



STATE OF KANSAS

Office of the Attorney General

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Curt T. Schneider,
Attorney General

July 27, 1976

ATTORNEY GENERAL OPINION NO. 76-235

Mr. John E. Fierro
Assistant County Attorney
Ford County Courthouse
Post Office Box 995
Dodge City, Kansas 67801

Re: Hospitals--Hospital Districts of Third Class Cities--
Authority to Purchase Clinics

Synopsis: Pursuant to the authority granted via K.S.A. 1975 Supp. 80-2117, hospital districts of the third class are empowered to purchase medical clinics to be used in connection with the hospital district.

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Dear Mr. Fierro:

You request an opinion from this office relative to the authority of a hospital district of the third class to purchase a medical clinic. You advise that a medical clinic in the city of Bucklin is presently owned by a medical doctor who intends to leave that city in the near future and the Bucklin District Hospital desires to purchase said facility.

K.S.A. 1975 Supp. 80-2117 provides thusly:

"Every hospital district organized under the provisions of this act is hereby authorized to maintain, operate, improve, equip, lease, rent, enlarge, construct or reconstruct a public hospital, medical or dental clinics for use in connection therewith and a home for the aged as the same is defined in K.S.A. 19-2106, within such hospital district."

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While the language of this statute does not specifically provide for the "purchase" of a medical clinic, it can be reasonably implied that the district may acquire by purchase such a clinic. Such a construction of the statute is in keeping with a general rule of statutory construction wherein the language of a given statute is liberally construed to give effect to its ultimate purpose. *St. Louis & O'F.R. Co. v. United States*, 279 U.S. 461, 73 L. Ed. 798, 49 S. Ct. 384 (1928); *United States v. State Bank of North Carolina*, 6 Pet. 29, 8 L. Ed. 308 (1832).

Accordingly, it is the opinion of this office that the provisions of K.S.A. 1975 Supp. 80-2117 lawfully empower a hospital district of a third-class city to purchase a medical clinic to be used in connection with such hospital district.

Yours very truly,



CURT T. SCHNEIDER
Attorney General

CTS:JPS:kj