

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

COMMITTEE SUBSTITUTE  
FOR ENGROSSED  
HOUSE BILL 3145

By: West (Kevin) of the House

and

Standridge and Merrick of  
the Senate

COMMITTEE SUBSTITUTE

An Act relating to quarantine protocols; amending 63 O.S. 2021, Section 1-504, which relates to quarantine procedures; prohibiting certain movement of person having or suspected of having communicable disease; broadening certain authority of district court; updating statutory language; amending 63 O.S. 2021, Section 1-507, which relates to school attendance of diseased pupils; broadening applicability of section; eliminating certain duty of school; modifying criteria for determination of exclusion period; authorizing local health departments and the State Department of Health to provide certain guidance to schools; amending 70 O.S. 2021, Section 1210.194, which relates to children afflicted with contagious disease or head lice; broadening applicability of section; requiring compliance with certain public health law; authorizing certain certification from a licensed doctor; eliminating certain provisions relating to head lice; repealing 63 O.S. 2021, Sections 1-505 and 1-506, which relate to removal of diseased persons; providing an effective date; and declaring an emergency.

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

1       SECTION 1.       AMENDATORY       63 O.S. 2021, Section 1-504, is  
2 amended to read as follows:

3       Section 1-504. A. Whenever a local health officer determines  
4 or suspects that a person has been exposed to and may be incubating  
5 a communicable disease of public health concern, the local health  
6 officer may impose a quarantine upon such person and require such  
7 person to remain out of public contact and in the place or premises  
8 where such person usually stays. Notice thereof shall be given in  
9 accordance with ~~the rules and regulations of~~ promulgated by the  
10 State ~~Board~~ Commissioner of Health. It shall be unlawful for such  
11 person, or any other person, to violate the terms or conditions of  
12 the quarantine.

13       B. Whenever a local health officer determines or suspects that  
14 a person has a communicable disease of public health concern, the  
15 local health officer may impose isolation upon such person and  
16 require such person to remain out of public contact and in an  
17 adequate treatment facility or in the place or premises where such  
18 person usually stays. Notice thereof shall be given in accordance  
19 with ~~the rules and regulations of~~ promulgated by the State Board  
20 Commissioner of Health. It shall be unlawful for such person, or  
21 any other person, to violate the terms or conditions of the  
22 isolation.

23       C. No person having or suspected of having a communicable  
24 disease shall be compelled to be moved from the place where he or

1 she is sick to any place other than his or her own residence unless  
2 the individual does not reside in a permanent residence.

3 D. District courts ~~shall be authorized to~~ may grant injunctive  
4 relief, including temporary injunctions and temporary restraining  
5 orders, to overturn or compel compliance with a quarantine or  
6 isolation order issued by a local health officer pursuant to this  
7 section.

8 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-507, is  
9 amended to read as follows:

10 Section 1-507. ~~No~~ Any person having a communicable disease  
11 ~~shall be permitted to attend~~ or head lice may be prohibited from  
12 attending a private or, public, or parochial school, and it. It  
13 shall be the duty of the parent or guardian ~~and the school~~ of such  
14 person to exclude from the school such person ~~until the expiration~~  
15 ~~of the period of isolation or quarantine ordered for the case, or~~  
16 ~~until permission to do so shall have been given by the local county~~  
17 ~~health department or the State Department of Health~~ in compliance  
18 with the school's communicable disease policy. Local health  
19 departments and the State Department of Health may provide guidance  
20 and assistance to schools in setting or changing such policy.

21 SECTION 3. AMENDATORY 70 O.S. 2021, Section 1210.194, is  
22 amended to read as follows:

23 Section 1210.194. ~~A.~~ Any child afflicted with a contagious or  
24 communicable disease or head lice may be prohibited from attending a

1 public, private, or parochial school until such time as ~~he~~ the child  
2 is free from the contagious or communicable disease or head lice in  
3 compliance with Section 1-507 of Title 63 of the Oklahoma Statutes  
4 or upon certification from a licensed medical doctor or licensed  
5 doctor of osteopathic medicine.

6 ~~B. Any child prohibited from attending school due to head lice~~  
7 ~~shall present to the appropriate school authorities, before the~~  
8 ~~child may reenter school, certification from a health professional~~  
9 ~~as defined by Section 2601 of Title 63 of the Oklahoma Statutes or~~  
10 ~~an authorized representative of the State Department of Health that~~  
11 ~~the child is no longer afflicted with head lice.~~

12 ~~C. School districts and county or city-county health~~  
13 ~~departments may enter into agreements under the Interlocal~~  
14 ~~Cooperation Act for the purpose of providing assistance to the~~  
15 ~~school district by inspecting children who are returning to school~~  
16 ~~after an absence due to head lice to ensure that the child is no~~  
17 ~~longer afflicted with head lice.~~

18 ~~D. If a school district and county or city-county health~~  
19 ~~department has entered into an agreement as authorized in subsection~~  
20 ~~C of this section, upon written authorization of the parent or~~  
21 ~~guardian of a child, the county or city-county health department may~~  
22 ~~provide treatment to the child for head lice.~~

23 SECTION 4. REPEALER 63 O.S. 2021, Section 1-505, is  
24 hereby repealed.

1       SECTION 5.       REPEALER       63 O.S. 2021, Section 1-506, is  
2 hereby repealed.

3       SECTION 6. This act shall become effective July 1, 2022.

4       SECTION 7. It being immediately necessary for the preservation  
5 of the public peace, health or safety, an emergency is hereby  
6 declared to exist, by reason whereof this act shall take effect and  
7 be in full force from and after its passage and approval.

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