

No. 343

AN ACT

Amending the act of April 23, 1956 (P. L. 1510), entitled, as amended, "An act providing for the prevention and control of communicable and non-communicable diseases including venereal diseases, fixing responsibility for disease prevention and control, requiring reports of diseases, and authorizing treatment of venereal diseases, and providing for premarital and prenatal blood tests; amending, revising and consolidating the laws relating thereto; and repealing certain acts," providing for the examination of recalcitrant persons suspected of being infected with venereal disease, tuberculosis or any other communicable disease.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Disease Prevention and Control Law of 1955.

Section 1. Section 7, act of April 23, 1956 (P. L. 1510), known as the "Disease Prevention and Control Law of 1955," is amended to read:

Section 7, act of April 23, 1956, P. L. 1510, amended.

Section 7. Examination and Diagnosis of Persons Suspected of Being Infected with Venereal Disease, Tuberculosis or any other Communicable Disease, or of Being a Carrier.—

Whenever the secretary or a local qualified medical health officer has reasonable grounds to suspect any person of being infected with a venereal disease, tuberculosis or any other communicable disease, or of being a carrier, he shall require the person to undergo a medical examination and any other approved diagnostic procedure, to determine whether or not he is infected with a venereal disease, tuberculosis or any other communicable disease, or is a carrier. In the event that the person refuses to submit to the examination, the secretary or the local qualified medical health officer may (1) cause the person to be quarantined until it is determined that he is not infected with a venereal disease, tuberculosis or any other communicable disease, or of being a carrier, or (2) [file a bill in equity in the court of common pleas of the county in which the person is present to compel him to submit to the examination. The court immediately shall order the person to undergo an examination which may be performed by a physician of his own choice at his own expense.] *file a petition in the court of common pleas of the county in which the person is present, which petition shall have appended thereto a statement, under oath, by a physician duly licensed to practice in the Commonwealth, that such person is suspected of being infected with venereal disease, tuberculosis or any other communicable disease, or that such person is suspected of being a carrier. Upon filing of such petition, the court shall, within twenty-four hours after service of a copy thereof upon the respond-*

ent, hold a hearing, without a jury, to ascertain whether the person named in the petition has refused to submit to an examination to determine whether he or she is infected with venereal disease, tuberculosis or any other communicable disease, or that such person is a carrier. Upon a finding that the person has refused to submit to such examination and that there was no valid reason for such person so to do, the court shall forthwith order such person to submit to the examination. The certificate of the physician appended to the petition shall be received in evidence and shall constitute prima facie evidence that the person therein named is suspected of being infected with venereal disease, tuberculosis or any other communicable disease, or that such person is a carrier. The examination ordered by the court may be performed by a physician of his own choice at his own expense. The examination shall include physical and laboratory tests performed in a laboratory approved by the secretary, and shall be conducted in accordance with accepted professional practices, and the results thereof shall be reported to the local health board or health department on forms furnished by the Department of Health. Any person refusing to undergo an examination, as herein provided, may be committed by the court to an institution in this Commonwealth determined by the Secretary of Health to be suitable for the care of such cases.

Act effective
immediately.

Section 2. This act shall take effect immediately.

APPROVED—The 11th day of September, A. D. 1959.

DAVID L. LAWRENCE

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AN ACT

Amending the act of April 23, 1956 (P. L. 1510), entitled, as amended, "An act providing for the prevention and control of communicable and non-communicable diseases including venereal diseases, fixing responsibility for disease prevention and control, requiring reports of diseases, and authorizing treatment of venereal diseases, and providing for premarital and prenatal blood tests; amending, revising and consolidating the laws relating thereto; and repealing certain acts," providing for the committing and treatment of recalcitrant persons suspected of being infected with venereal disease, tuberculosis or any other communicable disease.

Disease Preven-
tion and Control
Law of 1955.

Subsection (a),
section 11, act of
April 23, 1956,
P. L. 1510,
amended.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Subsection (a) of section 11, act of April 23, 1956 (P. L. 1510), known as the "Disease Prevention and Control Law of 1955," is amended to read: