

REVENUE: No revenue impact

FISCAL: No fiscal impact

Action:	Do Pass as Amended, Be Printed Engrossed, and Be Placed on the Consent Calendar
Vote:	9 - 0 - 1
Yeas:	Bruun, Cannon, Dembrow, Garrett, Harker, Kennemer, Maurer, Thompson, Greenlick
Nays:	0
Exc.:	Kotek
Prepared By:	Roxie Cuellar, Administrator
Meeting Dates:	5/4, 5/11

WHAT THE MEASURE DOES: Authorizes certain public officials to inspect and obtain information pertinent to investigation of communicable disease and protects confidentiality of information obtained during investigation. Clarifies authority of Department of Human Services (DHS) and Local Public Health Administrator (LPHA) to investigate reportable diseases. Specifies standard for release of information relating to clear and convincing evidence that disclosure is necessary. Changes wording of local public health authority to public health administrator. Declares an emergency; effective upon passage.

ISSUES DISCUSSED:

- Release of confidential information to aid investigation of communicable diseases
- Confidentiality of non-infected persons involved in investigations
- Release of confidential information to persons outside public health arena
- Changes between state and local health authorities

EFFECT OF COMMITTEE AMENDMENT: Adds an emergency clause, effective upon passage.

BACKGROUND: The focus of this bill is 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. It is reported that almost all communicable disease investigations can be carried out utilizing current confidentiality protections. This measure clarifies investigator's 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 the investigation.

DHS or an LPHA 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 officers; local 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.