

**OPINION
58-120**

August 5, 1958 (OPINION)

GOVERNMENTAL FINANCE

RE: Bonds - Municipal Issuance for Medical Clinic, Unauthorized

This is in reply to your letter of July 18, 1958, regarding the question of whether section 21-0306(2)(a) authorizes a city to borrow money by issuing bonds for the construction of a medical clinic.

Subsection (2)(a) of the 1957 Supplement to the N.D.R.C. of 1943 states:

1. By any city:
 - a. For the erection, purchase, construction, enlargement, or repair of municipal or public buildings for the following purposes: city halls, fire protection buildings, waterworks buildings, police station, city markets, public baths, hospitals, libraries, museums, auditoriums, armories, gymnasiums, and music halls; and to purchase and acquire sites for such buildings, and for the equipment and furnishing thereof; . . ."

We have found several definitions of hospitals which are:

A hospital is a place or institution in which patients or injured persons are given medical and surgical care, often in whole or in part at public expenses. 250 P. 2d. 956.

In ordinary accepted usage, a hospital is an institution for the reception and care of sick, wounded, and infirm persons. 76 So. 2d. 630.

The term hospital identifies an institution where as a general rule patients are given more than temporary care or surgical treatment, and is commonly understood to be a place where persons obtain complete care, including food and shelter, and it likewise has public character which private professional office does not have, and therefore, while a doctor's office has something in common with a hospital, the two are not the same in the ordinary meaning of the term. 237 S.W. 2d. 1003.

Webster defines Clinic as an institution connected with a hospital or medical school, for treatment of outpatients.

While the words "hospital" and "clinic" in definition are similar, these words are far from being synonymous. Each concerns the treatment of the sick and injured, but there the similarity ends, for a hospital cares completely for a sick or injured person and a clinic is for the treatment of outpatients.

Section 1-0202 of the N.D.R.C. of 1943 under Rules of Interpretation

states:

Words used in any statute are to be understood in their ordinary sense, unless a contrary intention plainly appears, but any words explained in this code are to be understood as thus explained."

It is the opinion of this office that the word "hospital" as used in subsection 2(a) of section 21-0306 does not include medical clinic, and thus does not authorize a city to issue bonds for the construction of medical clinic.

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