

Opinion No. 19-2352

September 9, 1919

BY: N. D. MEYER, Assistant Attorney General

TO: Dr. E. C. Waller, Commissioner of Public Health, Santa Fe, New Mexico.

State Board of Health May Adopt Rules to Provide for Quarantining By Mail.

OPINION

We have before us your communication of September 8 in which you state that you desire to have the opinion of this office as to whether or not the Department of Health has authority to adopt rules and regulations providing that the local health officers in rural districts shall be permitted to send by registered mail a warning placard to householders where communicable diseases may exist and requiring the householder to post the same on his own premises.

Under section 10 of Chapter 85 of the Session Laws of 1919 the State Department of Health, among other things, is given power to control the causes of disease and to adopt rules and regulations to carry such power into effect and further to supervise the work of local health authorities. We are of the opinion that under these particular provisions and inferentially under other provisions of the same section the State Board of Health may adopt and carry into effect the rules and regulations suggested in your letter.