It is my opinion, therefore, that when an application is presented to your Commission for a transfer or lease of a certificate which has been granted an intrastate or inter-state motor carrier, you should consider all relevant facts having a bearing on the proposed transfer, and whether or not the public interest would be served by such transfer.

DEPARTMENT OF PUBLIC WELFARE: Co-operative agreement between Department of Public Welfare and Riley Hospital, whether same qualifies state under Federal Social Security Act.

December 31, 1936.

Honorable Wayne Coy,
Acting Administrator,
Department of Public Welfare,
141 S. Meridian Street,
Indianapolis, Indiana.

Dear Sir:

I have before me your request for an official opinion in answer to the following questions:

1. When the James Whitcomb Riley Hospital and the State Department of Public Welfare have in effect agreed upon policies in the manner outlined above (see letter attached) by the preparation and approval of a statement of standards and policies, does the State Department have administrative responsibility under the Indiana law for the development and operation of a plan of services for crippled children?

2. Will the Department have the power to terminate such a program at any time it finds such action to be necessary or desirable?

3. Will the Department have the power under the State law to cooperate with the United States Children's Bureau in accordance with the provisions of Title V, Part 2, of the Social Security Act?

Reference to the letter to which you refer discloses that the question at issue is raised by the provisions of Section 87 of the Welfare Act of 1936 of the State of Indiana, Acts of 1936, page 59, in its relation to that provision of the Federal
Social Security Act which, as a condition of participation by
the Federal Government, requires that the state plan among
other things must provide for the administration of the plan
by a state agency or the supervision of the administration
of the plan by a state agency. In connection with the above
questions I have now had submitted to me the plan of coop-
eration which has been agreed to by the Riley Hospital au-
thorities and the answers to these questions will be upon the
basis of what has been actually agreed to rather than upon
some tentative proposals the terms of which would necessarily
be indefinite. In my opinion the agreement of the Riley
Hospital officials which has been submitted to me and
which is attached to the quarterly state plan for
service for cripple children to be submitted to the Federal
Government for the three months ending March 31, 1937,
has the effect of granting to the Department of Public Wel-
fare of the State of Indiana supervisory authority with re-
spect to crippled children placed by the Department of Public
Welfare in the Riley Hospital for treatment and that the
Department of Public Welfare has the authority under the
agreement to terminate financial participation by or through
the State Department of Public Welfare at any time and for
any reason.

Your first and second questions are answered in accord-
ance with the above opinion.

As to your third question, "Will the Department have the
power under the State law to cooperate with the United States
Children's Bureau in accordance with the provisions of Title
V, Part 2, of the Social Security Act?", I think your question
should be answered in the affirmative.