

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended and Be Printed Engrossed
Vote:	5 - 0 - 0
Yeas:	Bates, Kruse, Morrisette, Morse, Monnes Anderson
Nays:	0
Exc.:	0
Prepared By:	Robert Shook, Administrator
Meeting Dates:	2/5, 3/26

WHAT THE MEASURE DOES: Authorizes certain public officials to inspect and obtain information pertinent to investigation of communicable disease, protects confidentiality of information obtained during an investigation. Clarifies the authority of the Department of Human Services and Local Public Health Administrators to investigate reportable diseases. Specifies a standard for release of information relating to clear and convincing evidence that disclosure is necessary. Changes the wording of local public health authority to public health administrator.

ISSUES DISCUSSED:

- Local health departments conducting investigations of reportable diseases
- Protecting the confidentiality and privacy of people who are the subjects of an investigation
- Release of confidential information guidelines

EFFECT OF COMMITTEE AMENDMENT: Clarifies the authority of the Department and Local Public Health Administrators to investigate reportable diseases, disease outbreaks and epidemics, and to require the release of documents needed for such investigations. Specifies a high standard for such release of information relating to clear and convincing evidence that disclosure is necessary to avoid an immediate danger to others. Changes wording of local public health “authority” to public health “administrator.”

BACKGROUND: Protecting the confidentiality and privacy of people who are subjects of a public health investigation, including the identity of the person with a reportable communicable disease, is the focus of this bill. It is reported that almost all communicable disease investigations can be carried out utilizing current confidentiality protections. The intent of this bill is to clarify authority to share information in those unusual circumstances where it is clearly necessary to protect the public. It also provides immunity from civil and criminal liability that might arise from providing information for investigation.

The Department or a Local Public Health Administrator may release information, obtained during an investigation of a reportable disease or disease outbreak, to state, local, or federal agencies; health care providers if necessary for the evaluation or treatment of a reportable disease; law enforcement officials; local public health administrators; any person that the local public health administrator has reasonable cause to believe that the release of the information is necessary to prevent a clear and imminent threat to others; and the individual who is the subject of the information.