
ENGROSSED SENATE BILL 6158

State of Washington

53rd Legislature

1994 Regular Session

By Senators Talmadge, Moyer, Wojahn and McAuliffe; by request of
Department of Health

Read first time 01/14/94. Referred to Committee on Health & Human
Services.

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 that provide for release from any involuntary detention, testing,
12 treatment, or isolation as soon as the health officer determines the
13 patient no longer represents a risk to the public's health;

14 (c) Training of persons to perform tuberculosis skin testing and to
15 administer tuberculosis medications.

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

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

--- END ---