

CHAPTER 299.

THE PUBLIC HEALTH.

S. F. 94.

AN ACT relating to the public health, making and providing penalties for the violations of the provisions thereof, and repealing all acts in conflict herewith.

Be it enacted by the General Assembly of the State of Iowa:

1 SECTION 1. The public health — venereal diseases. Syphilis,
2 gonorrhoea and chancroid, hereafter designated venereal diseases,
3 are hereby recognized and declared to be contagious, infectious, com-
4 municable and dangerous to the public health.

SEC. 2. Local boards of health — diseased persons — physicians
1 to report. It shall be the duty of every licensed physician, of every
2 superintendent or manager of a hospital or dispensary and of every
3 person who gives treatment for a venereal disease, to mail to the local
4 board of health of the city, town, or township located in the state of
5 Iowa, and where the disease occurs, a card or report blank supplied
6 by the state board of health, stating the age, sex, color, marital con-
7 dition and occupation of such diseased person, the nature and previous
8 duration of such disease and its probable origin; such card or report
9 blank to be mailed immediately after the first examination or treat-
10 ment of such diseased person, provided, that except as hereinafter
11 required, the name and address of such diseased person shall not be
12 reported to the local board of health.

SEC. 3. Circular of information and copy of act — duty of physi-
1 cian. It shall be the duty of every licensed physician and of every
2 other person who treats a person afflicted with any venereal disease
3 to give to such person at the first examination a circular of informa-
4 tion and advice concerning venereal diseases, furnished by the state
5 board of health; and in addition to give to such diseased person a
6 copy of this act, furnished by said board, and to report to the local
7 board of health that such diseased person has received the two docu-
8 ments herein specified.

SEC. 4. Physician and applicant for treatment — duties of. When
2 a person applies to a physician or other person for treatment of a
3 venereal disease, it shall be the duty of the physician or person con-
4 sulted to inquire of and ascertain from the person seeking treatment
5 whether such person has heretofore, or previously, consulted with or
6 been treated by any other physician, person or persons, for said dis-
7 eases, and if so, to ascertain the name and address of the physician,
8 person or persons last consulted. It shall be the duty of the applicant
9 for treatment to furnish this information and a refusal to do so, or
10 falsely stating the name and address of such physician, person or
11 persons consulted, shall be deemed a violation of this act. It shall be
12 the duty of the physician, person or persons whom the applicant seeks
13 to and does consult or employ to notify the physician, person or per-
14 sons last consulted or employed, of the change of advisors, such noti-
15 fication to be made upon a form furnished for that purpose by the
16 state board of health. Should the physician, person or persons prev-

17 iously consulted fail to receive any such notice within ten days after
18 the appearance of such venereally diseased person, it shall be the duty
19 of such physician, person or persons to report to the local board of
20 health the name and address of such venereally diseased person.

SEC. 5. Protection against infection — duty of local board of
1 health. Upon receipt of a report of a case of venereal disease, it
2 shall be the duty of the local board of health to institute, for the pro-
3 tection of other persons from infection by such venereally diseased
4 person, such measures as said local board of health is already empow-
5 ered to use to prevent the spread of other contagious, infectious, or
6 communicable diseases.

SEC. 6. Reports of cases confidential, etc. All information and
2 reports concerning persons infected with venereal diseases shall be
3 confidential and shall be inaccessible to the public, except in so far as
4 publicity may attend the performance of the duty imposed upon the
5 local board of health and the laws of the state of Iowa, and to those
6 injured by contracting said disease from said diseased person, and to
7 public officers in the performance of their official duties.

SEC. 7. Minors — legal responsibility of parents. The parents
2 of minors acquiring venereal diseases and living with said parents
3 shall be legally responsible for the compliance of such minors with the
4 requirements, or provisions of this act.

SEC. 8. Suspected cases — investigation — powers of local board
1 of health. In all suspected cases of venereal diseases in the infectious
2 stages, the local board of health shall immediately use every available
3 means to determine whether the person or persons suspected of being
4 infected or suffering from said diseases or any of them, and when-
5 ever any of said diseases are found to exist, the local board of health
6 shall whenever possible ascertain the sources of such infection. In
7 such investigations the local board of health and its health officer are
8 hereby vested with full powers of inspection, examination, isolation,
9 internment or quarantine, if necessary, and disinfection of all persons,
10 places and things as provided herein, and as may be required by the
11 state board of health or local board of health, except, in cases of per-
12 sons known to the local board of health to be of good character and
13 reputation, who are under treatment by a qualified and reputable
14 physician, and are taking recognized precautionary measures to pre-
15 vent the infection of others, these powers shall not be exercised.

