expenses incurred in making such investigation, in conformity to the requirements of this Act. The person making claim to such compensation shall present to the county judge an itemized sworn statement thereof, and when such claim for compensation has been approved by the

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county judge the same shall be filed and shall be allowed by the board of county commissioners and paid out of the funds of the county-collected for the relief of the poor.

Section 8. The medical, college of the university may in the discretion of the superintendent or other person designated by the authorities in control thereof, pay the actual, reasonable necessary expenses of returning the said patient to his home, and pay the attendant not to exceed Three Dollars per day for the time thus necessarily employed, unless said attendant be a parent or other relative or be an officer or employe receiving other compensation, and his actual, reasonable and necessary expenses incurred in accompanying such patient to his home, and such per diem and expenses shall be itemized and verified, and presented to and allowed by the board of county commissioners of the county from which the patient was removed; in connection with the bills for hospital maintenance, as hereinbefore provided.

Section 9. • The faculty of the Medical college of the University shall immediately on the taking effect of this Act prepare blank or blanks containing such questions and requiring such information as may in its judgment be necessary and preliminary to be obtained by the physician while examines the patient under order of Court; and a supply of such blanks shall be sent to the county judge of each county of the State of Oregon; and the physician making such examination shall make his report to the county judge in duplicate on said blanks, answering the questions contained therein, and setting forth the information required thereby, and one of said duplicate reports shall be sent to the medical college of the University of Oregon with the patient, together with a certified copy of the order of the county judge.

The dean of the college of medicine of the University of Oregon shall determine the number of such blanks to be printed and distributed to the county judges of the State of Oregon and the bills for the printing of the same shall be audited, allowed and paid in the same manner as the printing bills of the medical college of the University of Oregon.

Section 10. The Board of Control of the State institutions of Oregon may in its discretion send any inmate of any of said institutions, or any person committed or applying for admission thereto, to the medical college of the State University of Oregon for treatment and care as provided in this act without securing an order of court as provided in this act. The State University shall be accompanied by a report and in other cases, and the said patient so sent to the medical college of the State University shall be accompanied by a report, and history of the case made by the physician in charge of the institution to which said patient has been committed, or to which application has been made for his admission, containing a history of the case and information required by said blanks, and the Board of Control shall pay the hospital expenses of such patient and the expenses of transporting such patient

to and from the hospital out of any funds appropriated for the use of the institution from which such patient has been sent, and may, when necessary, send an attendant with such patient, and pay his traveling expenses in like manner. The institution is to be reimbursed for such expenses as provided for by law.

Section 11. It is expressly provided that no child under the terms of this Act shall be treated for any ailment except such as is described by the order of the court, unless permission for such treatment is granted by the parents or guardians; and it is also expressly forbidden that any child shall be used for the purpose of experimentation

Section 12. Upon the written request, made by the parent or parents, guardian or other person or institution having the legal custody of any such child, and filed with the county judge at the time of the hearing mentioned in Section 2 of this Act, to the effect that such parent or parento, guardian, or other person or institution having the legal custody of anj such child, desires such child taken or sent to a designated hospital or medical college of recognized standing or character or to any cot, bed or ward connected therewith, not under the direction or supervision of the medical college of the University of Oregon, said judge may make and enter an order directing that such child be taken or sent to such designated institution for free surgical and medical treatment and hospital care and to be provided by it with proper and sufficient clothing. The reception by such institution of such child as a patient, pursuant to such order, shall be taken and considered to be an acceptance on its part of all the provisions of this Act, except as hereinafter provided, which relate, or in anywise apply to the medical college of the University of Oregon in cases where any child is taken or sent pursuant thereto; and \*such institution shall then be held and bound to furnish such child with all proper and requisite medical or surgical care and attention without ownpensation, and to keep and observe in every manner and respect all such requirements and provisions of this Act, as long as such child remains in such institution as such patient.

Section 13. When any child, pursuant to the provisions of Section 12 of this Act, may become a patient at any institution not affiliated with the medical department of the University of Oregon, the superintendent or other person in charge thereof shall perform all duties and requirements set forth in Section 5 of this Act; and all warrants in payment of any bills or accounts therein mentioned shall be made payable to such institution.

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