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Enc. No. 25



RELATIVE TO NOTICES OF
DISEASES WHICH ENDANGER THE PUBLIC HEALTH;

DUTIES OF HOUSEHOLDERS, PHYSICIANS, AND OTHERS.

CIRCULAR
TO SUPERVISORS AND OTHER OFFICERS OF TOWNSHIPS,
FROM THE
STATE BOARD OF HEALTH
OF MICHIGAN.



Mar. 1878

HOUSEHOLDER'S AND PHYSICIAN'S NOTICES OF DISEASES WHICH ENDANGER THE PUBLIC HEALTH:

DUTIES OF SUPERVISORS AND OTHERS.

[CIRCULAR 25.]

OFFICE OF THE STATE BOARD OF HEALTH,)
Lansing, Michigan, March, 1878. }

To the Supervisor and other Officers of Townships:

GENTLEMEN:—Your attention is respectfully asked to the laws in this State relating to the report of diseases which endanger the public health, and to some of the duties of supervisors and other officers of townships in connection therewith. Sections 1734 and 1735, compiled laws of Michigan, 1871, are as follows:

(1734.) SEC. 43. Whenever any householder shall know that any person within his family is taken sick with the small-pox, *or any other disease dangerous to the public health*, he shall immediately give notice thereof to the Board of Health, or to the Health Officer of the township in which he resides; and if he shall refuse or neglect to give such notice, he shall forfeit a sum not exceeding one hundred dollars.

(1735.) SEC. 44. Whenever any physician shall know that any person whom he is called to visit is infected with the small-pox, *or any other disease dangerous to the public health*, such physician shall immediately give notice thereof to the Board of Health, or Health Officer of the township in which such diseased person may be; and every physician who shall refuse or neglect to give such notice, shall forfeit, for each offense a sum not less than fifty nor more than one hundred dollars.

In each of the foregoing sections a penalty is imposed for neglect to comply with the requirements of the law. Section 696 of the compiled laws of Michigan, 1871, provides that "The supervisor of each township shall prosecute, in the name of the people of this State, or otherwise, as may be necessary, for all penalties and forfeitures incurred within his township, and for which no other officer is specially directed to prosecute."

Sections 6852, 6853, and 6855, of the compiled laws of 1871, are as follows:

Duty of super- (6852.) SEC. 12. It shall be the duty of every supervisor, visors to pros- whenever he shall know or have good reason to believe that ecute. any penalty or forfeiture has been incurred within his township, which shall be recoverable by action before a justice of the peace, according to the foregoing provisions of this chapter, forthwith to commence and prosecute a suit, in the name of the people of this State, for the recovery thereof.

Duty of other (6853.) SEC. 13. It shall be the duty of every other town- township off- ship officer, who shall know or have good reason to believe cers. that any penalty or forfeiture has been incurred within his township, forthwith to give notice thereof to the supervisors.

Duties of pros- (6855.) SEC. 15. In the cases mentioned in the last pre- ecuting attor- ceding section, and in all other cases where the prosecuting ney. attorney shall know or have good reason to believe that a penalty or forfeiture has been incurred within his county, it shall be the duty of such prosecuting attorney, without delay, to prosecute for such penalty or forfeiture; and in all cases where any suit shall be instituted by the supervisor, as provided in this chapter, it shall be the duty of such prosecuting attorney, if requested by such supervisor, to attend to and conduct such suit on behalf of the plaintiffs.

The manner of commencing such action is specified in the same chapter (chapter 216) of the compiled laws, from which the sections just quoted are taken.

It is thus plain that when a householder or a physician does not comply with the requirements of sections 1734 and 1735, by giving immediate notice of any disease dangerous to the public health, it becomes the duty of the supervisor of the township to prosecute him, "in the name of the people of this State," for the recovery of the forfeiture.

In nearly all cases, epidemics can now be prevented by intelligent and active boards of health, if such boards receive due and timely notice of the first case, and first appearance of subsequent cases of all communicable diseases. In the interests of life and health it is, therefore, important that the laws requiring prompt notice to be given of the occurrence of diseases which endanger the public health shall be strictly complied with.

There are other reasons why these diseases should always be reported and carefully recorded. If this is done, such records will in time make it possible to learn much concerning such diseases and their prevention, which cannot well be learned in any other way.

In each township, the present law intrusts the guardianship of the public health with the township board, and this local board of

health is largely responsible for the spread of any communicable disease within the township; because the board is supposed to have timely notice of every outbreak, and to act promptly for the restriction of any such disease. If the board does not receive such notices, this is, in some degree, its own fault; because the law requires each member of the board, whenever he shall "have good reason to believe" that a forfeiture has been incurred "forthwith to give notice" to the supervisor, and it is the duty of the supervisor "forthwith to commence and prosecute a suit."

But "prevention is better than cure," and a wise forethought, with a small outlay, employed in placing before the people the requirements of the law on this subject and the importance of compliance therewith, may save a much larger outlay in the prosecution of such cases, and especially may it save the great expense which would be required in combating a communicable disease if such disease should once get a start in the township.

