

# LYON COUNTY HEALTH DEPARTMENT

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## TESTIMONY

### House Health and Human Services

### Senate Bill 216

March 16, 2005, 1:30 pm

By

**Lougene Marsh, Director and Health Officer**

**Lyon County Health Department**

**Member of Kansas Association of Local Health Departments**

Chairman Morrison and Members of the House Committee, thank you for the opportunity to provide testimony on Senate Bill 216 on behalf of Kansas Association of Local Health Departments (KALHD).

Local public health departments across the state have been working on emergency preparedness planning for our communities over the past three and a half years. These efforts provide the framework for a local response to biological and infectious diseases. The appropriate level of response will be dependent on updated statutory authority for isolation and quarantine. Most Kansas statutes and regulations that address interventions such as isolation and quarantine were originally adopted in the late 1800's and early 1900's and are both outdated and unclear.

Senate Bill 216 updates and clarifies the authority to utilize isolation and quarantine and will provide the necessary platform on which emergency response may be based in the event of an infectious disease outbreak. Recent events such as the 2003 SARS outbreak and the ever-present possibility of pandemic flu have emphasized the potential need for large-scale isolation and quarantine.

In addition to providing the updated statutory authority for isolation and quarantine, SB 216 protects the due process rights of individuals. The key elements of the bill include the following:

- 1) The provision for individuals ordered to isolation or quarantine to appeal the order to a court.
- 2) The provision of counsel for individuals who are not represented by counsel in court proceedings related to appeals from quarantine or isolation orders.
- 3) A provision making it unlawful for any public or private employer to discharge an employee who is under an order of isolation or quarantine because of such order.
- 4) The authority of public health officials to issue quarantine orders affecting groups of exposed individuals, such as passengers arriving on a certain aircraft who may have been exposed to an infectious disease.
- 5) The authority of public health officials to require individuals who have been exposed to an infectious or contagious disease to seek appropriate and necessary evaluation and treatment. That would include diagnostic tests necessary to determine the infectiousness of the exposed individuals, and vaccination or prophylaxis (when appropriate), of exposed individuals to limit the spread of disease.

KALHD has had significant input into the development of SB216. In addition, KALHD is in the process of developing community training to be delivered this year for elected officials, law enforcement, district/county attorneys and other local partners on the proper community response in the event of having to utilize isolation and quarantine.

On behalf of KALHD I request your support and passage of SB 216.