

ORDER PERTAINING TO THE MONKEYPOX VIRUS
ARKANSAS DEPARTMENT OF HEALTH

WHEREAS, the monkeypox virus is a rare zoonotic viral disease that occurs primarily in the rain forest countries of central and west Africa. Studies have shown that rodents from Africa are capable of transmitting monkeypox virus to humans. In humans, the illness produces a vesicular and pustular rash similar to that of smallpox. Limited person-to-person spread of infection has been reported in disease-endemic areas in Africa; the incubation period is about twelve days. It is likely that this virus has entered the United States via imported rodent species from Africa. Further transmission of the virus likely occurred in the storage and handling of these imported rodents or during their sale and distribution within the United States. This resulted in a secondary transmission to domestic prairie dogs housed in the same animal-holding facilities or pet shops in other states.

WHEREAS, as of June 10, 2003, fifty (50) persons with the suspected monkeypox virus had been reported from Wisconsin, Illinois, Indiana and New Jersey. The monkeypox virus has been confirmed by laboratory tests in four persons. Seven of the people with the suspected monkeypox virus were hospitalized, and there have been no deaths related to the outbreak. The number of cases and states involved in the outbreak will likely change as the investigation continues. According to the Centers for Disease Control and Prevention, and based upon preliminary findings of trace-back investigations of prairie dogs and the Gambian giant rat, it appears that the source of the current monkeypox virus in humans was a shipment of rodents from Africa. It appears that the primary route of transmission may be from infected rodents from Africa to native prairie dogs and then to humans as the result of close contact.

WHEREAS, as of June 17, 2003, there have been no cases of monkeypox virus reported within the State of Arkansas or any indication that prairie dogs that are currently being sold or traded within the State are infected with the monkeypox virus. However, introduction of exotic species, such as rodents from Africa, poses a serious public health threat because of potential of human monkeypox infection and transmission to sensitive native animal species.

WHEREAS, in accordance with Ark. Code Ann. § 20-7-109, the Arkansas State Board of Health has authority to promulgate rules and regulations concerning the suppression and prevention of infectious, contagious and communicable diseases. To satisfy this legislative mandate, the Board adopted Rules and Regulations Pertaining to Communicable Disease.

WHEREAS, the Board of Health Rules and Regulations Pertaining to Communicable Disease designate responsible persons to report notifiable diseases. The Board of Health issues a list of notifiable diseases and conditions that must be reported. Section VI of the Rules and Regulations Pertaining to Communicable Disease provides that additional diseases may be declared notifiable as necessary to protect public health by the Director of the Arkansas Department of Health.

NOW THEREFORE,
BE IT ORDERED BY THE DIRECTOR OF THE ARKANSAS DEPARTMENT OF HEALTH:

It being necessary in order to protect the public health, as Director of the Arkansas Department of Health, I hereby declare that monkeypox shall be a “Notifiable Disease and Condition” in accordance with Section VI of the Rules and Regulations Pertaining to Communicable Disease.

PENALTIES

Any person violating this Order shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or by imprisonment not exceeding one (1) month, or both. Each day of violation shall constitute a separate offense.

Any person who violates any rule or regulation issued or promulgated by the State Board of Health may be assessed a civil penalty by the board. The penalty shall not exceed one thousand dollars (\$1,000) for each violation. Each day of a continuing violation may be deemed a separate violation for purposes of penalty assessments. However, no civil penalty may be assessed until the person charged with the violation has been given the opportunity for a hearing on the violation.

IT IS SO ORDERED this 17th day of June 2003.

Fay Boozman, M.D.
Director, Arkansas Department of Health