

MAINE STATE LEGISLATURE

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SEVENTY-FOURTH LEGISLATURE

HOUSE.

No. 21

STATE OF MAINE.

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND NINE.

AN ACT providing for the better protection of the people of
the State of Maine from the disease known as tuberculosis.

Be it enacted by the People of the State of Maine, as follows:

Section 1. The State board of health of Maine shall keep
2 register of all persons in this State who are known to be
3 affected with tuberculosis. The State board of health shall
4 have sole and exclusive control of said register, and shall
5 not permit inspection thereof nor disclose any of its per-
6 sonal particulars except to its own agents or to local officials
7 when in the interest of the public health and safety it is
8 deemed necessary to do so.

Sect. 2. Tuberculosis is hereby declared to be an infec-
2 tious and communicable disease, dangerous to the public

3 health. It shall be the duty of every physician in the State
4 of Maine to report in writing on forms to be furnished by
5 the State board of health the name, age, sex, color, occu-
6 pation, place where last employed if known, and address
7 of every person known by said physician to have tubercu-
8 losis, to the secretary of the State board of health within
9 forty-eight hours after such fact comes to the knowledge
10 of said physician. The name of the householder where the
11 tuberculous person lives, or boards, and such other facts
12 as may be called for on the blank reports issued from the
13 office of the State board of health, shall also be included in
14 the report. It shall also be the duty of the chief officer
15 having charge for the time being of any hospital, dispen-
16 sary, asylum, sanatorium or other similar private or public
17 institution in the State of Maine to report to the State board
18 of health in like manner, the name, age, sex, color, occu-
19 pation, place where last employed if known, and previous
20 address of every patient having tuberculosis who comes into
21 his care or under his observation within forty-eight hours
22 thereafter. It shall also be the duty of said physician or
23 chief officer to give notice to the secretary of the State
24 board of health of the change of address of any tuberculous
25 patient who is, or has lately been under his care if he is
26 able to give such information.

Sect. 3. In case of the vacation of any apartment or prem-
2 ises by the death or removal therefrom of a person having
3 tuberculosis, it shall be the duty of the attending physician,
4 or if there be no such physician, or if such physician be

5 absent, of the owner, lessee, occupant, or other person hav-
6 ing charge of the said apartments or premises, to notify the
7 health officer or secretary of the local board of health of
8 said town of said death or removal within twenty-four hours
9 thereafter, and such apartments or premises so vacated shall
10 not again be occupied until duly disinfected, cleansed or
11 renovated as hereinafter provided.

Sect. 4. When notified of the vacation of any apartments
2 or premises as provided in section three hereof, the health
3 officer or secretary of the local board of health or his agent,
4 shall within twenty-four hours thereafter visit said apart-
5 ments or premises, and shall order and direct that, except
6 for purposes of cleansing or disinfection, no infected article
7 shall be removed therefrom until properly and suitably
8 cleansed or disinfected, and said local board of health shall
9 determine the manner in which such apartments or premises
10 shall be disinfected, cleansed, or renovated in order that
11 they may be rendered safe and suitable for occupancy. If
12 the health authorities determine that disinfection is suffi-
13 cient to render them safe and suitable for occupancy, such
14 apartments or premises together with all infected articles
15 therein, shall immediately be disinfected by the health au-
16 thorities at public expense, or, if the owner prefers, by the
17 owner at his expense, to the satisfaction of the health au-
18 thorities.

Sect. 5. In case the orders or directions of the local board
2 of health requiring the disinfection, cleansing, or renovation

3 of any apartments or premises or any articles therein as
4 hereinbefore provided, shall not be complied with within
5 forty-eight hours after such orders or directions shall be
6 given, the health officer may cause a placard in words and
7 form substantially as follows to be placed upon the door of
8 the infected apartments or premises:

“Tuberculosis is a communicable disease. These apart-
10 ments have been occupied by a consumptive and may be
11 infected. They must not be occupied until the order of the
12 health officer directing their disinfection or renovation has
13 been complied with. This notice must not be removed under
14 penalty of the law except by the local board of health or
15 other duly authorized official.”

