Applying the law as established by the above cited authorities to the provisions of Chapter 200, Acts of 1943, it is my opinion that, under the provisions of Sections 2 and 3 of Chapter 200 of the Acts of 1943, township school trustees are required to advertise for bids as provided by Chapter 200 of the Acts of 1943 but that, after due notice has been given as required by the Act, the township trustee, with the consent of the advisory board, has a discretion as to the bids which should be accepted, and for this reason, the township trustee, with the consent of the advisory board can negotiate with the various bidders and award a contract, and that they are not necessarily required to award the contract to the "lowest and best responsible bidders" as required by the provisions of Chapter 161 of the Acts of 1941, which has been suspended until March 15, 1945.

My answer to your second question is that school bus drivers are required to take the physical examination before being awarded a school bus driver's contract. This physical examination is expressly required by the provisions of Chapter 214 of the Acts of 1941, being Burns' R. S. Supp., Sec. 28-2902, which is still in full force and effect and has never been amended, suspended, or repealed by any act of the 1943 session of the General Assembly.

STATE BOARD OF HEALTH: Indiana Medical Practice Act, whether licensing provisions of said Act apply to officers of the United States Public Health Service who are attached to the Indiana State Board of Health.

April 20, 1943.

Hon. Thurman B. Rice, M. D., Director,
Indiana State Board of Health,
Indianapolis, Indiana.

Dear Doctor Rice:

I have before me your request for an opinion concerning the licensing of officers of the United States Public Health Service under the Indiana Medical Practice Act, who are attached to and assisting the Indiana State Board of Health.
Your request resolves itself into one question: Do the provisions of the Indiana Medical Practice Act pertaining to the licensing of those practicing medicine within the State of Indiana apply to those officers of the United States Public Health Service who are attached to the Indiana State Board of Health?

The Medical Practice Act of the State of Indiana, Chapter 145, Section 5, Page 247, of the Acts of 1899, Burns' 1933, Sec. 63-1310, provides in the part that is definitely applicable and controlling as follows:

"* * * This act shall not apply to any commissioned officer of the United States army, navy or marine hospital service in the discharge of his official duties, * * *"

The Marine Hospital Service was a federal institution that had been maintained since 1798, but which became more fully organized as a government institution in 1870 (16 Stat. L. 169). On July 1, 1902, Congress enacted a law part of which is as follows:

"An Act to increase the efficiency and change the name of the United States Marine-Hospital Service.

"Be it enacted * * *

"The United States Marine-Hospital Service shall hereafter be known and designated as the Public Health and Marine-Hospital Service of the United States and the Supervising Surgeon-General and the officers now or hereafter commissioned under the Act of January fourth, eighteen hundred and eighty-nine, * * * shall hereafter be known as the Surgeon-General, surgeons, passed assistant surgeons and assistant surgeons of the Public Health and Marine-Hospital Service of the United States. * * * The care of sick and disabled seamen and all other duties now required by law to be performed by the Marine-Hospital Service shall hereafter be performed by the Public Health and Marine-Hospital Service, and all funds and appropriations now provided by law for use by the Marine-Hospital Service and all properties and rights pertaining to said service shall be available for use for like pur-
poses and in like manner, under the Treasury Department, by the Public Health and Marine-Hospital Service.”

Acts 1902, Ch. 1370, Vol. 32, 1 U. S. L.

In 1912 there was a further Act of Congress as follows:

“Section 1. The Public Health and Marine-Hospital Service shall be known and designated as the Public Health Service; and all laws appertaining to said Public Health and Marine-Hospital Service shall apply to the Public Health Service, and all regulations in force, made in accordance with law for said Public Health and Marine-Hospital Service shall apply to and be in force as regulations of and for the Public Health Service until changed or rescinded.”

U. S. C. A., Title 42, Sec. 1.

Where corporations or individuals have their name legally changed, no change is made in their status, if their identity appears.

Hazelett v. Butler University, 84 Ind. 230;

We assume by analogy that the same rule applies to a government administrative body.

The fact that the name of the United States Marine Hospital Service was changed to the United States Public Health Service would not exclude the United States Public Health Service from the exemptions provided in the Indiana Medical Practice Act quoted, supra.

It is my opinion, therefore, that the exemption provision of the Indiana Statute applies to the members of the United States Public Health Service, and they are not required to comply with the licensing features of the Statute.