

CHAPTER L.

[H. B. No. 159.]

FOR THE PROTECTION OF PUBLIC HEALTH.

AN ACT for the protection of the public health and to provide for certain boards of health and to regulate their duties, and declaring an emergency.

Be it enacted by the Legislature of the State of Washington:

SECTION 1. The town board or common council of every town or city in this state shall hereafter, within thirty days after the adjournment of this legislature and each year thereafter, organize as a board of health, or shall appoint wholly or partially from its own members a suitable number of competent persons who shall organize as a board of health for such town or city. Such organization shall include the election of a chairman and a clerk, and every board of health organized as provided in this act shall immediately after its organization appoint a health officer for the town or city, who shall be *ex officio* a member of the board of health, and its executive officer, and the board of health as thus constituted shall, until their successors in office are duly organized, perform all the duties and have all powers that are given to the boards of health by the general statutes of the state. Every health officer appointed under the provisions of this act shall be, whenever the same is practicable, a reputable physician, and shall hold his office during the pleasure of the board, and until his successor shall have been duly appointed and qualified, and in case of the occurrence of a vacancy in his office the board of health shall immediately fill the same by a new appointment: *Provided*, That the foregoing provisions shall not apply to any town, city or village in which a health board is organized and a health officer appointed under the provisions of a special charter, but every local board of health, whether organized under the provisions of this act or otherwise, shall immediately after each annual or other organization report to the state board of health the names, postoffice addresses and occupations of the chairman, clerk

and health officer thereof, and shall make a similar report whenever, for any reason, a new health officer is appointed.

Duties of
health officers.

SEC. 2. It shall be the duty of every health officer appointed under the provisions of this act, or by the provisions of special charters, upon the appearance of smallpox, diphtheria, scarlet fever, Asiatic cholera or other dangerous contagious disease in the town or city under his supervision, immediately to investigate all the circumstances attendant upon the appearance of such disease and to make full report thereof to the board of which he is an executive officer, and also to the state board of health; and it shall be the duty of such health officer at all times promptly to take such measures for the prevention, suppression and control of the diseases herein named, as may in his judgment be needful and proper, subject to the approval of the board of which he is a member, and it shall be the duty of every health officer to keep and transmit to his successor in office a record of all his official acts; and the salary or other compensation to be paid to every health officer appointed under the provisions of this act shall be established by the board of health by whom such officer shall be appointed. The term "dangerous contagious disease" as used in this act shall be construed and understood to mean such diseases as the state board of health shall designate as contagious and dangerous to the public health; and health officers shall make report to the state board of health concerning the progress of such diseases and concerning the measures used for their prevention and control with such frequency as to keep the board fully informed with regard thereto, or at such intervals as the said board may direct.

Physicians
to report.

SEC. 3. Whenever any physician residing and practicing in the state shall know that any person whom he shall be called upon to visit is sick with smallpox, scarlet fever, diphtheria, Asiatic cholera or other dangerous contagious diseases he shall immediately give notice thereof to the board of health of the town, village or city in which such sick person shall be at the time, and any physician who shall refuse or neglect to give such notice for a period of forty-eight hours shall, on conviction thereof, be liable to

a penalty of not less than five nor more than twenty-five Penalty. dollars for each day of such refusal or neglect after the expiration of said forty-eight hours: *Provided*, That the notices herein required may be sent by mail, or except in the case of cities may be given to or left at the residence of any member of the board of health, and notices so mailed or given within the time specified shall be deemed a compliance with the provisions of this section.

SEC. 4. All expenses incurred in carrying out the provisions of this act, or any of them, shall be paid by the town, village or city by which, or on behalf of which, such expenses shall have been incurred. Expenses, how paid.

SEC. 5. Upon complaint made in writing, under oath, by any citizen of the state, before any magistrate or justice of the peace charging the commission of an offense against any of the provisions of this act in his county, it shall be the duty of the county or district attorney to prosecute the offender, and all sums recovered under the provisions of this act shall be for the benefit of the school fund.

SEC. 6. It shall be the duty of every health officer appointed under the provisions of this act and of each member of every board of health of any city or town, to report to the state board of health any information he may receive of any case of smallpox, cholera, yellow fever or typhus fever within three days after receiving any notification or information of the existence of such disease; and any health officer or member of any board of health of any city or town who shall fail or neglect to comply with the provisions of this section shall be liable to a penalty of not less than ten dollars nor more than one hundred dollars for each day of such neglect or refusal to comply with the provisions of this section.

SEC. 7. Whereas, there is no law in existence adequately Emergency. providing for boards of health in towns and cities, an emergency is therefore declared to exist, and this bill shall take effect from and after its passage and approval by the governor.

Approved March 7, 1893.