

# Chapter 437

## 1973 REPLACEMENT PART

(1975 reprint)

### Tuberculosis

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## GENERAL PROVISIONS FOR TUBERCULOSIS CONTROL

**437.005 Definitions.** As used in this chapter, unless the context requires otherwise:

(1) "Administrator" means the Administrator of the Health Division.

(2) "Division" means the Health Division of the Department of Human Resources.  
[1973 c.829 s.15a]

**437.010 Reporting known cases; records maintained.** Any representative of a religious denomination, householder, nurse, parent, guardian or other person attending to, or in any way having knowledge of the existence of a case of pulmonary tuberculosis, including the person afflicted therewith, must immediately report the same to the Health Division. The names and addresses of all persons afflicted with pulmonary tuberculosis shall be recorded in the office of the Health Division.

437.020[Repealed by 1973 c.829 s.71]

**437.030 Investigation and control of reported cases.** The Health Division shall, upon receiving a report that any person is suffering from tuberculosis, make such investigation of the case as is necessary to determine whether or not the person reported is suffering from communicable tuberculosis. Upon finding that any person is suffering from communicable tuberculosis, the Health Division shall exercise such control over the person so afflicted and his contacts with other persons as may be necessary for the protection of the public health, pursuant to its rules and regulations. In exercising such control over any afflicted person the Health Division may make such rules or orders governing such person's conduct as are necessary to prevent the spread of the disease.

437.040[Repealed by 1973 c.829 s.71]

## MEDICAL SCHOOL TUBERCULOSIS HOSPITAL

437.110[Amended by 1959 c.588 s.20; 1963 c.632 s.1; repealed by 1967 c.346 s.12]

437.120[Repealed by 1959 c.588 s.27]

437.130[Repealed by 1959 c.97 s.3]

437.135[1957 c.695 ss.1, 2, 3, 4; repealed by 1959 c.51 s.1]

**437.140 Duties of State Board of Higher Education to operate tuberculosis**

**hospital.** In the operation and control of the present state tuberculosis hospital located on the grounds of the University of Oregon Health Sciences Center in Multnomah County, as provided in ORS 352.065, the State Board of Higher Education shall:

(1) Appoint a well-qualified individual as administrative head, prescribe his duties and fix his salary.

(2) Subject to the State Merit System Law, appoint employes for the hospital.

(3) See to it that the hospital is maintained as similar institutions are maintained.

(4) Whenever called upon by the Health Division, render such information as may be of value to the public concerning the general treatment of tuberculosis, or the work of the hospital.

(5) Cooperate with the Health Division and other public bodies and officials in the dissemination of knowledge or information relative to tuberculosis and its treatment.

(6) Discharge, from time to time, such patients as, in the judgment of the State Board of Higher Education, or its designated representative, are properly fit to be discharged.

(7) Cooperate with the Institutional Services Division of the Executive Department in providing information necessary for the administration of ORS 179.610 to 179.770.

[Amended by 1959 c.588 s.21; 1963 c.632 s.2; 1965 c.14 s.43; 1967 c.346 s.4]

**437.150 General admission requirements.** Subject to the conditions in ORS 437.160 and 437.170, any citizen of this state suffering from tuberculosis who is without means with which to secure proper care and treatment elsewhere may gain admission to the state tuberculosis hospital as provided in ORS 352.065 upon:

(1) Presenting to the State Board of Higher Education, or the designated representative, a certificate, from the county judge of the county of which the applicant is a resident, stating that the applicant has been a resident of the state for the period of time required by ORS 437.160, and is suffering from tuberculosis.

(2) Complying with the rules and regulations of the institution as prescribed by the Health Division and the State Board of Higher Education.

[Amended by 1959 c.588 s.22, 1963 c.632 s.3; 1967 c.346 s.5]

**437.160 Residence requirement; admission of person not meeting require-**

**ment.** (1) No person shall be admitted to the state tuberculosis hospital as provided in ORS 352.065 unless he is a resident of the state.

