

1 ENGROSSED HOUSE AMENDMENT  
TO  
2 ENGROSSED SENATE BILL NO. 1918 By: Adelson of the Senate  
3 and  
4 Denney of the House  
5  
6

7 ( public health and safety - communicable diseases -  
8 effective date )  
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11 AMENDMENT NO. 1. Strike the stricken title, enacting clause and  
12 entire bill and insert

13 "( public health and safety - communicable diseases -  
14 effective date )  
15

16 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

17 SECTION 1. AMENDATORY 63 O.S. 2001, Section 1-401, is  
18 amended to read as follows:

19 Section 1-401. ~~Wherever the words "active tuberculosis" appear~~  
20 ~~in this article, they shall be construed to mean that the disease is~~  
21 ~~in a communicable or infectious stage as established by chest X-ray,~~  
22 ~~bacteriological examination of sputum, or other diagnostic~~  
23 ~~procedures approved by the State Commissioner of Health~~ As used in  
24 this article:

1        1. "Tuberculosis disease" means disease caused by Mycobacterium  
2 tuberculosis complex;

3        2. "Active tuberculosis disease" means a stage of tuberculosis  
4 in which compatible pathologic changes are present as demonstrated  
5 by clinical, bacteriologic, or radiographic evidence, and/or other  
6 diagnostic procedures. Persons diagnosed with tuberculosis are  
7 considered to have active tuberculosis disease until they have  
8 completed a full course of antituberculosis treatment as prescribed  
9 or approved by the State Commissioner of Health; and

10        3. "Tuberculosis infection" means a stage of tuberculosis  
11 characterized by having a positive or a history of a positive  
12 response to a tuberculin skin test or other laboratory test for  
13 tuberculosis infection, but not having clinical, radiographic or  
14 other evidence of disease.

15        SECTION 2.        AMENDATORY        63 O.S. 2001, Section 1-402, is  
16 amended to read as follows:

17        Section 1-402. When any local health officer shall have  
18 reasonable grounds to believe that any person has active  
19 ~~tuberculosis in an active stage or in a communicable form~~ disease,  
20 ~~and who~~ but will not voluntarily seek a medical examination, then it  
21 shall be the duty of ~~such~~ the local health officer to order such  
22 person in writing to undergo an examination by a physician ~~qualified~~  
23 ~~in chest diseases, or at some state or federal sanatorium or~~  
24 ~~hospital, or at some clinic, hospital or sanatorium~~ approved by the

1 State Commissioner of Health for such examinations. It shall be the  
2 duty of the suspected person to ~~present himself for~~ submit to  
3 examination at such time and place as ordered by the local health  
4 officer. The examination shall include an X-ray of the chest,  
5 examinations of sputum, and such other forms and types of  
6 examinations as shall be approved by the Commissioner. If, upon  
7 examination, it ~~shall be~~ is determined that the person has active or  
8 suspected active tuberculosis ~~in an active stage or in a~~  
9 ~~communicable form~~ disease, then it shall be the duty of such  
10 tuberculous person to ~~arrange for admission of himself as a patient~~  
11 ~~in one of the state or federal sanatoria or hospitals, or in some~~  
12 ~~private hospital, or in a ward of a private hospital maintained and~~  
13 ~~operated for the treatment of tuberculosis patients; or when there~~  
14 ~~is no danger to the public or to other individuals as determined by~~  
15 ~~the local health officer, and upon the approval~~ comply with the  
16 orders of the Commissioner, ~~he may receive treatment at home.~~

17 SECTION 3. AMENDATORY 63 O.S. 2001, Section 1-403, is  
18 amended to read as follows:

19 Section 1-403. Whenever it has been determined that any person  
20 has active tuberculosis ~~in an active stage or in a communicable~~  
21 ~~form, and the person is not immediately admitted as a patient in any~~  
22 ~~state or federal sanatorium or hospital, or in any private hospital,~~  
23 ~~or ward of a private hospital maintained for the treatment of~~  
24 tuberculosis disease, it shall be the duty of the local health