It is, therefore, especially desirable that the township board take such action as will lead to a general understanding of this subject by the people of the township. As one means to this end, this State Board of Health recommends that every township board have printed and freely distributed within its jurisdiction, blanks for use of householders and physicians in giving notice of diseases which endanger the public health, on which blanks shall be printed sections 1734 and 1735, with such references to the requirements of sections 6852, 6853, and 6855, compiled laws of 1871, as will show the people the necessity for compliance with the first named sections.*

Such blank notices and sections of law may be distributed in various ways; but if the supervisor distributes them at the time of assessment or at any other time, and calls attention to the fact that the law requires him to prosecute for non-compliance, it is believed that much good will result from the attention thus attracted to the subject, and that there will then be fewer occasions for the prosecutions which it is the duty of the supervisor to make if occasion requires.

*In order to make it certain that the expenses attending the work of the township board of health shall be duly provided for and promptly met, it is respectfully suggested that at the next township meeting a sufficient amount of money be voted (as provided in Act No. 212, Laws of Michigan, 1875), "for defraying all proper charges and expenses" by the board of health, to include expenses for distribution of public notices, for record books and blanks, compensation of the health officer, etc.

Printed herewith is a form of Notice, recommended by this Board, having upon its back sections 1734 and 1735 and summary statements of sections 6852, 6853, and 6855, compiled laws of 1871.

The first thorough distribution of these blank notices and sections of law throughout the township, will serve the very useful purpose of calling general attention to the subject, as will also public notices posted in conspicuous places; but in time the blanks may be mislaid; therefore, a constant supply of such notices should be provided for, from time to time, to be kept by each member of the township board of health, and some may be kept by the other justices of the peace, for distribution to physicians and householders in their vicinity whenever called for.

There need be no hesitation in enforcing this law when it is considered how important are the results in human progress which may be secured through a better knowledge of the diseases which endanger the public health, and how just is the demand which the law makes on householders and physicians that they give prompt warning of danger to their fellow beings. No humane person will refuse or neglect to warn a fellow-being of any danger when by so doing the life of that fellow-being may be saved, and no other person's life endangered. Whenever we see a person unconsciously in danger, such as standing near a precipice, common sentiments of humanity dictate that we even incur risk to life in order to warn and save that person, if there is a greater probability of saving his life than of losing our own. In giving immediate notice of dangerous diseases, the householder or the physician does not risk life or limb, in many cases not even property, while the neglect to report may involve not only waste of property throughout the community by the losses which sickness always causes, but also may endanger the lives or future well-being of many neighbors and fellow citizens.

Because of the importance of general compliance with this humane law, it is hoped that you will give this subject your earnest attention.

By direction of the State Board of Health.

Very respectfully,

HENRY B. BAKER,

Secretary.

[Form of Notice recommended by the State Board of Health for the use of Householders and Physicians, in complying with sections 1734 and 1735, Compiled Laws of Michigan, 1874. See over.]

To the Clerk or Health Officer of the* of County of

..... State of Michigan, as Clerk or Health Officer of the Board of Health:

SIR:—The following persons, within the jurisdiction of your Board, have been taken sick with “diseases dangerous to the public health.” †

NAMES OF PERSONS.	SEX.	AGE IN YEARS LAST BIRTH-DAY.	NAME OF DISEASE.	TAKEN SICK.		WHETHER DIED, LIVING, OR RECOVERED.	DATE OF DEATH OR RECOVERY.	
				MONTH.	DAY.		YEAR.	MONTH.
.....
.....
.....

So far as known, the source... of the contagious or infectious cause... of the disease..... as follows: For case No. 1, it was.....

The residence of the sick persons above reported is as follows: Of case No. 1, it is at No..... street.....; of case No. 2, it is.....

This Notice is given by.....

Dated at No..... street,....., 187.....

*Insert the word *city, village, or township.*
 † Includes Measles, Whooping-cough, Diphtheria, Scarlet Fever, Typhoid Fever, Puerperal Fever, Erysipelas, Small-pox, Cholera, etc.

Sections 1734 and 1735, Compiled Laws of Michigan, 1871, are as follows:

(1734.) SEC. 43. Whenever any householder shall know that any person within his family is taken sick with the small-pox, or any other disease dangerous to the public health, he shall immediately give notice thereof to the Board or Health, or to the Health Officer of the township [city, or village*] in which he resides; and if he shall refuse or neglect to give such notice, he shall forfeit a sum not exceeding one hundred dollars.†

(1735.) SEC. 44. Whenever any physician shall know that any person whom he is called to visit is infected with the small-pox, or any other disease dangerous to the public health, such physician shall immediately give notice thereof to the Board of Health or Health Officer of the township [city, or village*] in which such diseased person may be; and every physician who shall refuse or neglect to give such notice, shall forfeit, for each offense, a sum not less than fifty nor more than one hundred dollars.†

* See Section (1740), Compiled Laws, 1871.

† Supervisors must prosecute for all such forfeitures; township officers must give notice to supervisor; prosecuting attorney to conduct suit if requested; see Sections (6852), (6853), and (6855), Compiled Laws of Michigan, 1871.

Notice of sickness of

Sick with

Reported by

Filed

[Blank Notices similar to this leaf may be obtained of W. S. George & Co., Lansing, Mich., for one dollar per hundred.]