

MAINE STATE LEGISLATURE

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Redraft of H. P. 259, L. D. 192

N I N E T Y - F I R S T L E G I S L A T U R E

Legislative Document

No. 891

H. P. 1352

House of Representatives, April 1, 1943.

Reported by Miss Clough from Committee on Public Health and laid on the table to be printed under joint rules.

HARVEY R. PEASE, Clerk.

Presented by Miss Clough of Bangor.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-THREE

AN ACT Relating to Infectious and Communicable Diseases.

Emergency preamble. Whereas, a state of war exists between the United States and Germany, Italy, Japan and other foreign countries; and

Whereas, in the judgment of the legislature this fact creates an emergency within the meaning of section 16 of Article XXXI of the constitution of Maine and requires the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

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

P. L., 1933, c. 1, §§ 37, 38, 39 amended, and § 39-A added thereto. Sections 37, 38 and 39 of chapter 1 of the public laws of 1933, as amended, are hereby repealed and the following sections enacted in place thereof, and section 39-A added thereto:

‘Sec. 37. Definition; duties of physicians and officers of institutions; reports of state bureau of health. Syphilis, gonorrhoea, chancroid, and

lymphogranuloma venereum are hereby declared to be infectious and communicable diseases, dangerous to the public health.

Every physician in the state, within 48 hours of the time the fact comes to the knowledge of said physician, shall report in writing to the state bureau of health, any person known by said physician to have any of the above diseases, and shall keep a record of such cases by number, and name and address. Such report shall be made on a form furnished and numbered by the state bureau of health, which shall state only the age, sex, and color of the person infected. In case such person having any of the above named diseases fails to observe the necessary precautions indicated in the treatment thereof, or in cases where financial obligations for treatment are incurred by the state bureau of health, the name and address of such person shall be submitted at once to the state bureau of health.

All information and reports concerning persons suffering with venereal diseases shall be made on forms furnished and numbered by the state bureau of health, shall be held confidential, and shall not be available to any person not an agent of the said bureau, or for any other than a public health purpose.

The chief officer having charge for the time being of any hospital, asylum, dispensary, jail, sanatorium, or other similar private or public institution in the state, shall report in like manner any cases of the above named diseases which come into his care or under his observation.'

'Sec. 38. State bureau of health may require examination; limitation. The state bureau of health is hereby empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease. Whenever said bureau has reason to believe that any person is infected with any of the above diseases and is so conducting himself as to expose others to the dangers thereof, said bureau shall require an examination of such person by a licensed physician to ascertain and determine if such person is infected or is a carrier of any of the above diseases.'

'Sec. 39. Bureau to supervise cure of disease. It shall be the duty of said bureau when the report in section 37 or the examination in section 38 reveals that such person has any of the above diseases to place such person immediately under medical treatment in order to effect a cure. Such treatment shall continue until, in the opinion of the attending physician, the cure of said disease has been effected, or is rendered non-infectious.

Nothing in the provisions of sections 37 to 39, inclusive, shall be con-

strued as denying to any person the right to be examined or treated by a licensed physician of his own choice.'

'Sec. 39-A. Penalty. Any person who refuses examination or treatment in accordance with the provisions of sections 37, 38 and 39 shall be punished by a fine of not more than \$100, or by imprisonment for not more than 11 months, or by both such fine and imprisonment.'

Emergency clause. In view of the emergency cited in the preamble, this act shall take effect when approved.