it would likewise be true that the recognition of the school for the purpose of such license was a function to be performed by the Board of the other state and the only matter material for this Board to check would be that the applicant is a graduate from a school having requirements for graduation equivalent to those prescribed in this statute and that the Board's requirement for licensing in the sister state are substantially equivalent to those of this act.

When the aforesaid requirements and qualifications have been furnished this Board, as shown by the application to this Board, or in material submitted therewith, I am of the opinion this Board should issue a license by reciprocity irrespective of whether or not the Indiana Board has, in fact, recognized such school as of the date of applicant's graduation therefrom.

OFFICIAL OPINION NO. 29
April 29, 1958

Mr. Arthur Campbell, Member
Board of Correction
210 State House
Indianapolis 4, Indiana

Dear Mr. Campbell:

Your letter of March 20, 1958, has been received and reads in part as follows:

"The question has arisen within our Penal and Correctional Institutions in the Department of Correction as to whether or not Chapter No. 262 of the Acts of 1957 is inclusive enough to include glasses and dentures along with other necessary medical and surgical care as set out in the Act."

Acts of 1947, Ch. 300, Sec. 5, as amended by Acts of 1957, Ch. 262, as found in Burns' (1957 Supp.), Section 52-1135(b), reads in part as follows:

"(b) The necessary costs and expenses which may be incurred upon the placing of an inmate of an institution in a hospital shall be paid by the state out of funds..."
appropriated by section 5a of this act. A certified and itemized statement of the cost of treatment shall be rendered to the penal, benevolent or correctional institution from which the inmate has been placed: * * *.”

In considering this question, it is helpful to refer to Acts of 1947, Ch. 300, Sec. 4, as found in Burns' (1951 Repl.), Section 52-1134, which provides that the Board of Correction through the warden and superintendents of the various penal institutions may place an inmate in a hospital for medical, surgical or hospital care, which cannot be provided by the particular institutions.

Although Burns' (1957 Supp.), Section 52-1135(b), supra, makes no specific mention of any particular needs such as eyeglasses or dentures, it does speak of necessary costs and expenses, which may be incurred upon the placing of an inmate in a hospital.

The term, “necessary costs and expenses” is not defined or limited by any language in the act, therefore, it is my opinion that the term is sufficiently broad to include the cost of eyeglasses and dentures along with any other eye or dental treatment which may be necessary.

In keeping with the policy of reformation in our state penal institutions, it would seem your office may obtain any necessary treatment and devices which cannot be provided in the institution, by placing the inmate in a hospital, the payment for such hospitalization to be made in accordance with the terms of the act. The decision as to whether such treatment can be provided in the penal institution is one of fact, and not a matter of law to be considered by me.