

OFFICE OF THE ATTORNEY GENERAL



CHARLES A. GRADDICK
ATTORNEY GENERAL
STATE OF ALABAMA

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Honorable W. C. Buttram
President
DeKalb County Commission
Room 304 Courthouse
Fort Payne, Alabama 35967

DeKalb County Scholarship
Commission - Scholarships -
Funds

DeKalb County Hospital
Association may make loans or
grants to DeKalb County Medical
Scholarship Commission

Dear Mr. Buttram:

Reference is made to the request by the DeKalb County Commission for an opinion from the Attorney General as to whether the DeKalb County Hospital Association can make a loan or grant to the DeKalb County Medical Scholarship Commission for the purpose of providing financial assistance to medical students who will return to that county to practice medicine.

Your question is to be answered in the affirmative.

The following facts are gathered from your request: Act No. 758, 1975 Regular Legislative Session established the DeKalb County Medical Scholarship Commission. This Commission provides scholarships and loans to county residents who plan a medical career and who will return to the county for a specified number of years. The DeKalb County Hospital Association was established pursuant to Code of Alabama 1975, Section 22-21-50 through Section 22-21-57.

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Code of Alabama 1975, Section 22-21-3 provides:

(a) This section shall apply to any public hospital in this state, operated on a municipal-county basis, on a county basis, on a municipal basis or on a regional or statewide basis operating under the authority of any act or acts of the legislature of Alabama, heretofore passed or hereinafter enacted, either local or general.

(b) The board of trustees or other like governing bodies of any hospital coming within the purview of this section is hereby authorized and permitted, but not required, to expend any funds such hospital has on hand by providing scholarships for the purpose of the educating and training of professional and technical personnel, and each such hospital, by and through its governing body, shall make and provide its own rules and regulations to govern the issuance of such scholarships.

In an opinion of the Attorney General to the Honorable Robert H. Brodgen of Ozark dated September 10, 1982 it was concluded that under Section 22-21-3 a hospital association formed pursuant to Section 22-21-50 et seq. may establish a physician scholarship program. The Attorney General is of the opinion that Section 22-21-3 previously quoted would also empower the DeKalb County Hospital Association to make loans or grants to the DeKalb County Medical Scholarship Commission for the purpose of providing financial assistance to medical students from DeKalb County.

I hope that your question has been adequately answered.

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If our office can be of assistance to you in the future, please let us know.

Sincerely,

CHARLES A. GRADDICK
ATTORNEY GENERAL

BY:

A handwritten signature in cursive script that reads "Lynda Knight Oswald". The signature is written in dark ink and is positioned above the typed name and title.

LYNDA KNIGHT OSWALD
ASSISTANT ATTORNEY GENERAL

CAG:lo:w