1 officer to instruct such person as to the precautions necessary ~~to~~  
2 ~~be taken~~ to protect the members of the person's household or the  
3 community from becoming infected with tuberculosis communicated by  
4 such person, ~~and it.~~ It shall be the duty of ~~the tuberculous~~ such  
5 person ~~to conduct himself and~~ to live in such a manner as not to  
6 expose members of ~~his~~ the person's family or household, or any other  
7 person with whom ~~he~~ the person may be associated, to danger of  
8 infection, ~~and the.~~ The local health officer shall investigate ~~from~~  
9 ~~time to time~~ periodically for the purpose of ~~seeing~~ determining if  
10 ~~his~~ the instructions are being carried out in a reasonable and  
11 acceptable manner.

12 SECTION 4. AMENDATORY 63 O.S. 2001, Section 1-409, is  
13 amended to read as follows:

14 Section 1-409. The State Commissioner of Health may, on behalf  
15 of the State of Oklahoma, enter into a reciprocal agreement with  
16 another state providing for care and treatment, ~~in a sanatorium of~~  
17 ~~one of the states,~~ of persons having active tuberculosis disease who  
18 are residents of the other state, or for the transportation or  
19 return of any such nonresident person from one of the states to the  
20 other state of which ~~he~~ such person is a resident.

21 SECTION 5. AMENDATORY 63 O.S. 2001, Section 1-410, is  
22 amended to read as follows:

23 Section 1-410. When the State Commissioner of Health shall have  
24 reasonable grounds to believe that any person has active

1 tuberculosis ~~in an active stage or in the communicable form~~ disease,  
2 the Commissioner may require isolation, hospitalization or other  
3 confinement for treatment of such person. The State Commissioner of  
4 Health is hereby authorized to contract with any hospital and/or  
5 physician to provide such hospitalization ~~and~~ or treatment as  
6 required and shall be exempt from the provisions of the Oklahoma  
7 Central Purchasing Act in contracting for such hospitalization and  
8 treatment, as specified in ~~Title 74~~, Section 85.4, of Title 74 of  
9 the Oklahoma Statutes. If any person shall be convicted for a  
10 violation of any of the provisions of ~~63 O.S. 1971~~, Sections 1-402  
11 and 1-403 of this title, then such person shall be committed by the  
12 judge of the district court for isolation or confinement and  
13 treatment ~~into~~ in such institution or at such location or facility  
14 as designated by the State Commissioner of Health.

15 SECTION 6. AMENDATORY 63 O.S. 2001, Section 1-504, is  
16 amended to read as follows:

17 Section 1-504. A. Whenever a local health officer determines  
18 or suspects that a person has been exposed to and may be incubating  
19 a communicable disease of public health concern, ~~he~~ the local health  
20 officer may impose a quarantine ~~on~~ upon such person and require such  
21 person to remain out of public contact and in the place or premises  
22 where such person usually stays, ~~and notice.~~ Notice thereof shall  
23 be given in accordance with the rules and regulations of the State  
24 Board of Health, ~~and it.~~ It shall be unlawful for such person, or

1 any other person, to violate the terms or conditions of the  
2 quarantine.

3 B. Whenever a local health officer determines or suspects that  
4 a person has a communicable disease of public health concern, the  
5 local health officer may impose isolation upon such person and  
6 require such person to remain out of public contact and in an  
7 adequate treatment facility or in the place or premises where such  
8 person usually stays. Notice thereof shall be given in accordance  
9 with the rules and regulations of the State Board of Health. It  
10 shall be unlawful for such person, or any other person, to violate  
11 the terms or conditions of the isolation.

12 C. District courts shall be authorized to grant injunctive  
13 relief, including temporary injunctions and temporary restraining  
14 orders, to compel compliance with a quarantine or isolation order  
15 issued by a local health officer pursuant to this section.

16 SECTION 7. This act shall become effective November 1, 2008.”

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1 Passed the House of Representatives the 9th day of April, 2008.

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4 Presiding Officer of the House of  
Representatives

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6 Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2008.

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9 Presiding Officer of the Senate