

Building an Isolation and Quarantine Template: Legal Authorities

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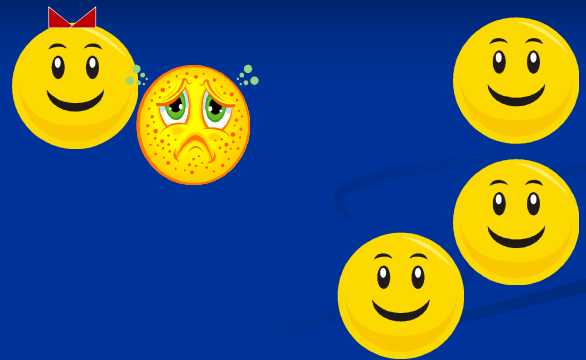
Overview

- Definitions
- Authorities
- Comprehensive I&Q Response Plan
- Model Orders
- Summary

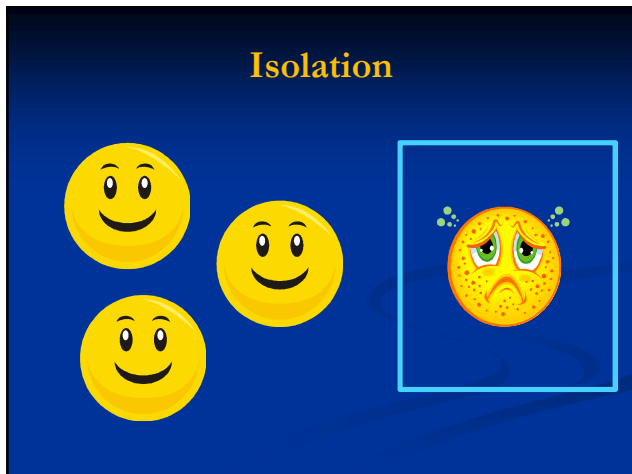
Definitions

- Isolation
 - Already ill
 - Separate from others
 - Prevent infectious spread
- Quarantine
 - Person is well, but was exposed
 - Separate from others
 - Prevent potential infectious spread

