

File No. 5741.

CORRESPONDENCE

DEPARTMENT OF PUBLIC SAFETY,
SUB-DEPT. OF HEALTH.

Baltimore, January 12, 1907.

Hon. W. Cabell Bruce,
City Solicitor,
Baltimore, Md.

Dear Sir:-

4251

I respectfully call your attention to Chapter 412, page 723, of the laws of Maryland, 1904, entitled, "An act to add certain new sections to Article 43 of the Code of Public General Laws, title "Health," sub-title "Infectious Diseases," etc. Section 34J thereof, which refers to the disinfection of apartments, and which is as follows:

The apartments occupied by any consumptive shall be deemed infected, and when vacated by the death or removal of said consumptive occupant shall be disinfected by the Board of Health of the city, town or county in which such apartments are situated. And it shall be the duty of the householder, physician or other person having knowledge of the facts, to notify the local board of Health within forty-eight hours after the death or removal of a person affected with pulmonary or laryngeal tuberculosis. And any person failing to comply with the provisions of this section shall be deemed guilty of a misdemeanor, and on conviction thereof shall be subject to a fine of ten dollars.

It sometimes happens that the only information given to this department is from a nurse who belongs to the District Nurse Association whose special work is to assist in the care of consumptives, and to assist other members of the household where the consumptive lives from being infected. When an officer of this department in response to such a notice calls at the house designated by the nurse he is met by a refusal of the occupants to allow the fumigation to be done, or they deny that any case of tuberculosis had lived there. Inasmuch as the law is mandatory it is the duty of the Commissioner of Health to fumigate, and in case of a refusal, such as the above, we would have to order the arrest of the parties making the refusal. Is the evidence given by any one other than a regular registered physician sufficient to justify the Commissioner of Health to order the arrest, and demand entrance into the premises for the purpose of fumigating?

It also sometimes happens that a district nurse will send in a notice that a death had occurred at a certain house, and that the cause of death was Tuberculosis, but when we refer to the death certificate