

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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No. 344

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:

Section 11. Persons Refusing to Submit to Treatment for Venereal Diseases, *Tuberculosis or Any Other Communicable Disease.*—

[(a) If the secretary or any local health officer finds that any person who is infected with a venereal disease in a communicable stage refuses to submit to treatment approved by the department or by a local board or department of health, the secretary or the local health officer may file a bill in equity in the court of common pleas of the county in which the person is present to commit such person to an appropriate institution designated by the department or by the local board or department of health for safekeeping and treatment until the disease has been rendered non-communicable.] *(a.1) If the secretary or any local health officer finds that any person who is infected with venereal disease, tuberculosis or any other communicable disease in a communicable stage refuses to submit to treatment approved by the department or by a local board or department of health, the secretary or his representative or the local medical health officer may cause the person to be isolated in an appropriate institution designated by the department or by the local board or department of health for safekeeping and treatment until the disease has been rendered non-communicable.*

(a.2) The secretary or the local health officer may file a petition in the court of common pleas of the county in which the person is present to commit such person to an appropriate institution designated by the department or by the local board or department of health for safekeeping and treatment until such time as the disease has been rendered non-communicable. Upon filing of such petition, the court shall, within twenty-four hours after service of a copy thereof upon the respondent, hold a hearing, without a jury, to ascertain whether the person named in the petition has refused to submit to treatment. Upon a finding that the person has refused to submit to such treatment, the court shall forthwith order such person to be committed to an appropriate institution or hospital designated by the department or by the local board or department of health.

(a.3) For the purpose of this section, it is understood that treatment approved by the department or by a local board or department of health shall include treatment by a duly accredited practitioner of any well recognized church or religious denomination which relies on prayer or spiritual means alone for healing: Provided, however, That all requirements relating to sanitation, isolation or quarantine are complied with.

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

DAVID L. LAWRENCE