

a Bill.

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....., County, Ohio.

To the Honorable, the Senate and House of Representatives of the State of Ohio:
The undersigned, your petitioners, voters of the State of Ohio, respectfully pray for the enactment of the annexed Bill, entitled, "An Act to Create a State Board of Health and Regulate the Practice of Medicine in the State of Ohio :



SIGNATURES (Continued.)

A BILL

TO CREATE A

STATE BOARD OF HEALTH.



A BILL TO CREATE A STATE BOARD OF HEALTH AND
REGULATE THE PRACTICE OF MEDICINE IN
THE STATE OF OHIO.

A N act to create a State Board of Health and to Regulate the Practice of Medicine :

SEC. I. Be it enacted by the General Assembly of the State of Ohio: That within fifteen days after the passage of this act the Governor shall nominate and by and with the consent and advice of the Senate appoint, from different parts of the State, nine physicians, active in practice and eminent in their profession, who, when organized, shall be known as the "Ohio State Board of Health." Three of said physicians shall be appointed for one year; three for two years; and three for three years; and annually thereafter three physicians of like reputation and in like manner shall be appointed to fill the vacancies occurring in said board, who shall hold their offices for three years and until their successors are appointed and qualified. The said nine physicians so appointed within twenty days after their appointment, having first taken the oath of office prescribed by the Constitution of the State for State officers and received certificates of their appointment from the Secretary of State, shall meet and organize by electing one of their number president. They shall also as soon as a suitable person can be obtained elect a secretary who shall be the executive officer of the board. They may elect one of their number a secretary, in which event the Governor shall fill the vacancy, and it is hereby made the duty of the Governor to fill all vacancies in said board occurring when the Legislature is not in session until the same shall meet again.

SEC. II. The State Board of Health shall make, adopt and publish such rules and order of business as may be necessary to make this act effective and facilitate the transactions of its business. It shall provide a seal, and all correspondence and papers emanating from it shall be under the seal of said board. It shall meet quar-

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terly, and oftener if deemed necessary, at such place as it may designate, the first meeting to be held in the city of Columbus. The annual meeting after the first shall be held during the month of June in each and every year, and a majority of its members shall constitute a quorum for the transaction of business. No members of the board, except the secretary, shall receive any compensation for services rendered; but their traveling and other necessary expenses, while employed on the business of the board, shall be allowed and paid. The secretary shall receive such compensation as may be allowed by the State Board of Health, and approved by the Governor, and to be paid him in the same manner as the salaries of other State officers are paid, and such necessary expenses shall be allowed him as the Secretary of State shall audit, on the presentation of an itemized account, having vouchers annexed, together with the certificate of the board.

SEC. III. The secretary shall hold his office so long as he shall faithfully discharge the duties thereof; but may be removed for just cause, at any regular meeting of the board, by a majority of all the members voting therefor. He shall keep a record of the transactions of the board; shall have the custody of all books, papers, documents, and other property belonging to the board, which may come to him as such secretary, or be deposited in his office; shall communicate with other State boards of health, and with the local boards of health within this State; shall file and keep all reports received from such boards, and all correspondence of the office appertaining to the business of the board. He shall perform all other duties prescribed in this act for the said secretary, or directed by the State Board of Health.

SEC. IV. The State Board of Health shall supervise the health interests of the people of this State. They shall make careful inquiry in respect to the causes of disease, and especially of epidemics, and investigate the sources of mortality, and the effects of localities, employments, conditions, ingesta, habits, and surroundings, on the health of the people. They shall advise officers of the government or other State boards in regard to the location, drainage, water supply, disposal of excreta, heating and ventilation of public buildings. They shall collect and preserve such information relating to health, forms of disease and deaths, as may be useful in the discharge of the duties of said board. And health officers of

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all local boards of health in the State shall transmit to said State Board of Health copies of their reports and publications and such sanitary information as may be useful to the people of the State.

SEC. V. The State Board of Health shall supervise the registration of marriages, births and deaths, and also the registration of forms of disease prevalent in the State, and the secretary of said board shall superintend the registration of the vital statistics of the State. They shall prepare the blank forms necessary for obtaining and preserving such records, and forward such of them to the health officers of local boards as may be required by physicians, assessors, local boards, and others whose duty it is to gather information in relation to the vital statistics of the State. The State Board of Health shall also prepare the forms and establish the rules by which permits for transporting the dead bodies of persons for burial beyond the county where the death occurs; and in all cases the said State Board of Health shall require coupons to be attached to such permits, to be detached and preserved by every common carrier or the person in charge of any vessel, railroad train or vehicle to which dead bodies shall be delivered for transportation. Any violation of these rules shall subject the offender to a fine of ten dollars for each offense.

SEC. VI. The State Board of Health shall, when they may think best so to do, appoint committees or engage suitable persons to render special sanitary service, to make or supervise practical and scientific investigations and examinations, requiring expert skill, and to prepare plans, and report thereto. And it is hereby made the duty of all officers and agents, having the control, charge or custody of any public structure, work, ground or erection, or of any plan, description, outline, drawings, charts, thereof or relating thereto, made, kept or controlled under any public authority, to permit and facilitate the examination and inspection by said board ordered, and the members of said board, and such other officer, or person as may at any time be by said board authorized, may, without fee or hindrance, enter, examine and survey all grounds, erections, vehicles, structures, apartments, buildings and places. But the Legislature shall first determine the amount which shall be expended during the year for such special sanitary work, and the expenditure shall not exceed the amount thus determined and set apart for the year.

