

Senate File 2322 - Enrolled

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SENATE FILE 2322

AN ACT

RELATING TO THE INVESTIGATION AND CONTROL OF COMMUNICABLE AND INFECTIOUS DISEASES AND NOTIFICATION PROCEDURES CONCERNING DISEASES, HEALTH CONDITIONS, UNUSUAL CLUSTERS, OR SUSPICIOUS EVENTS WHICH MAY BE THE CAUSE OF A PUBLIC HEALTH DISASTER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 135.145, subsections 1, 2, and 3, Code 2005, are amended to read as follows:

1. When the department of public safety or other federal, state, or local law enforcement agency learns of a case of a reportable disease or health condition, unusual cluster, or a suspicious event that may be the cause of a public health disaster, the department or agency shall immediately notify the department, the administrator of the homeland security and emergency management division of the department of public defense, the department of agriculture and land stewardship, and the department of natural resources as appropriate.

2. When the department learns of a case of a reportable disease or health condition, an unusual cluster, or a suspicious event that the department reasonably believes could potentially be caused by bioterrorism or other act of terrorism may be the cause of a public health disaster, the department shall immediately notify the department of public safety, the homeland security and emergency management division of the department of public defense, and other appropriate federal, state, and local agencies and officials.

3. Sharing of information on reportable diseases, health conditions, unusual clusters, or suspicious events between the department and public safety authorities and other governmental agencies shall be restricted to sharing of only the information necessary for the prevention, control, and investigation of a public health disaster.

Sec. 2. Section 139A.2, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 0A. "Area quarantine" means prohibiting ingress and egress to and from a building or buildings, structure or structures, or other definable physical location, or portion thereof, to prevent or contain the spread of a suspected or confirmed quarantinable disease or to prevent or contain exposure to a suspected or known chemical, biological, radioactive, or other hazardous or toxic agent.

Sec. 3. Section 139A.3, subsection 2, paragraphs a and b, Code 2005, are amended to read as follows:

a. Any person who, acting reasonably and in good faith, files a report, releases information, or otherwise cooperates with an investigation under this section chapter is immune from any liability, civil or criminal, which might otherwise be incurred or imposed for making a report such action.

b. A report to or other information provided to or maintained by the department, to a local board, or to a local department, which identifies a person infected with or exposed to a reportable or other disease or health condition, is confidential and shall not be accessible to the public.

Sec. 4. Section 139A.3, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 3. A health care provider or public, private, or hospital clinical laboratory shall provide the department, local board, or local department with all information reasonably necessary to conduct an investigation pursuant to this chapter upon request of the department, local board, or local department. The department may also subpoena records, reports, and any other evidence necessary to conduct an investigation pursuant to this chapter from other persons, facilities, and entities pursuant to rules adopted by the department.

Sec. 5. Section 139A.4, Code 2005, is amended by adding the following new subsection:

NEW SUBSECTION. 4. The department and local boards may impose and enforce area quarantine restrictions according to

3 4 rules adopted by the department. Area quarantine shall be
3 5 imposed by the least restrictive means necessary to prevent or
3 6 contain the spread of the suspected or confirmed quarantinable
3 7 disease or suspected or known hazardous or toxic agent.

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3 11 JEFFREY M. LAMBERTI
3 12 President of the Senate

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3 15 CHRISTOPHER C. RANTS
3 16 Speaker of the House

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3 19 I hereby certify that this bill originated in the Senate and
3 20 is known as Senate File 2322, Eighty-first General Assembly.

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3 24 MICHAEL E. MARSHALL
3 25 Secretary of the Senate

3 26 Approved _____, 2006

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3 30 THOMAS J. VILSACK
3 31 Governor