

Opinion No. 15-1448

March 1, 1915

BY: FRANK W. CLANCY, Attorney General

TO: Mr. S. A. Wiseman, Sec'y, Miners' Hospital, Raton, New Mexico.

As to who should be admitted free of charge to the miners' hospital.

OPINION

{*38} I have today received your letter of the 27th ult. in which, on behalf of the Board of Trustees of the Miners' Hospital, you ask as to whether a miner who is a resident of New Mexico, and who has for a number of years discontinued his occupation as miner and who becomes sick or infirm, but not in the line of his occupation, is entitled to admission to the hospital, free of charge.

I feel compelled to say that the statute under which you give reference to be found in Section 9 of Chapter 2 of the Laws of 1903, will not justify the admission to the hospital of such a miner free of charge, as that section distinctly requires that for such free treatment, the miner must have become sick or injured in the line of his occupation. Any miner who may have become sick or infirm in the line of his occupation, could be admitted free of charge, although he might not have been engaged in his occupation of miner for some years.

The amendment in Chapter 48 of the Laws of 1907 does not help any as that merely provides for the admission of other patients upon the payment of all expenses by them.

I regret being compelled to give this opinion, but I see no way of avoiding it in view of the language used in the statute.