SEC. 9. Health officer — powers and duties — consulting physician
1 — compensation, etc. It is hereby made the duty of the health officer,*
2 for the county, municipality or community where he is appointed and
3 for which he is to serve, and he is hereby directed and empowered:

4 (a) To make examinations of persons reasonably suspected of hav-
5 ing syphilis in the infectious stages, gonococcus infection or chan-
6 croid, except as provided in section eight (8), and if any evidence of
7 such disease is disclosed by said examination the local board of health
8 is hereby empowered to isolate, intern or quarantine such person a
9 reasonable length of time in order to fully determine the extent of
10 such disease.

*"Officer" in original bill.

11 (a-1) Any person, subjected to examination under this act may
 12 demand that another physician shall also make an examination, and
 13 when this is done, the president of the local board of health shall
 14 name such physician, and, in case of disagreement, the health officer
 15 and this physician shall agree upon a third physician to make an
 16 examination, and the decision of two shall determine the action to be
 17 taken as to isolation, internment, quarantine, or release.

18 (a-2) The compensation of physicians, other than health officers,
 19 for making examinations under this act, shall be five dollars (\$5), to
 20 be paid in accordance with the usual procedure for the payment of
 21 quarantine bills.

22 (b) Under the order of the local board of health, to isolate, intern
 23 or quarantine, if necessary, persons infected with any of said diseases
 24 whenever isolation, internment or quarantine is essential to protect
 25 the public health. In establishing isolation, internment or quaran-
 26 tine, the health officer, under the direction of the local board of health,
 27 shall define the limits of the area in which the persons reasonably
 28 suspected or known to have syphilis, gonococcus infections or chan-
 29 croid, are to be isolated, interned or quarantined, as the case may
 30 require, and no persons, other than the persons attending the treat-
 31 ment of such case shall enter or leave the area of isolation, intern-
 32 ment or quarantine without the permission of the local board of health
 33 and the health officer.

34 (b-1) In case the person isolated, interned or quarantined is
 35 unable to meet the expenses incident thereto, such expenses, including
 36 medical and surgical services, nursing and care, shall be provided as
 37 in cases of quarantine for other diseases, and the president of the
 38 local board of health shall name a physician to render the necessary
 39 medical and surgical services, unless the board of supervisors have
 40 previously made provision for the same.

41 (c) In making examinations and inspections of women for the
 42 purpose of ascertaining the existence of syphilis, gonococcus infection
 43 or chancroid, to appoint women physicians for said purposes where
 44 the services of a woman physician are requested or demanded by the
 45 woman to be examined.

1 SEC. 10. **Quarantine — termination of.** In cases of isolation,
 2 internment or quarantine, the local board of health and the health
 3 officer shall not terminate said isolation, internment or quarantine,
 4 until the cases have become noninfectious,—the same to be deter-
 5 mined as provided for examinations in section 9 (a-1), if the isolated,
 6 interned or quarantined person shall so elect,—or until permission has
 7 been given by the state board of health or its secretary-executive
 8 officer.

9 Cases of gonococcus infection are to be regarded as infectious until
 10 at least two successive smears, taken not less than forty-eight hours
 11 apart, fail to show gonococci.

1 SEC. 11. **Prostitution — suppression of, etc.** The local board of
 2 health, its health officer, and all other officers enforcing the provisions
 3 of this act shall use all proper means of suppressing prostitution, and
 4 all such officers are hereby prohibited from issuing certificates or
 5 other evidence of freedom from venereal diseases.

1 SEC. 12. **Inspection of records.** The local board of health and the
 2 health officer shall withhold from public inspection all records of

3 inspections and examinations made under the provisions of this act,
4 and shall make every reasonable effort to keep secret the identity of
5 those affected by measures adopted to control venereal disease, as far
6 as may be consistent with the protection of the public health; pro-
7 vided that all records shall be open to inspection by law enforcing
8 officers, and to such persons as are injured by one who is infected with
9 such disease.

