

1 **ESB 6158** - H COMM AMD **ADOPTED 03/02/94**

2 By Committee on Health Care

3 On page 1, strike everything after the enacting clause and
4 insert

5 "NEW SECTION. **Sec. 1.** A new section is added to chapter
6 70.28 RCW to read as follows:

7 (1) Tuberculosis has been and continues to be a threat to the
8 public's health in the state of Washington.

9 (2) While it is important to respect the rights of
10 individuals, the legitimate public interest in protecting the
11 public health and welfare from the spread of a deadly infectious
12 disease outweighs incidental curtailment of individual rights that
13 may occur in implementing effective testing, treatment, and
14 infection control strategies.

15 (3) To protect the public's health, it is the intent of the
16 legislature that local health officials provide culturally
17 sensitive and medically appropriate early diagnosis, treatment,
18 education, and follow-up to prevent tuberculosis. Further, it is
19 imperative that public health officials and their staff have the
20 necessary authority and discretion to take actions as are necessary
21 to protect the health and welfare of the public, subject to the
22 constitutional protection required under the federal and state
23 Constitutions. Nothing in this chapter shall be construed as in
24 any way limiting the broad powers of health officials to act as
25 necessary to protect the public health.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 70.28
27 RCW to read as follows:

28 (1) The state board of health shall adopt rules establishing
29 the requirements for:

1 (a) Reporting confirmed or suspected cases of tuberculosis by
2 health care providers and reporting of laboratory results
3 consistent with tuberculosis by medical test sites;

4 (b) Due process standards for health officers exercising their
5 authority to involuntarily detain, test, treat, or isolate persons
6 with suspected or confirmed tuberculosis under RCW 70.28.031 and
7 70.05.070 that provide for release from any involuntary detention,
8 testing, treatment, or isolation as soon as the health officer
9 determines the patient no longer represents a risk to the public's
10 health;

11 (c) Training of persons to perform tuberculosis skin testing
12 and to administer tuberculosis medications.

13 (2) Notwithstanding any other provision of law, persons
14 trained under subsection (1)(c) of this section may perform skin
15 testing and administer medications if doing so as part of a program
16 established by a state or local health officer to control
17 tuberculosis.

18 (3) The board shall adopt rules under subsection (1) of this
19 section by December 31, 1994."