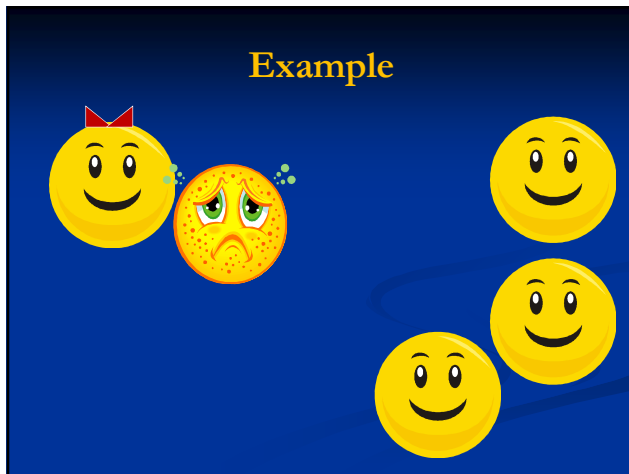
Example



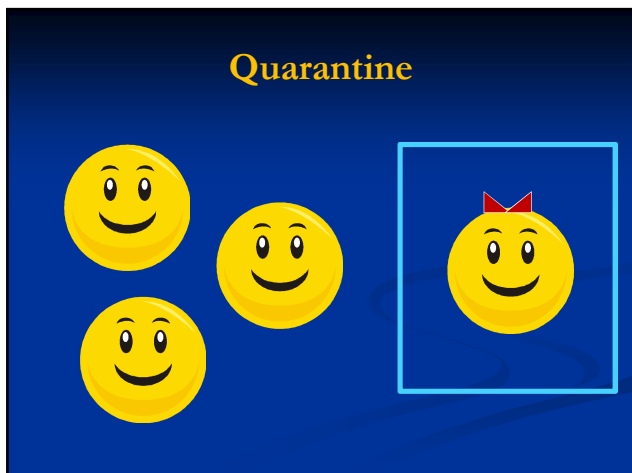
Isolation



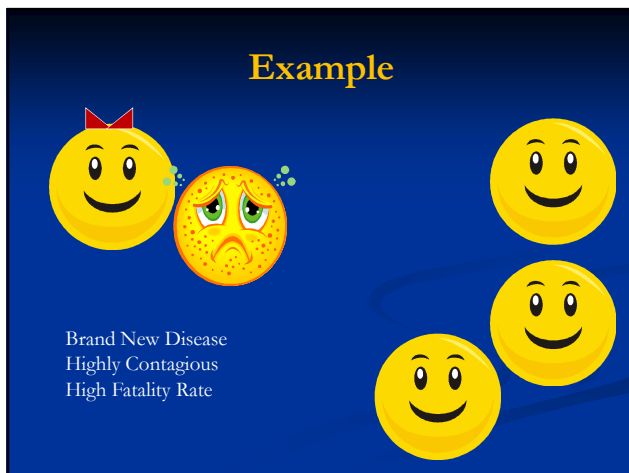
Example

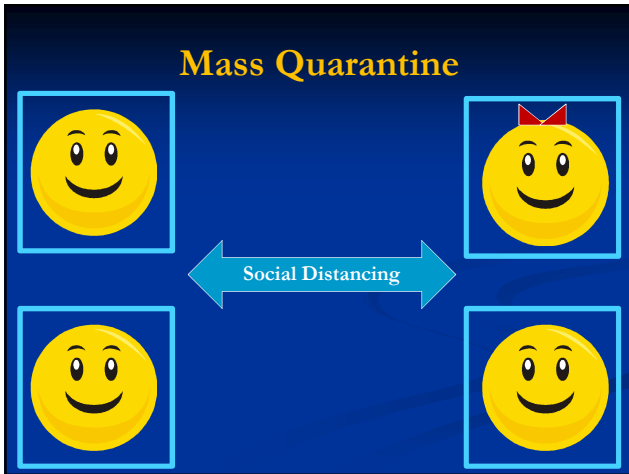


Quarantine



Example





- ### Who has authority?
- State Health Director
 - Local Health Director
 - Local Health Director in consultation with the State Health Director

- ### Who has authority?
- State Health Director
 - Local Health Director
 - Local Health Director in consultation with the State Health Director
 - All of the above

Who gets to decide?

- Local Health Director

NC GS 130A-144:
The Local Health Director has authority to take action to control diseases that are threats to public health.

Who gets to decide?

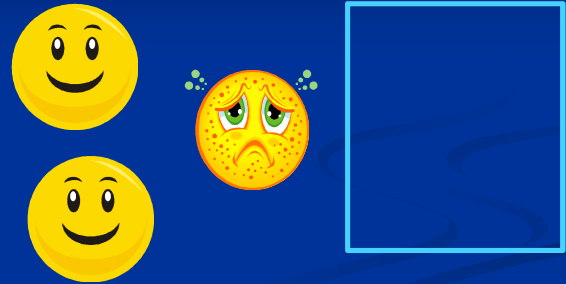
- Local Health Director

NC GS 130A-144:

The Local Health Director has authority to take action to control diseases that are threats to public health.

- Not explicitly about Isolation and Quarantine
- Infected or exposed persons usually comply
- Voluntary detention

What if they don't comply?



Who gets to decide?

- Local Health Director

NC GS 130A-145:

The Local Health Director or designee, at his or her sole discretion, may initiate involuntary detention of a person for purposes of isolation or quarantine.

Who gets to decide?

- Local Health Director

NC GS 130A-145:

The Local Health Director or designee, at his or her sole discretion, may initiate involuntary detention of a person for purposes of isolation or quarantine.

- Explicitly about Isolation and Quarantine
- Infected or exposed person refuses to comply
- Involuntary Detention

Who gets to decide?

- Local Health Director

NC GS 130A-145:

The Local Health Director or designee, at his or her sole discretion, may initiate involuntary detention of a person for purposes of isolation or quarantine.

- How many criteria must be met?

How do you decide?

- Three Criteria:

1. The public health is endangered
2. All other reasonable means have been exhausted
3. No less restrictive alternative exists

How do you decide?

- Three Criteria:

1. The public health is endangered
2. All other reasonable means have been exhausted
3. No less restrictive alternative exists

- ANDS or ORs?

How do you decide?

- Three Criteria:

1. The public health is endangered
- AND**
2. All other reasonable means have been exhausted
- AND**
3. No less restrictive alternative exists

Detention

- Not meant to be an easy decision

- You are...
 - Limiting freedom
 - Affecting medical appointments, childcare, job
 - Inconveniencing the entire family/community

Extent of Detention

- How long does the detention last?

NC GS 130A-145:

The Local Health Director can limit the freedom of movement of a person up to 30 calendar days.

