

# MAINE STATE LEGISLATURE

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# SEVENTY-FOURTH LEGISLATURE

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HOUSE.

No. 451

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## STATE OF MAINE.

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

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

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*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 a 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 not  
5 permit inspection thereof nor disclose any of its personal  
6 particulars except to its own agents or to local officials when  
7 in the interest of the public health and safety it is deemed  
8 necessary to do so.

Sect. 2. Tuberculosis is hereby declared to be an infectious  
2 and communicable disease, dangerous to the public health.  
3 It shall be the duty of every physician in the State of Maine  
4 to report in writing on forms to be furnished by the State  
5 board of health the name, age, sex, color, occupation, place  
6 where last employed if known, and address of every person  
7 known by said physician to have tuberculosis, to the secre-  
8 tary of the State board of health within forty-eight hours  
9 after such fact comes to the knowledge of said physician.  
10 The name of the householder where the tuberculous person  
11 lives, or boards and such other facts as may be called for on  
12 the blank reports issued from the office of the State board of  
13 health, shall also be included in the report. It shall also be  
14 the duty of the chief officer having charge for the time being  
15 of any hospital, dispensary, asylum, sanatorium or other  
16 similar private or public institution in the State of Maine to  
17 report to the State board of health in like manner the name,  
18 age, sex, color, occupation, place where last employed if  
19 known and previous address of every patient having tuber-  
20 culosis who comes into his care or under his observation  
21 within forty-eight hours thereafter. It shall also be the  
22 duty of said physician or chief officer to give notice to the  
23 secretary of the State board of health of the change of ad-  
24 dress of any tuberculous patient who is, or has lately been  
25 under his care if he is able to give such information.

Sect. 3. In case of the vacation of any apartment or premises by the death or removal therefrom of a person having tuberculosis, it shall be the duty of the attending physician, or if there be no such physician, or if such physician be absent, of the owner, lessee, occupant, or other person having charge of the said apartments or premises, to notify the health officer or secretary of the local board of health of said town of said death or removal within twenty-four hours thereafter, and such apartments or premises so vacated shall not again be occupied until duly disinfected, cleansed or renovated as hereinafter provided.

Sect. 4. When notified of the vacation of any apartments or premises as provided in section three hereof, the health officer or secretary of the local board of health or his agent, shall within twenty-four hours thereafter visit said apartments or premises, and shall order and direct that, except for purposes of cleansing or disinfection, no infected article shall be removed therefrom until properly and suitably cleansed or disinfected, and said local board of health shall determine the manner in which such apartments or premises shall be disinfected, cleansed, or renovated in order that they may be rendered safe and suitable for occupancy. If the health authorities determine that disinfection is sufficient to render them safe and suitable for occupancy, such apartments or premises together with all infected articles therein, shall immediately be disinfected by the health authorities at

16 public expense, or, if the owner prefers, by the owner at his  
17 expense, to the satisfaction of the health authorities.

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 in-  
11 fected. 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 un-  
14 der the penalty of the law except by the local board of health  
15 or 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, shall,  
5 on complaint of any person or persons subjected to such of-  
6 fense or danger, be deemed guilty of a nuisance and any per-  
7 son subjected to such a nuisance may make complaint in  
8 person or writing to the local board of health of any town  
9 where the nuisance complained of is committed. And it  
10 shall be the duty of the local board of health receiving such

11 complaint to investigate, and if it appears that the nuisance  
12 complained of is such as to cause offense or danger to any  
13 person in the same room, apartment, house, or part of a  
14 house, they shall serve a notice upon the person so com-  
15 plained of, reciting the alleged cause of offense or danger  
16 and requiring him to dispose of his sputum, saliva, or other  
17 bodily secretion or excretion in such manner as to remove all  
18 reasonable cause of offense or danger. Any person failing  
19 or refusing to comply with orders or regulations of the local  
20 board of health of any town, requiring him to cease to com-  
21 mit such nuisance, shall be deemed guilty of a misdemeanor  
22 and on conviction thereof shall be fined not more than ten  
23 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 de-  
6 velop upon the local board of health, and all duties imposed  
7 upon physicians by any sections of this act shall be per-  
8 formed by the local board of health in all cases of tubercu-  
9 losis not attended by a physician, or when the physician fails  
10 to perform the duties herein specified, and shall so report.

Sect. 8. The precautionary measures carried out by  
2 physicians, local boards of health, and others to prevent the  
3 transmission of infection to other persons shall be in accord-  
4 ance with the advice given by the State board of health in

5 its printed circulars, and reports to the State board of health  
6 shall include a statement of what procedures and precautions  
7 have been taken to prevent the spread of infection. In the  
8 cases of needy patients who are not able to provide them-  
9 selves with proper spit-cups and other supplies or material in  
10 the opinion of the attending physician needed to prevent the  
11 communication of infection, the physician may send a  
12 requisition to the local board of health of the town in which  
13 the tuberculous patient lives for said things to aid him in  
14 preventing the spread of the disease, and all local health of-  
15 ficers or secretaries of local boards of health shall honor, as  
16 far as possible, requisitions signed by the attending physi-  
17 cian, and the bill for these supplies shall be paid by the town.

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

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 board

4 of health, who shall record the same in the records of his of-  
5 fice, and shall relieve said person from further liability to  
6 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 more  
5 than fifty dollars.

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



STATE OF MAINE.

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HOUSE OF REPRESENTATIVES,

Augusta, March 4, 1909.

Reported by Mr. DAVIES from Committee on Judiciary and  
ordered printed under joint rules.

E. M. THOMPSON, *Clerk*.