

## **From the California Health and Safety Code and the California Code of Regulations:**

### Requirements for Tuberculosis Reporting and Approval for Discharge from Health Care Facilities

#### 1) Requirements for Reporting

##### A) Active Cases and Suspects

#### ***From the California Health and Safety Code:***

121362. Each health care provider who treats a person for active **tuberculosis** disease, each person in charge of a health facility, or each person in charge of a clinic providing outpatient treatment for active **tuberculosis** disease shall promptly report to the local health officer at the times that the health officer requires, but no less frequently than when there are reasonable grounds to believe that a person has active **tuberculosis** disease, and when a person ceases treatment for **tuberculosis** disease. Situations in which the provider may conclude that the patient has ceased treatment include times when the patient fails to keep an appointment, relocates without transferring care, or discontinues care. The initial disease notification report shall include an individual treatment plan that includes the patient name, address, date of birth, tuberculin skin test results, pertinent radiologic, microbiologic, and pathologic reports whether final or pending, and any other information required by the local health officer. Subsequent reports shall provide updated clinical status and laboratory results, assessment of treatment adherence, name of current care provider if patient transfers care, and any other information required by the local health officer. A facility discharge, release, or transfer report shall include all pertinent and updated information required by the local health officer not previously reported on initial or subsequent reports, and shall specifically include verified patient address, the name of the medical provider who has specifically agreed to provide medical care, clinical information used to assess the current infectious state, and any other information required by the local health officer. Each health care provider who treats a person with active **tuberculosis** disease, and each person in charge of a health facility or a clinic providing outpatient treatment for active **tuberculosis** disease, shall maintain written documentation of each patient's adherence to his or her individual treatment plans. Nothing in this section shall authorize the disclosure of test results for human immunodeficiency virus (HIV) unless authorized by Chapter 7 (commencing with Section 120975) of, Chapter 8 (commencing with Section 121025) of, and Chapter 10 (commencing with Section 121075) of, Part 4, of Division 105.

#### ***From the California Code of Regulations, Title 17, Article 1, Section 2500:***

(b) It shall be the duty of every health care provider, knowing of or in attendance on a case or suspected case of any of the diseases or conditions listed in subsection (j) of this section, to report to the local health officer for the jurisdiction where the patient resides as required in subsection (h) of this section. Where no health care provider is in attendance, any individual having knowledge of a person who is suspected to be suffering from one of the diseases or conditions listed in subsection (j) of this section may make such a report to the local health officer for the jurisdiction where the patient resides.

+Tuberculosis: (+)=to be reported by mailing a report, telephoning, or electronically transmitting a report within one (1) working day of identification of the case or suspected case.

## B) Children with Latent Infection

### ***From the California Health and Safety Code:***

121365. Each local health officer is hereby directed to use every available means to ascertain the existence of, and immediately investigate all reported or suspected cases of active **tuberculosis** disease in the jurisdiction, and to ascertain the sources of those infections. In carrying out the investigations, each local health officer shall follow applicable local rules and regulations and all general and special rules, regulations, and orders of the state department. If the local health officer determines that the public health in general or the health of a particular person is endangered by exposure to a person who is known to have active **tuberculosis** disease, or to a person for whom there are reasonable grounds to believe has active **tuberculosis** disease, the local health officer may issue any orders he or she deems necessary to protect the public health or the health of any other person, and may make application to a court for enforcement of the orders. Upon the receipt of information that any order has been violated, the health officer shall advise the district attorney of the county in which the violation has occurred, in writing, and shall submit to the district attorney the information in his or her possession relating to the subject matter of the order, and of the violation or violations thereof.

## 2) Requirements for Discharge Approval

### ***From the California Health and Safety Code:***

121361. (a) (1) A health facility, local detention facility, or state correctional institution shall not discharge or release any of the following persons unless subdivision (e) is complied with: (A) A person known to have active **tuberculosis** disease. (B) A person who the medical staff of the health facility or of the penal institution has reasonable grounds to believe has active **tuberculosis** disease. (2) In addition, persons specified in this subdivision may be discharged from a health facility only after a written treatment plan described in Section 121362 is approved by a local health officer of the jurisdiction in which the health facility is located. Treatment plans submitted for approval pursuant to

this paragraph shall be reviewed by the local health officer within 24 hours of receipt of the plans.

(e) All discharges, releases, or transfers described in subdivisions (a), (b), (c), and (d) may occur only after notification and a written treatment plan pursuant to Section 121362 has been received by the local health officer. When prior notification would jeopardize the person's health, the public **safety**, or the **safety** and security of the penal institution, then the notification and treatment plan shall be submitted within 24 hours of discharge, release, or transfer.