

AN ACT ABOLISHING PROVINCIAL BOARDS OF HEALTH, SUBSTITUTING THEREFOR DISTRICT HEALTH OFFICERS AND DEFINING THEIR POWERS AND DUTIES, AND REPEALING ACT NUMBERED THREE HUNDRED AND ...

Act No. 1487, May 16, 1906

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By authority of the United States, be it enacted by the Philippine Commission, that:

SECTION 1. Act Numbered Three hundred and seven, entitled "An Act providing for the establishment of provincial boards of health and fixing their powers and duties," as amended, and all Acts and parts of Acts inconsistent with the provisions of this Act are hereby repealed, and the offices created by Act Numbered Three hundred and seven, as amended, are hereby abolished.

SEC. 2. Each province may have a district health officer appointed by the Governor-General, with the advice and consent of the Philippine Commission. Subject to the approval of the Philippine Commission, the Director of Health may increase the number of district health officers assigned to a province or may unite two or more provinces and assign to them a district health officer. He may also assign to each district such other duly authorized sanitary officers or employees as he may deem necessary.

Any regularly appointed person holding the office of president of a provincial board of health at the time of the passage of this Act shall be eligible for appointment without examination to the position of district health officer during a period of two years from the date on which this Act becomes effective.

SEC. 3. Salaries of district health officers and of all other officers and employees assigned to health districts by the Director of Health shall be paid monthly from funds set aside for the support of the Bureau of Health.

SEC. 4. Each province of a health district shall deposit in the: Insular Treasury, to the credit of the Bureau of Health, on or before the thirty-first days of January and July of each year, its proportion of the salary of the district health officer, or officers, and at the salaries of all other officers and employees assigned to the health district by the Director of Health, such proportion to be calculated by the Insular Auditor, who shall base the same upon the populations of the respective provinces of the district as determined by the latest census.

SEC. 5. Traveling expenses and per diems, authorized by law, of district; health officers and of all other officers and employees assigned to health districts by the Director of Health shall be paid out of funds appropriated for the Bureau of Health.

SEC. 6. Within their respective provinces, provincial fiscals shall act as legal advisers to district health officers.

SEC. 7. Within their respective districts district engineers shall act as sanitary engineers, and shall consult with district health officers regarding sanitary Improvements therein. The powers conferred and the duties imposed upon district engineers and upon the Director of Public Works by sections five to twelve of Act Numbered Fourteen hundred and one, relative to the construction, maintenance, and repair of provincial public works and of municipal public works and to the preparation of plans and estimates and the letting of contracts therefor, are

hereby conferred and imposed upon district engineers and the Director of Public Works with reference to all provincial or municipal Improvements of a sanitary nature, and the powers conferred upon provincial boards and municipal councils relative to requesting investigations, plans, and estimates for provincial or municipal public works are hereby conferred upon district health officers relative to sanitary works or Improvements.

District engineers shall give Information to district health officers as to the existence of insanitary conditions and of any failure to comply with legal sanitary orders and regulations.

SEC. 8. The provincial board of a province designated as the headquarters of a health district shall provide the necessary clerical assistance for the district health officer, and shall furnish suitable " office room and the necessary furniture, equipment, and supplies, Including stationery and blank forms, properly to conduct the office of the district health officer. The clerical assistance required by district health officers shall, if practicable, be rendered by provincial secretaries, and the offices of district health officers shall. If practicable, be kept in the offices of provincial secretaries.

SEC. 9. In the event of the absence of the district health officer from his district, or headquarters, or in the event of illness or other cause incapacitating him from the discharge of his duties, the Director of Health may, subject to the approval of the Secretary of the proper Department, designate any president of a municipal board of health to discharge the duties of district health officer temporarily, and the president of a municipal board of health so designated shall, during the time he is so engaged, receive a salary equal to that of the district health officer whom he substitutes, but shall receive no salary as president of the municipal board of health during such time, or the Director of Health may designate any district or Insular sanitary officer to perform such duties without additional compensation.

SEC. 10. The district health officer of each health district shall prepare for each province of his district an estimate showing the probable expense of conducting the work of his office in the said province for the period for which the regular estimates of other provincial expenses are made, and shall seasonably submit the same to the provincial boards, together with such additional information as may be required as a basis for approbation. The district health officer shall furnish certified copies of such estimates to the Director of Health.

SEC. 11. The district health officer; within his district, shall exercise general supervision and control over the health and sanitary ' work, and shall exercise general supervision and control over the municipal boards of health within his district. the shall have the power to institute all proceedings necessary to abate nuisances, and he may cause to be prosecuted all violations of sanitary laws and ordinances and the lawful regulations applicable to the district; and he shall have the power to remove the cause of any special disease or mortality; and to make and enforce, subject to the, approval of the Director of Health and of the Secretary of the Interior, such internal quarantine regulations as he may deem necessary in any part of his district.

