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AB-262 Local health officers: communicable diseases. (2019-2020)

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Assembly Bill No. 262

CHAPTER 798

An act to add Section 120175.5 to the Health and Safety Code, relating to public health.

[Approved by Governor October 12, 2019. Filed with Secretary of State October 12, 2019.]

LEGISLATIVE COUNSEL'S DIGEST

AB 262, Gloria. Local health officers: communicable diseases.

Existing law requires the State Department of Public Health to examine into the causes of communicable disease in man and domestic animals occurring or likely to occur in this state, and to establish a list of reportable diseases and conditions. Existing law requires a health officer knowing or having reason to believe that any case of the diseases made reportable by regulation of the department, or any other contagious, infectious or communicable disease exists, or has recently existed, within the territory under the local health officer's jurisdiction, to take measures to prevent the spread of the disease or occurrence of additional cases.

This bill would require a local health officer, during an outbreak of a communicable disease, or upon the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, to notify and update governmental entities within the health officer's jurisdiction about certain communicable diseases that may affect them, if, in the opinion of the local health officer, action or inaction on the part of the governmental entity might affect outbreak response efforts. The bill would require the local health officer to make any relevant information available to those governmental entities, as specified, and would require both the local health officer and the governmental entities to comply with applicable state and federal privacy laws with regard to information that the health officer provides to the governmental entities. The bill would authorize the local health officer to issue orders to other governmental entities within the local health officer's jurisdiction to take any action the local health officer deems necessary to control the spread of the communicable disease.

By imposing new requirements on local health officers, this bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: yes

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 120175.5 is added to the Health and Safety Code, to read:

120175.5. (a) During an outbreak of a communicable disease, or upon the imminent and proximate threat of a communicable disease outbreak or epidemic that threatens the public's health, a local health officer shall do both of the following:

(1) Promptly notify and update governmental entities within the local health officer's jurisdiction about communicable diseases listed in Section 2500 of Title 17 of the California Code of Regulations that may affect them, if, in the opinion of the local health officer, action or inaction on the part of the governmental entity might affect outbreak response efforts.

(2) Make any relevant information available to governmental entities, including, but not limited to, the locations of concentrations of cases, the number of residents affected, and the measures that the governmental entities should take to assist with outbreak response efforts.

(b) In addition to the actions required under subdivision (a), the local health officer may issue orders to other governmental entities within the local health officer's jurisdiction to take any action the local health officer deems necessary to control the spread of the communicable disease.

(c) A local health officer that provides the notification and information to a governmental entity pursuant to subdivision (a), and the governmental entity that receives the notification and information, shall comply with all applicable state and federal privacy laws.

SEC. 2. If the Commission on State Mandates determines that this act contains costs mandated by the state, reimbursement to local agencies and school districts for those costs shall be made pursuant to Part 7 (commencing with Section 17500) of Division 4 of Title 2 of the Government Code.