SEC. 13. Detention hospital — equipment, medical attendance, etc.

1 When in the judgment of the board of supervisors of any county, or
2 when advised or notified by the state board of health acting with the
3 United States public health service, it is necessary to provide a deten-
4 tion hospital in a county for the isolation, internment or quarantine
5 of venereal diseases, said board of supervisors may contract for the
6 erection, erect, purchase or rent, equip and maintain a detention hos-
7 pital, which shall be erected, purchased, rented or equipped, in accord-
8 ance with plans and specifications provided in advance by the state
9 board of health, and it is hereby made the duty of the health officer
10 and the local board of health to use only such building or buildings
11 for detention, isolation, internment or quarantine of persons afflicted
12 with venereal diseases as shall be provided and established under the
13 provisions of this act, and under suitable administrative rules pre-
14 scribed by the state board of health for the conduct thereof.

15 (a) The board of supervisors shall appoint and fix the compen-
16 sation of a qualified physician and surgeon and such nurses and other
17 attendants as may be necessary to provide proper treatment and care
18 for persons interned, from time to time, in such detention hospital.

1 **SEC. 14. Hospital fund — special tax levy — authorization.** The
2 board of supervisors shall have the power to levy a tax upon all the
3 property in said county subject to taxation, in addition to all of the
4 taxes now provided by law, a special tax not exceeding in any one
5 year two (2) mills on the dollar for a period of years not exceeding
6 fifty (50), for the purchase of real estate for hospital purposes, and
7 for the construction, purchasing or renting of such hospital and for
8 equipping, and maintaining the same, for either or all of such pur-
9 poses. The tax so authorized shall be collected and paid over to the
10 treasurer of such county in the same manner as other taxes are col-
11 lected. The proceeds of such tax shall be known as the hospital
12 fund, and shall be paid out on the order of the board of supervisors
13 for the purposes authorized by this act, and for no other purpose
14 whatever.

1 **SEC. 15. Hospital bonds — issue authorized — when due.** Any
2 county may anticipate the collection of the tax herein authorized to
3 be levied, and for that purpose may issue interest bearing bonds at
4 a rate of interest not to exceed five (5) per cent per annum, to be
5 denominated hospital bonds, and the said bonds and the interest
6 thereon shall be secured by said assessment and levy, and shall be
7 payable only out of the proceeds of the special tax provided for in the
8 preceding section, and no bonds shall be issued in excess of taxes
9 authorized to be levied to secure the payment of the same. It shall
10 be the duty of the treasurer of such county to collect said tax and to
11 hold the same separate and apart in trust for the payment of said
12 bonds and interest, and to apply the proceeds of said special tax

13 pledged for that purpose to the payment of said bonds and interest.
14 Such bonds shall be issued and sold in accordance with the provisions
15 of existing statutes relating to the issuance and sale of bonds by
16 counties. In issuing such bonds the board of supervisors may cause
17 portions of the same to become due at different definite periods, but
18 none of such bonds so issued shall be due and payable in less than
19 three (3) or more than fifty (50) years from date.

1 **SEC. 16. Quarantine and treatment.** Whenever it is necessary, in
2 the judgment of the local board of health and the health officer, for
3 the protection of the public health that persons infected with venereal
4 diseases be quarantined, the health officer and the mayor or township
5 clerk, as the case may be, shall quarantine such diseased persons in
6 said detention hospitals and cause to be administered to such persons
7 a proper course of treatment.

