

## MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairperson Susan Wagle at 1:30 p.m. on January 21, 2004 in Room 231-N of the Capitol.

All members were present except:

Senator Nick Jordan- excused

Committee staff present:

Ms. Emalene Correll, Legislative Research

Mr. Norm Furse, Revisor of Statutes

Mrs. Diana Lee, Revisor of Statutes

Ms. Margaret Cianciarulo, Committee Secretary

Conferees appearing before the committee:

Ms. Emalene Correll, Legislative Research

Mr. Norm Furse, Revisor of Statutes

Others attending:

Please See Attached Guest List.

### **Staff Review of Kansas Quarantine Laws**

Upon calling the meeting to order, Chairperson Wagle called on Ms. Emalene Correll, Legislative Research who gave an overview of the Kansas Quarantine Laws. Ms. Correll began with an introduction stating the Committee would be hearing an overview of federal and state quarantine laws as they relate to the isolation of individuals and some relevant case law. She also included a history, stating the practice of quarantine began during the fourteenth century in conjunction with efforts to prevent plague epidemics, continuing yellow fever epidemics led to the passage of federal quarantine legislation, and the history of the Public Health Service Act. She also touched on state authority, jurisdiction and legal challenges to state quarantine authority stating that most states have quarantine statutes or empower health authorities to order quarantines through regulation and that state laws or regulations typically define the agencies with quarantine authority, identify health authorities or public officials who may initiate an order, establish, enforce, execute, and maintain quarantines. She covered the 2003 state action and activity stating that during the 2003 legislative sessions in the states, 17 states considered some type of legislation that related to public health preparedness, of which 7 were comprehensive public health emergency acts or acts that specifically dealt with isolations and quarantine. And lastly, she covered the "Model State Emergency Health Powers Act".

Ms. Correll then asked Mr. Norm Furse, Revisor of Statutes, to cover the Kansas statutes which included the reporting of infectious and contagious diseases, duties and powers of local health officers (supervision section, generally a joint statute), a statute relating to public school and child care facilities, a statute relating to specific situations (ex. Funeral services), enforcement of quarantine laws (a key section), rules and regs for the Secretary of Health and Environment, penalties for unlawful acts, the criminal penalty (Class C misdemeanor), and two local government statutes (giving the Mayor authority of quarantine.) A copy of their testimony is ([Attachment 1](#)) attached hereto and incorporated into the Minutes by reference.

Questions from Senators Salmans and Barnett ranged from who implements this situation if it is militarily affected, Homeland Security Law, cremation, how are health care workers handled if they have been exposed, to requesting that the Department of Health and Environment as legislature to regulate.

## CONTINUATION SHEET

MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE at 1:30 p.m. on January 21, 2004 in Room 231-N of the Capitol.

Page 2

### **Introduction of Bills**

The Chair then asked for bill introductions. A motion was made by Senator Barnett to introduce legislation concerning smoking cessation efforts for the state of Kansas. It was seconded by Senator Steineger and the motion carried.

### **Adjourned**

As there was no further business, the meeting was adjourned. The time was 2:30 p.m.

The next meeting is scheduled for January 22, 2004.