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HOUSE BILL 2640

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State of Washington

53rd Legislature

1994 Regular Session

By Representatives Dellwo, Dyer, L. Johnson, B. Thomas, Brough, King, Backlund, Talcott and Long; by request of Department of Health

Read first time 01/19/94. Referred to Committee on Health Care.

1 AN ACT Relating to tuberculosis; and adding new sections to chapter  
2 70.28 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

13 (3) It is imperative that public health officials and their staff  
14 have the necessary authority and discretion to take actions as are  
15 necessary to protect the health and welfare of the public, subject only  
16 to the minimum level of constitutional protection required under the  
17 federal and state Constitutions. Nothing in this chapter shall be  
18 construed as in any way limiting the broad powers of health officials  
19 to act as necessary to protect the public health.

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

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

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

8        (b) Due process standards for health officers exercising their  
9 authority to involuntarily detain, test, treat, or isolate persons with  
10 suspected or confirmed tuberculosis under RCW 70.28.031 and 70.05.070;

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

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

17       (3) If the board has not adopted rules under subsection (1) of this  
18 section by July 1, 1994, the secretary of the department of health  
19 shall have authority to adopt such rules.

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