

§ 35.1

Subpart C—Disposition of Articles Produced by Patients

- 35.31 Retention by patients.
- 35.32 Board of appraisers.
- 35.33 Sale; prices; deposit of proceeds.
- 35.34 Resale.
- 35.35 Unsalable articles.

Subpart D—Disposal of Money and Effects of Deceased Patients

- 35.41 Inventory.
- 35.42 Notice upon death.
- 35.43 Delivery only upon filing claim; forms; procedure.
- 35.44 Delivery to legal representative; to other claimants if value is \$1,000 or less.
- 35.45 Disposition of effects; exceptions.
- 35.46 Conflicting claims.
- 35.47 Disposition of Government checks.
- 35.48 Deposit of unclaimed money; sale of unclaimed effects and deposit of proceeds.
- 35.49 Sale of unclaimed effects; procedures.
- 35.50 Disposition of unsold effects.
- 35.51 Manner of delivery; costs, receipts.
- 35.52 Delivery of possession only; title unaffected.

Subpart E—Contributions for the Benefit of Patients

- 35.61 Applicability.
- 35.62 Acceptance of contributions.
- 35.63 Report of and accounting for contributions.
- 35.64 Donors.
- 35.65 Acceptable personal property.
- 35.66 Expenditure of cash contributions.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended; 42 U.S.C. 216, sec. 321, 53 Stat. 695, as amended; 42 U.S.C. 248, unless otherwise noted.

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Subpart A—General

§ 35.1 Hospital and station rules.

The officer in charge of a station or hospital of the Service is authorized to adopt such rules and issue such instructions, not inconsistent with the regulations in this part and other provisions of law, as he deems necessary for the efficient operation of the station or hospital and for the proper and humane care and treatment of all patients therein. All general rules governing the conduct and privileges of patients, and of members of the public while on the premises, shall be posted in prominent places.

42 CFR Ch. I (10–1–09 Edition)

§ 35.2 Compliance with hospital rules.

All patients and visitors in stations and hospitals of the Service are expected to comply with the rules and instructions issued under the authority of the officer in charge.

§ 35.3 Noncompliance; deprivation of privileges.

Any patient who wilfully fails or refuses to comply with rules or instructions of a hospital or station or with regulations of the Service, may, by the direction of the officer in charge, be deprived of recreational or other privileges accorded patients. Any visitor who wilfully fails or refuses to comply with any such rules, instructions, or regulations may, by direction of the officer in charge, be denied visiting privileges.

§ 35.4 Noncompliance; discharge or transfer.

(a) If the officer in charge finds, upon investigation, that a patient other than a leprosy patient, by willful and persistent failure or refusal to comply with such rules, instructions, or regulations is seriously impeding the course of his own care and treatment, or that of other patients, he may (1) discharge the patient, or (2) if the patient is not a voluntary patient, arrange for his transfer to the custody of the authority responsible for his admission to the station or hospital. No patient shall be discharged or transferred on account of noncompliance if to do so would seriously endanger his life or health, nor shall any patient be discharged if his failure to comply is due, in the opinion of the officer in charge, to a mental disease or disorder.

(b) If the discharge or transfer of a patient is likely to endanger the health of persons other than the patient or officers or employees of the station or hospital, the officer in charge shall give advance notice to appropriate State, county, or municipal authorities of the discharge or transfer.

§ 35.5 Entitlement to care after discharge or transfer by reason of noncompliance.

No person otherwise entitled to care, treatment, or hospitalization at Service facilities, or in other facilities at