(2) If any person living in the state is suffering from tuberculosis and the circumstances and conditions are such that the person so afflicted is exposing other persons to the disease and such exposure constitutes a menace to the public health, the person so afflicted, may without further qualification under subsection (1) of this section or any provision of ORS 437.150 be admitted to the institution upon a certificate from the Administrator of the Health Division, showing that the conditions mentioned exist. [Amended by 1959 c.588 s.23; 1967 c 346 s 6; 1971 c 154 s 1]

**437.170 Agreements with federal agencies for treatment of veterans.** If by any Act of Congress or ruling or regulation of the Veterans' Administration, or other similar department, provision is made for defraying or contributing to the payment of the expenses of the care or treatment of any person who has been in the military or naval service of the United States, that person may be admitted to the state tuberculosis hospital as provided in ORS 352.065 under such provisions and regulations as may be agreed upon by the State Board of Higher Education and the Veterans' Administration or other similar department.

[Amended by 1959 c 588 s.24, 1963 c 632 s 4; 1967 c 346 s 7]

**437.180 Quarantine powers of head of tuberculosis hospital.** The administrative head of the state tuberculosis hospital as provided in ORS 352.065 has the powers of a quarantine guard stated in ORS 433.125.

[1967 c 346 s 10]

**437.210 Expenses to be paid by home county.** The county in which a person resides at the time of admission to the state tuberculosis hospital as provided in ORS 352.065 shall pay:

(1) The traveling and other necessary expenses incurred in enabling such person certified for admission to the institution to reach it or return therefrom.

(2) The expense incurred in the purchase of necessary personal effects for such patient

while at the institution.

(3) Burial expenses in case of death. [Amended by 1959 c.588 s.25, 1967 c 346 s 8]

437.220[Repealed by 1959 c.652 s.24]

437.230[Repealed by 1959 c 652 s.24]

437.240[Repealed by 1959 c.652 s.24]

437.250[Repealed by 1959 c.652 s 24]

437.260[Repealed by 1959 c.652 s.24]

437.270[Repealed by 1959 c.652 s 24]

437.280[Repealed by 1959 c 652 s 24]

437.290[Amended by 1955 c 702 s.1, repealed by 1959 c.652 s.24]

437.300[Amended by 1955 c 702 s.2; repealed by 1959 c 652 s.24]

437.310[Repealed by 1959 c.652 s.24]

437.320[Amended by 1955 c 702 s.3; repealed by 1959 c 652 s 24]

437.330[Repealed by 1959 c.652 s 24]

437.340[Repealed by 1959 c 652 s 24]

437.350[Repealed by 1959 c.652 s 24]

437.360[1953 c.371 s.1; repealed by 1959 c.588 s.27]

437.410[Repealed by 1973 c.829 s 71]

437.420[Repealed by 1973 c 829 s.71]

437.430[Repealed by 1973 c.829 s 71]

437.440[Repealed by 1973 c 829 s 71]

437.450[Repealed by 1973 c.829 s.71]

437.460[Repealed by 1973 c.829 s 71]

437.470[Repealed by 1973 c.829 s 71]

437.480[Repealed by 1973 c.829 s 71]

437.490[Amended by 1969 c 14 s.3, repealed by 1973 c 829 s 71]

437.500[Amended by 1969 c.14 s.4; repealed by 1973 c.829 s.71]

437.510[Repealed by 1969 c.14 s 1]

437.520[Repealed by 1969 c 14 s 1]

437.530[Repealed by 1969 c 14 s 1]

437.540[Repealed by 1969 c.14 s 1]

437.550[Repealed by 1969 c 14 s 1]

## PENALTIES

**437.990 Penalties.** Violation of ORS 437.010 or 437.140 is punishable, upon conviction, as provided in ORS 431.990. [Amended by 1969 c 14 s.5, 1973 c.829 s.53]

**CERTIFICATE OF LEGISLATIVE COUNSEL**

Pursuant to ORS 173.170, I, Thomas G. Clifford, Legislative Counsel, do hereby certify that I have compared each section printed in this chapter with the original section in the enrolled bill, and that the sections in this chapter are correct copies of the enrolled sections, with the exception of the changes in form permitted by ORS 173.160 and other changes specifically authorized by law.  
Done at Salem, Oregon,  
November 1, 1973.

Thomas G. Clifford  
Legislative Counsel

