

## JOINT STATE GOVERNMENT COMMISSION

2007 Senate Resolution No. 194, Report on *Public Health Law in Pennsylvania: Disease Control Measures*  
Please see the full report at: <http://jsg.legis.state.pa.us/>

### *Summary of Proposed Legislation*

The proposed legislation in this report replaces many provisions of the Disease Prevention and Control Law of 1955 and creates a new statutory framework regarding disease control measures for infectious and noninfectious diseases within Title 35 of the Pennsylvania Consolidated Statutes (Health and Safety).<sup>1</sup> The provisions recommended by the Advisory Committee include the following topics:<sup>2</sup>

- Control measure requirements. (§ 1111)
- Powers and duties of the Department of Health regarding public health. (§ 1112)
- Powers and duties of local health authorities regarding public health. (§ 1113)
- Powers and duties of municipal health authorities regarding public health. (§ 1114)
- Powers and duties of the Advisory Health Board of the Department of Health. (§ 1115)
- Compilation of data, sources and use of information, and technology. (§ 1121)
- Reporting of certain diseases or disorders. (§ 1122)
- Authority and obligations of the Department of Health regarding epidemiologic investigations. (§ 1123)
- Counseling and referral services. (§ 1124)
- Public health nuisances. (§ 1125)
- Searches and inspections. (§ 1126)
- Participation in an action or control measure by an individual. (§ 1131)
- Medical examination, testing and other approved diagnostic procedures on an individual, including:
  - Authorization of the Department of Health or a local health authority.
  - Procedural requirements.
  - When an individual may be ordered to undergo diagnostic procedures.
  - The consequences of noncompliance with a governmental order. (§ 1132)
- Isolation or quarantine of an individual until it is determined that the individual does not have a contagious disease, including:
  - Where the isolation or quarantine may occur and under what conditions.
  - Temporary isolation or quarantine without a court order.
  - Isolation or quarantine with a court order.
  - Petitions.
  - Contents of a governmental or court order.
  - Conditions regarding an individual's isolation or quarantine.
  - Hearings.
  - Representation by legal counsel.
  - Court-ordered treatment or diagnostic procedures.
  - The transfer or relocation of an isolated or quarantined individual.
- The release of an individual from isolation or quarantine. (§ 1133)
- Participation in an action or control measure by a person owning a subject animal. (§ 1142)
- Medical examination, testing and other approved diagnostic procedures on animals, including:
  - Authorization of the Department of Health or a local health authority.
  - Procedural requirements.
  - When an animal owner must submit the animal to diagnostic procedures.
  - The consequences of noncompliance with a governmental order. (§ 1143)
- Animal isolation or quarantine until it is determined that the animal is not infected with an infectious disease, including:
  - Where the animal isolation or quarantine may occur and under what conditions.
  - Temporary animal isolation or quarantine without a court order.
  - Animal isolation or quarantine with a court order.
  - Petitions.
  - Contents of a governmental or court order.
  - Conditions regarding animal isolation or quarantine.
  - Hearings.
  - Court-ordered treatment or diagnostic procedures on an animal.
  - The transfer or relocation of an isolated or quarantined animal.
  - The release of an animal from animal isolation or quarantine. (§ 1144)
- Apprehension of an isolated or quarantined individual who leaves a designated health care facility without the permission of the facility's medical director and in violation of a court order. (§ 1161)
- Penalties for violating the provisions of the statute. (§ 1162)
- Actions that can be taken against a person for violating the provisions of the statute. (§ 1163)
- Immunity from liability. (§ 1164)
- Effect on employment when an individual complies with an order of isolation or quarantine or with a control measure. (§ 1165)

<sup>1</sup> If this proposed legislation were enacted, Title 35 would contain Part II (Public Health), Subpart A (Disease Control Measures), and Chapter 11 (Infectious and Noninfectious Diseases).

<sup>2</sup> For a more detailed discussion of the proposed statutory provisions, see Discussion of Proposed Legislation, *infra* pp. 11-38.