

# Chapter 437

1993 EDITION

## Tuberculosis

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**PUBLIC HEALTH AND SAFETY**

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## GENERAL PROVISIONS FOR TUBERCULOSIS CONTROL

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

(1) "Assistant director" means the Assistant Director for Health.

(2) "Division" means the Health Division of the Department of Human Resources. [1973 c.829 §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 affected person, must immediately report the fact to the Health Division. The names and addresses of all persons reported as having pulmonary tuberculosis shall be recorded in the office of the Health Division. [Amended by 1989 c.224 §90]

437.020 [Repealed by 1973 c.829 §71]

**437.030 Investigation and control of reported cases.** The Health Division shall, upon receiving a report that any person has tuberculosis, make such investigation of the case as is necessary to determine whether or not the person reported has communicable tuberculosis. Upon finding that any person is suffering from communicable tuberculosis, the Health Division shall exercise such control over the affected person and 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. [Amended by 1989 c.224 §91]

437.040 [Repealed by 1973 c.829 §71]

## TUBERCULOSIS HOSPITAL

**437.110** [Amended by 1959 c.588 §20; 1963 c.632 §1; repealed by 1967 c.346 §12]

**437.120** [Repealed by 1959 c.588 §27]

**437.130** [Repealed by 1959 c.97 §3]

**437.135** [1957 c.695 §§1, 2, 3, 4; repealed by 1959 c.51 §1]

**437.140** [Amended by 1959 c.588 §21; 1963 c.632 §2; 1965 c.14 §43; 1967 c.346 §4; repealed by 1983 c.740 §153]

**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 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 §22; 1963 c.632 §3; 1967 c.346 §5]

### 437.160 Residence requirement; admission of person not meeting requirement.

(1) No person shall be admitted to the state tuberculosis hospital unless the person is a resident of the state.

(2) If any person living in the state has tuberculosis and the circumstances and conditions are such that the person is exposing other persons to the disease and such exposure constitutes a menace to the public health, the affected person 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 Assistant Director for Health, showing that the conditions mentioned exist. [Amended by 1959 c.588 §23; 1967 c.346 §6; 1971 c.154 §1; 1989 c.224 §92]

**437.170 Agreements with federal agencies for treatment of veterans.** If by any Act of Congress or ruling or regulation of the United States Department of Veterans' Affairs, 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 under such provisions and regulations as may be agreed upon by the State Board of Higher Education and the United States Department of Veterans' Affairs or other similar department. [Amended by 1959 c.588 §24; 1963 c.632 §4; 1967 c.346 §7; 1991 c.67 §118]

**437.180 Quarantine powers of head of tuberculosis hospital.** The administrative head of the state tuberculosis hospital has the powers of a quarantine guard stated in ORS 433.125. [1967 c.346 §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 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 §25; 1967 c.346 §8]

- 437.220 [Repealed by 1959 c.652 §24]
- 437.230 [Repealed by 1959 c.652 §24]
- 437.240 [Repealed by 1959 c.652 §24]
- 437.250 [Repealed by 1959 c.652 §24]
- 437.260 [Repealed by 1959 c.652 §24]
- 437.270 [Repealed by 1959 c.652 §24]
- 437.280 [Repealed by 1959 c.652 §24]
- 437.290 [Amended by 1955 c.702 §1; repealed by 1959 c.652 §24]
- 437.300 [Amended by 1955 c.702 §2; repealed by 1959 c.652 §24]
- 437.310 [Repealed by 1959 c.652 §24]
- 437.320 [Amended by 1955 c.702 §3; repealed by 1959 c.652 §24]
- 437.330 [Repealed by 1959 c.652 §24]
- 437.340 [Repealed by 1959 c.652 §24]
- 437.350 [Repealed by 1959 c.652 §24]
- 437.360 [1953 c.371 §1; repealed by 1959 c.588 §27]
- 437.410 [Repealed by 1973 c.829 §71]

- 437.420 [Repealed by 1973 c.829 §71]
- 437.430 [Repealed by 1973 c.829 §71]
- 437.440 [Repealed by 1973 c.829 §71]
- 437.450 [Repealed by 1973 c.829 §71]
- 437.460 [Repealed by 1973 c.829 §71]
- 437.470 [Repealed by 1973 c.829 §71]
- 437.480 [Repealed by 1973 c.829 §71]
- 437.490 [Amended by 1969 c.14 §3; repealed by 1973 c.829 §71]
- 437.500 [Amended by 1969 c.14 §4; repealed by 1973 c.829 §71]
- 437.510 [Repealed by 1969 c.14 §1]
- 437.520 [Repealed by 1969 c.14 §1]
- 437.530 [Repealed by 1969 c.14 §1]
- 437.540 [Repealed by 1969 c.14 §1]
- 437.550 [Repealed by 1969 c.14 §1]

### PENALTIES

**437.990 Penalties.** Violation of ORS 437.010 is punishable, upon conviction, as provided in ORS 431.990. [Amended by 1969 c.14 §5; 1973 c.829 §53; 1983 c.740 §153a]