1 **SEC. 17. Release on bond in lieu of quarantine — procedure.** In
2 lieu of isolation, internment or quarantine, any person, except a prosti-
3 tute, infected with any of said venereal diseases may be released
4 upon bond as herein provided. Such person shall make written appli-
5 cation therefor to the local board of health, which application must
6 be made under oath and must state that the applicant is not a prosti-
7 tute. Such application shall be accompanied by a certificate signed
8 by either the mayor, the chief of police or peace officer or the munici-
9 pal judge or justice of the peace of the city or town where the case
10 occurs, or in township by the township clerk or township trustees,
11 stating that the applicant is not a prostitute. The applicant shall then
12 file with the county auditor a bond in the penal sum of one thousand
13 dollars (\$1,000.00) conditioned that the applicant will not permit or
14 perform any act which might or would infect or expose to infection
15 any other person, and will continue treatment until cured and will
16 faithfully observe all rules, regulations and requirements of the state
17 board of health, local board of health and the health officer to protect
18 the public against infection or contagion. Said bond shall run to and
19 for the benefit of the county wherein the venereal disease occurs, and
20 shall be signed by one or more freeholders as sureties, to be approved
21 by the county auditor, provided, however, that a cash guaranty in a
22 like amount may be accepted in lieu of such bond. Before any per-
23 son is released from any such bond as cured, a final examination and
24 approval of the health officer must be secured, and permission from
25 the state board of health or its secretary-executive officer obtained,
26 except, that in securing the approval of the health officer, the same
27 procedure, provided for examinations in section 9 (a-1), may be taken.

SEC. 18. Disease transmission — misdemeanor — punishment.
1 Any person afflicted with any of the diseases named in this act, who
2 shall transmit, or assume the risk of transmitting the same by inter-
3 course, to another person shall be guilty of a misdemeanor, and upon
4 conviction thereof be fined in the sum of not to exceed five hundred
5 dollars (\$500.00) or imprisoned in the county jail not to exceed six
6 months, or both such fine and imprisonment; and in addition thereto,
7 shall be liable to the party injured for all damages sustained by rea-
8 son of said injury.

1 **SEC. 19. Sale of specifics — record of — copy to health officer.** Any
2 druggist or other person who sells any drug, compound, alleged speci-

3 fic or preparation of any kind used for the cure of any of said venereal
4 diseases shall keep a record of the name, address, and sex of the per-
5 son making such purchase. A copy of said record shall be mailed
6 each week to the health officer of the county, city, town or village
7 wherein the drug, compound, specific or preparation for the treatment
8 of these venereal diseases was sold.

1 **SEC. 20. Order of health boards — neglect of, unlawful.** It shall
2 be unlawful for any person to neglect or refuse to obey any order of
3 the state or local board of health, authorized by this act, or to inter-
4 fere with or obstruct said state board of health or local board of
5 health, or the representative of either, in the discharge of any of their
6 duties under this act.

1 **SEC. 21. Provisions of act — violation of — punishment for.** Any
2 person violating any of the provisions of this act shall be punished by
3 a fine of not more than five hundred dollars (\$500.00) or by imprison-
4 ment in the county jail for a period not to exceed six months or by
5 both such fine and imprisonment.

6 Any physician or surgeon who shall be called upon to treat profes-
7 sionally anyone afflicted with syphilis, gonorrhea, or chancroid, except
8 as provided in section eight (8), who shall fail to report the same to
9 the local board of health immediately after the first examination of
10 such diseased person, and as provided for in section 2 of this act,
11 shall be guilty of a misdemeanor, and upon conviction thereof shall be
12 punished by a fine of not more than five hundred dollars (\$500.00) or
13 by imprisonment in the county jail for a period not to exceed six
14 months or by both such fine and imprisonment, and upon conviction
15 the state board of medical examiners may revoke his license or cer-
16 tificate authorizing him to practice medicine, surgery and obstetrics
17 in the state of Iowa.

1 **SEC. 22. Appropriation.** The sum of fifteen thousand dollars
2 (\$15,000.00) or so much thereof as may be necessary, is hereby annu-
3 ally, for the years 1919 and 1920, appropriated to carry out the pro-
4 visions of this act, and such requirements as shall be made by the
5 United States public health service in eliminating the venereal dis-
6 eases, syphilis, gonorrhea, chancroid and ophthalmia neonatorum from
7 the state.

1 **SEC. 23. Acts in conflict repealed.** All acts or parts of acts in so
2 far as they are in conflict herewith are hereby repealed.

1 **SEC. 24. Publication clause.** This act being deemed of immediate
2 importance shall take effect and be in force from and after its publi-
3 cation in the Des Moines Capital and in the Des Moines Register,
4 newspapers published in Des Moines, Iowa.

Approved April 22, A. D. 1919.

I hereby certify that the foregoing act was published in the Des Moines Capital
April 25, 1919 and in the Des Moines Register April 26, 1919.

W. S. ALLEN, *Secretary of State.*