

MAINE STATE LEGISLATURE

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NINETY - SECOND LEGISLATURE

Legislative Document

No. 473

S. P. 211

In Senate, February 7, 1945.

Referred to Committee on Public Health. Sent down for concurrence and ordered printed.

ROYDEN V. BROWN, Secretary.

Presented by Miss Clough of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
FORTY-FIVE

AN ACT Amending the Control of Venereal Diseases Law.

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

Sec. 1. R. S., c. 22, § 90, amended. The 2nd paragraph of section 90 of chapter 22 of the revised statutes is hereby amended to read as follows:

‘Every physician in the state, within 48 hours of the time the fact comes to the knowledge of said physician, shall report in writing **by name or number** to the 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 bureau of health, which shall state ~~only~~ the age, sex, ~~and~~ color, **and marital status** 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 bureau of health, discontinues treatment while he or she is capable of transmitting the disease to others,~~ the name and address of such person shall be submitted at once **by said physician** to the bureau of health.’

Sec. 2. R. S., c. 22, § 91, amended. Section 91 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 91. Bureau of health may require examination; limitation. The bureau of health by its agents duly authorized is hereby empowered to make such investigations as may be necessary to ascertain the source of any infectious or communicable disease, including diseases named in the foregoing section. Whenever said bureau has cause to believe that any person is infected with any of the above diseases, or is a contact of a person suffering with a venereal disease ~~so as~~ and likely to expose others to the dangers thereof, said bureau by its representative or agent shall petition a judge of the municipal court or a justice of the superior court in the county where said person resides or is found, setting forth said facts and requesting an examination of such person. Said judge or justice may order such notice thereon as he may deem proper for such person to appear and answer thereto. Upon hearing, if said court finds cause to believe that such person is so infected, he may issue an order requiring said person to be examined by a licensed physician, at the expense of the bureau; and use all necessary legal processes to carry its decrees into effect. require a medical examination to be made and every such person when so required shall submit to such examination and permit specimens to be taken for laboratory examination. All such examinations shall be made by a physician practicing in Maine and the expense thereof may be paid by the bureau upon approval of the director of the bureau.

Any person who refuses or unreasonably delays to submit to examination as above required may be restrained by quarantine until such time as the regulations of the department have been complied with, or the person has been released by order of court.'

Sec. 3. R. S., c. 22, § 92, amended. Section 92 of chapter 22 of the revised statutes is hereby amended to read as follows:

'Sec. 92. Appeal to court by persons quarantined. It shall be the duty of said bureau, when the report provided for in section 90 or the examination provided for in section 91 reveals that such person has any of the above diseases and has not consulted a physician or has not taken the necessary treatment, 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. A person quarantined under the provisions of the preceding section, or his attorney, may petition the municipal court having jurisdiction or a justice of the superior court for an order of release from quarantine. The court shall order hearing thereon and such notice as it shall deem advisable to the petitioner, the

local health officer and the bureau of health and, upon hearing, the court may dismiss such petition or issue an order directed to the local health officer to release such person from quarantine or may issue such other order with respect to the same as the circumstances may warrant.

Nothing in the provisions of sections 90 to 92, inclusive, shall be construed as denying to any person the right to be examined or treated by a licensed physician of his own choice.'