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**HEALTH AND SAFETY CODE - HSC**

**DIVISION 105. COMMUNICABLE DISEASE PREVENTION AND CONTROL [120100 - 122476]** ( *Division 105 added by Stats. 1995, Ch. 415, Sec. 7. )*

**PART 5. TUBERCULOSIS [121350 - 121560]** ( *Part 5 added by Stats. 1995, Ch. 415, Sec. 7. )*

**CHAPTER 4. Tuberculosis Tests for Adults in Primary Care Settings [121560- 121560.]** ( *Chapter 4 added by Stats. 2024, Ch. 951, Sec. 2. )*

**121560.** (a) A patient who is 18 years of age or older and who receives health care services in a facility, clinic, center, office, or other setting, where primary care services are provided, shall be offered a tuberculosis screening, including, but not limited to, assessment for tuberculosis risk and appropriate followup, if tuberculosis risk factors are identified, to the extent these services are covered under the patient's health care coverage, based on the latest screening indications recommended by the State Department of Public Health, the federal Centers for Disease Control and Prevention, the American Thoracic Society, or the United States Preventive Services Task Force.

(b) Subdivision (a) does not apply if any of the following situations exist, unless a health care provider determines that the tuberculosis risk assessment, tuberculosis screening test, or both, should be offered again:

(1) The patient is being treated for a life-threatening emergency.

(2) The patient has previously been the subject of the tuberculosis risk assessment, tuberculosis screening test, or both, and has no new tuberculosis risk factors since the last tuberculosis risk assessment or tuberculosis screening test.

(3) (A) The patient has had a documented, previously positive Interferon-Gamma Release Assay (IGRA) test or has previously tested positive by any other test, licensed by the United States Food and Drug Administration, for a latent tuberculosis infection.

(B) If the patient has no documented followup health care, followup is required in accordance with subdivision (c).

(4) The patient lacks the capacity to consent to the tuberculosis risk assessment, tuberculosis screening test, or both, and consent cannot be obtained from a person legally authorized to make medical decisions on the patient's behalf.

(c) If a patient accepts the offer of the tuberculosis screening test and the test is positive, a health care provider shall offer the patient followup health care or refer the patient to a health care provider who can provide followup health care.

(d) This section does not apply to the emergency department of a general acute care hospital as defined in subdivision (a) of Section 1250.

(e) This section shall not affect the scope of practice of any health care provider or diminish any authority or legal or professional obligation of any health care provider to offer a tuberculosis risk assessment, tuberculosis screening test, or both, or to provide services or care for the patient of a tuberculosis risk assessment, tuberculosis screening test, or both.

(f) A health care provider that fails to comply with the requirements of this section shall not be subject to any disciplinary actions related to their licensure or certification, or to any civil or criminal liability, because of the health care provider's failure to comply with the requirements of this section.

(Added by Stats. 2024, Ch. 951, Sec. 2. (AB 2132) Effective January 1, 2025.)