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

Brand New Disease
Highly Contagious
High Fatality Rate
Mass Quarantine

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

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?

- 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

ANDS or ORs?

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**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

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**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
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.

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
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

<table>
<thead>
<tr>
<th>Who?</th>
<th>NC GS 130A-144</th>
<th>NC GS 130A-145</th>
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<tbody>
<tr>
<td>Local Health Director</td>
<td>Local Health Director</td>
<td></td>
</tr>
<tr>
<td>General Authority</td>
<td>Isolation and Quarantine</td>
<td></td>
</tr>
<tr>
<td>Voluntary Detention</td>
<td>Involuntary Detention</td>
<td></td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>For how long?</th>
<th>Consequence for failure to comply?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not specified</td>
<td>NC GS 130A – 25 (Misdemeanor)</td>
</tr>
<tr>
<td>30 day increments</td>
<td>NC GS 130A – 25 (Misdemeanor)</td>
</tr>
</tbody>
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Summary

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

Questions?