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SEC. VII. The directors of county infirmaries of the several counties of this State shall act as local boards of health for their respective counties. Each local board thus created shall elect a physician, preference being given to adepts in sanitary science, who shall be *ex-officio* a member of said local board and the health officer of the same. He shall hold his office during the pleasure of the board, but may be removed for just cause at any regular meeting of the same by a majority of the members voting therefor, on which motion he shall not vote. The local boards of health here created shall not supersede or in any way interfere with such boards established by municipal regulations in any of the counties of this State. But all local boards of health in this State, created by this act and existing by authority of municipal law, shall be governed by and perform such duties as may be required by the State Board of Health.

SEC. VIII. The health officer of the several local boards of health throughout the State immediately after his election shall notify the State Board of the fact, and state his postoffice address. He shall receive and without delay distribute all forms from the State Board of Health to the rightful persons and all returns from physicians, assessors, and local boards to the said State Board of Health. And he shall perform such other duties as this act, his local board or the State Board of Health may require of him. And he shall receive for his services so rendered such reasonable compensation as his board may allow and the judge of the probate court approve to be paid out of the county treasury. And any failure of said health officer to perform the duties prescribed in this act shall subject him to a fine of ten dollars for each and every offense.

SEC. IX. Every person proposing to engage or continue in the practice of medicine in this State shall, within thirty days after the organization of the State Board of Health provided for in this act, present to said board for verification and record a diploma from a reputable and legally organized medical college or an affidavit or other satisfactory evidence that the applicant is a graduate in medicine or has been in the continuous practice of medicine in this State for at least ten years preceding the passage of this act, whereupon the State Board of Health shall give to such applicant a certificate stating the facts as to graduation or continuous practice, to which shall be added the name of the county in which the applicant proposes to locate or is located, which certificate shall be recorded by the

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county clerk in a book to be provided by the county commissioners and kept in the office of the county clerk, and this certificate shall be conclusive evidence of the right of the lawful owner of the same to practice medicine in and from the place designated in said certificate, and without such certificate and record it shall not be lawful for any person to practice medicine in this State. And any one who prescribes or prescribes and furnishes medicines to the sick for a consideration shall be held in the meaning of this act as engaged in the practice of medicine.

SEC. X. Every person applying for a certificate as provided for in this act shall pay a fee of one dollar, which shall be paid into the State treasury, and every person attempting to practice medicine in this State without such certificate, shall, upon conviction, be fined not less than five nor more than fifty dollars for each and every offense, to which may be added imprisonment not to exceed thirty days. And every physician who may be convicted of using his profession for unlawful purposes, as in the production of criminal abortion, etc., shall be held as forfeiting his certificate and all right to practice medicine in this State.

SEC. XI. It shall be the duty of every physician to keep a record of the deaths occurring in his practice or that may come to his knowledge where death occurs without medical attendance, noting the form of disease and as far as possible the cause which produced it, and report the same to the local board of health at the time and in the manner prescribed by the State Board of Health, and any failure to do so shall subject said physician to a fine of ten dollars for each and every offense.

SEC. XII. It shall be the duty of assessors of personal property in the several townships and wards of cities and towns throughout the State annually to collect such information as to marriages, births and deaths as may be required by the State Board of Health, and report the same at the time and in the manner prescribed by said board to the local board of health, and any failure to do so shall subject such assessor to a fine of ten dollars for each and every offense.

SEC. XIII. It shall be the duty of said State Board of Health, on or before the first Monday in December in each year, to make a report in writing to the Governor of the State upon the vital statistics and the sanitary condition and prospects of the State, and

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such report shall set forth the action of said board and of its officers and agents and the names thereof, and also the names of physicians registered for the past year, and may contain other useful information, and shall suggest any further legislative action or precautions deemed proper for the better protection of life and health; and the annual report of said board shall also contain a detailed statement of the money paid out by or on account of said board and a detailed statement of the manner of its expenditure during the last past year, but the amounts so paid out shall not aggregate a sum exceeding twelve thousand dollars in any one year, and the sum of twelve thousand dollars is hereby appropriated for the purposes of this act. And this report shall be published in form and manner as other State reports.

SEC. XIV. It shall be the duty of all officers and persons named in this act to faithfully discharge the duties assigned to them severally, and all of such officers and persons who shall neglect or fail in the discharge of said duties where fines are not specifically stated shall be declared guilty of a misdemeanor, and upon conviction shall be fined in such sum as the court in its judgment may deem necessary to secure the proper enforcement of this act. And all prosecutions under this act shall be in the court of common pleas and conducted by the prosecuting attorney for the county in which the offense was committed, and all fines imposed and collected shall be paid into the county treasury.

SEC. XV. This act shall be in force and take effect immediately. And all acts and parts of acts in contravention of this act are hereby repealed.

