

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB1918 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Lee Denney

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 51st Legislature (2008)

PROPOSED COMMITTEE SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 1918

By: Adelson of the Senate

and

Denney of the House

PROPOSED COMMITTEE SUBSTITUTE

(Public health and safety - communicable diseases -
effective date)

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

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

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

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

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

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

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

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

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

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

17 Section 1-403. Whenever it has been determined that any person
18 has active tuberculosis ~~in an active stage or~~ disease in a
19 communicable form, ~~and the person is not immediately admitted as a~~
20 ~~patient in any state or federal sanatorium or hospital, or in any~~
21 ~~private hospital, or ward of a private hospital maintained for the~~
22 ~~treatment of tuberculosis,~~ it shall be the duty of the local health
23 officer to instruct such person as to the precautions necessary ~~to~~
24 ~~be taken~~ to protect the members of the person's household or the

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

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

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

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

21 Section 1-410. When the State Commissioner of Health shall have
22 reasonable grounds to believe that any person has active
23 tuberculosis ~~in an active stage or in the communicable form~~ disease,
24 the Commissioner may require isolation, hospitalization or other

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

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

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

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

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

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

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16 51-2-10655 SAB 03/18/08
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