SEC. 12. Subject to the approval of the Director of Health, the district health officer, during epidemics of infectious, contagious, or communicable diseases of a dangerous character affecting the inhabitants of his district, and at other times when he may deem it necessary, shall appoint such number of sanitary inspectors, or other employees., as the provincial boards of the district may authorize, and shall perform such other duties with reference to health, sanitation, treatment of the sick, and other matters, as the Director of Health may direct. Wherever the words "president of provincial board of health" occur in Act Numbered Six hundred and seventy-seven and in Act Numbered Nine hundred and eighty-five they shall, after the passage of this Act, be construed to mean "district health officer."

SEC. 13. The district health officer of each health district shall prepare and recommend to the Director of Health suitable regulations for maintaining in a sanitary condition all prisons, jails, theaters, schools, colleges, and other

public or private institutions within his district.

SEC. 14. District health officers shall, when practicable, attend all persons, entitled by law to receive free medical aid and attendance, and upon the application of the local authorities shall, when practicable, attend free of charge persons confined in provincial or municipal prisons and inmates of other government institutions.

All medicines and supplies for such purposes shall, when practicable, be furnished by the respective provinces, or municipalities, as the case may be: Provided, That medicine for the treatment of the indigent poor may be furnished by the Bureau of Health whenever it shall be shown to the satisfaction of the Director of Health that the province or municipality in which the medicines are to be used is financially unable to supply the same.

SEC. 15. The district health officer, upon the request of any provincial fiscal of a province within his district, or of any judge of a Court of First Instance, or of any justice of the peace, shall conduct in person, when practicable, investigations in cases of death where there is suspicion that death was caused by the unlawful acts or omissions of other persons, or resulted from foul play, and shall make such other investigations or reports as may be required in the proper administration of justice; in cases where not practicable, he may require any member of a municipal board of health who is a registered physician to perform such service without extra compensation, or in case no member of a municipal board of health who is a registered physician, is available, then he may require any ; such member who is an undergraduate of medicine to perform such service without extra compensation: Provided, That the actual and necessary traveling expenses of such member incurred by reason of such service shall be paid whenever the investigation required must be made at a place some distance removed from the place of his residence.

In case no suitable person who is a member of a board of health is available, the district health officer may arrange, when necessary, for the performance of said service by a commissioned medical officer in the service of the United States, or by any other reputable physician, in which case payment shall be made from funds of the province for which such services were performed, by fees, according to a fixed schedule to be prescribed by the Director of Health and approved by the Philippine Commission.

SEC. 16. District health officers shall exercise the powers conferred upon them by this Act under the direct supervision and control of the Director of Health, and shall make such reports and compile such statistics as he may require.

SEC. 17. Whenever it shall be shown to the satisfaction of the Governor-General that any health district or part thereof is threatened with or suffering from an epidemic of infectious, contagious, or communicable disease of a dangerous character, he may, in his discretion, issue an executive order declaring that the said district, or any part thereof, is threatened with or suffering from an epidemic, and invest the Director of Health with emergency powers to prescribe, subject to the approval of the Secretary of the Interior, such emergency health regulations as may be deemed necessary to prevent or suppress the occurrence or spread of such infectious, contagious, or communicable disease, and such regulations shall have the same force and effect, and shall be enforced in the same manner, as if enacted by legislative authority, throughout the district or districts, or parts thereof, as may be specified in the said regulations.

When it is shown to the satisfaction of the Governor-General that the danger of an epidemic has passed, he shall so declare by executive order, and upon publication of such executive order the emergency health regulations shall become null and void, unless in such executive order it is specifically declared that one or more of the emergency regulations shall remain in effect for a further period to be prescribed.

SEC. 18. District health officers shall have authority to require that owners, agents, or occupants of any buildings,

premises, places, or any part thereof shall place and maintain them in a sanitary condition so far as the same relates to cleanliness. It shall also be the duty of district health officers, in necessary cases, to request the presidents of municipalities to enforce the municipal ordinances relating to sanitation, and in case a president neglects or refuses to perform his duty in that behalf it is hereby made the duty of the district health officer to cause to be instituted proceedings against such president in the Court of First instance. In case the court shall find that the president is guilty of neglecting or refusing to enforce such ordinances he shall be fined not exceeding two hundred pesos or imprisoned not exceeding six months, or both, in the discretion of the court, and shall be removed from office.

SEC. 19. District health officers shall not make contracts or incur liabilities in excess of the amounts duly appropriated by the provinces or municipalities of their respective districts or by the Insular Government.

SEC. 20. Any person who shall fail to comply with any regulation made in accordance with the provisions of this Act, or who shall disregard in whole or in part any lawful sanitary order of a district health officer or his duly authorized representative, or who shall violate any emergency health regulation prescribed by the Director of Health and approved by the Secretary of the Interior, or who shall in any other manner violate the provisions of this Act, shall, for each offense, be punished by a fine not to exceed two hundred pesos or imprisonment for a period not to exceed six months, or both, in the discretion of the court.

SEC. 21. This Act shall take effect on July first, nineteen hundred and six.

Enacted, May 16, 1906.

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