Extent of Detention

- How long does the detention last?

NC GS 130A-145:

The Local Health Director can limit the freedom of movement of a person up to 30 calendar days.

- Can petition the court for 30 day extensions.

Consequence

- What is the consequence if someone still doesn't comply?

NCGS 130A-25:

A person who violates these will be guilty of a misdemeanor.

Quick Review

- What is written in the law?
- Local health director
- Voluntary/Involuntary detention
- For the purposes of protecting the public health
- Isolation and Quarantine
- 30 day increments
- Failure to comply - misdemeanor

Quick Review

- What is NOT written in the law?
- Step by step instructions
- List of practical considerations
- How do I accomplish Isolation and Quarantine?

I&Q Template

_____ County Health Department
Isolation and Quarantine Response Plan

- Comprehensive I&Q Plan
- Background
- Legal Authorities
- Step by step instructions
- Flow charts
- Model isolation/quarantine orders

Model Orders

MODEL QUARANTINE ORDER (Optional Ephemeral)

This order has been prepared by _____ of _____ County Health Department. This document requires further public health intervention _____ to control the spread of _____ in _____ County.

I, _____, Local Health Director of the _____ County Health Department, pursuant to authority vested in me by _____, hereby order you to _____.

You are required to remain in _____ until _____.

You have been assigned a telephone and provided for _____.

This order is required for _____.

If you fail to comply with this QUARANTINE ORDER, you will be subject to prosecution for a misdemeanor offense pursuant to _____.

If you fail to comply with this QUARANTINE ORDER, you will be subject to prosecution for a misdemeanor offense pursuant to _____.

This order is issued by the _____ of the _____ County Health Department.

Local Health Director: _____ Date: _____

Issued to: _____ Date: _____

I have received the original copy of this order. _____

B.C.

Model Orders

MODEL QUARANTINE ORDER (Suspected Exposure)

You may have been exposed to _____ Your exposure requires further public health investigation _____ is a disease associated with _____ It may be passed from person to person mostly by _____ If _____ spreads in the community, it would have severe public health consequences.

I, _____ (name), Local Health Director of the _____ County Health Department, pursuant to authority vested in me by North Carolina General Statute (G.S.) 130A-145, issue this QUARANTINE ORDER to _____ (Person's name) DOB: _____

You are required to remain at _____ until _____

You have been properly informed and counseled by _____ RN, Communicable Disease Nurse with the _____ County Health Department regarding the control measures for _____. Failure to comply with the control measures is a violation of G.S. 130A-145.

Model Orders

You are required to:

- _____ (List required control measures)
- _____
- _____
- _____
- _____

If you fail to comply with this QUARANTINE ORDER, you will be subject to prosecution for a misdemeanor offense pursuant to NC law (G.S. 130A-25) and punishable by up to two (2) years imprisonment.

If you plan to move to a new address or leave the county, you are required to notify _____ County Health Department and obtain prior approval. You may contact the Health Department by calling _____

The staff of this Health Department remains available to provide assistance and counseling to you concerning your _____ and compliance with this QUARANTINE ORDER.

You may petition the Superior Court for review of the restriction of your freedom of movement contained in this QUARANTINE ORDER pursuant to G.S. 130A-145(d).

Local Health Director _____ Date _____
 Issued by: _____ Date _____

I have received the original copy of this order: _____
 Patient Signature _____ Date _____

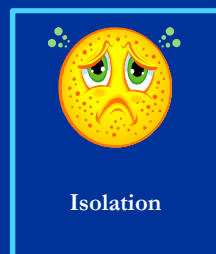
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How do I get my hands on it?

- NC PHP&R is rolling it out
- Introduction
 - LHD Legal Conference
- Practical Roll Out
 - Communicable Disease Conference
 - PHP&R Conference
 - Regional Coordinators

Summary

- Isolation – for those who are Ill
- Quarantine – for those who are Exposed



Legal Authorities

	NC GS 130A-144	NC GS 130A-145
Who?	Local Health Director	Local Health Director
What?	General Authority	Isolation and Quarantine
When?	Voluntary Detention	Involuntary Detention
For how long?	Not specified	30 day increments
Consequence for failure to comply?	NC GS 130A – 25 (Misdemeanor)	NC GS 130A – 25 (Misdemeanor)

Summary

- Comprehensive I&Q Plan is available
- Rolled out soon
- Customizable
- Comprehensive
- Understandable



Questions?