Sect. 6. Any person having tuberculosis who shall dispose
2 of his sputum, saliva, or other bodily secretion or excretion
3 so as to cause offense or danger to any person or persons in
4 the same room or apartment, house, or part of a house,
5 shall, on complaint of any person or persons subjected to
6 such offense or danger, be deemed guilty of a nuisance and
7 any person subjected to such a nuisance may make com-
8 plaint in person or writing to the local board of health of
9 any town where the nuisance complained of is committed.
10 And it shall be the duty of the local board of health receiv-
11 ing such complaint to investigate, and if it appears that the
12 nuisance complained of is such as to cause offense or danger
13 to any person in the same room, apartment, house, or part
14 of a house, they shall serve a notice upon the person so

15 complained of, reciting the alleged cause of offense or dan-
16 ger and requiring him to dispose of his sputum, saliva, or
17 other bodily secretion or excretion in such a manner as to
18 remove all reasonable cause of offense or danger. Any per-
19 son failing or refusing to comply with orders or regulations
20 of the local board of health of any town, requiring him to
21 cease to commit such nuisance, shall be deemed guilty of a
22 misdemeanor and on conviction thereof shall be fined not
23 more than ten dollars.

Sect. 7. It shall be the duty of a physician attending a
2 patient having tuberculosis to take all proper precautions
3 and to give proper instructions to provide for the safety of
4 all individuals occupying the same house or apartment, and
5 if no physician be attending such patient this duty shall
6 devolve upon the local board of health, and all duties im-
7 posed upon physicians by any sections of this act shall be
8 performed by the local board of health in all cases of tuber-
9 culosis not attended by a physician, or when the physician
10 fails to perform the duties herein specified, and shall so
11 report.

Sect. 8. The precautionary measures carried out by physi-
2 cians, local boards of health, and others to prevent the trans-
3 mission of infection to other persons shall be in accordance
4 with the advice given by the State board of health in its
5 printed circulars, and reports to the State board of health
6 shall include a statement of what procedures and precau-
7 tions have been taken to prevent the spread of infection.

8 In the cases of needy patients who are not able to provide
9 themselves with proper spit-cups and other supplies or ma-
10 terial in the opinion of the attending physician needed to
11 prevent the communication of infection, the physician may
12 send a requisition to the local board of health of the town
13 in which the tuberculous patient lives for said things to
14 aid him in preventing the spread of the disease, and all local
15 health officers or secretaries of local boards of health shall
16 honor, as far as possible, requisitions signed by the attend-
17 ing physician, and the bill for these supplies shall be paid
18 by the town.

Sect. 9. Any physician or person practising as a physician
2 who shall knowingly report as affected with tuberculosis
3 any person who is not so affected, or who shall wilfully
4 make any false statement concerning the name, age, sex,
5 color, occupation, or other facts called for on the blanks
6 prepared by the State board of health, of any person reported
7 as affected with tuberculosis, or who shall certify falsely
8 as to any of the precautions taken to prevent the spread of
9 infection, shall be deemed guilty of a misdemeanor and
10 on conviction thereof shall be subject to a fine of not more
11 than one hundred dollars.

Sect. 10. Upon the recovery of any person having tuber-
2 culosis, it shall be the duty of the attending physician to
3 make a report of this fact to the secretary of the State
4 board of health, who shall record the same in the records

5 of his office, and shall relieve said person from further
6 liability to any requirements imposed by this act.

Sect. 11. Any person violating any of the provisions of
2 this act shall be deemed guilty of a misdemeanor and upon
3 conviction thereof shall be punished, except as herein other-
4 wise provided, by a fine of not less than five dollars nor
5 more than fifty dollars.

Sect. 12. The provisions of sections thirty-three and thirty-
2 six of chapter eighteen of the Revised Statutes so far as
3 those sections relate to the reporting of cases of pulmonary
4 tuberculosis, or consumption, and all acts and parts of acts
5 contrary to or inconsistent with the provisions of this act
6 are hereby repealed.

STATE OF MAINE.

HOUSE OF REPRESENTATIVES,

Augusta, January 26, 1909.

Tabled pending reference to a committee, by Mr. BUR-
LEIGH of Augusta, and ordered printed.

E. M. THOMPSON, *Clerk.*