

NC Public Health Communicable Disease Law



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Learning Objectives

- Locate NC General Statutes and the NC Administrative Code
- Identify the statutory authority for enforcing public health law
- List two examples of how public health laws may be enforced

Communicable Disease Laws

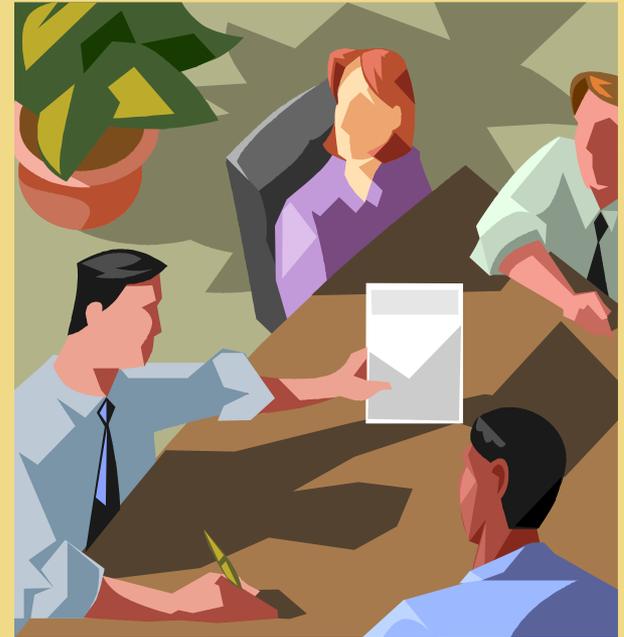
- Communicable disease statutes: Chapter 130A, Article 6, of the NC General Statutes (GS 130A-6)
- Communicable disease rules: Title 10A, Chapter 41, Subchapter 41A, of the NC Administrative Code (10A NCAC 41A)

Forms of Law

- **Statutes** – provide authority; guiding principles
- **Rules** – provide specifics (who, what, how, when, where)
- **Ordinances** - adopted by local county or municipal government

Commission for Public Health

- Professional body
- Adopts rules to protect and promote public health
- Adopts rules necessary to implement public health programs
- Adopts laws quickly in emergency situations



Communicable Disease Reporting

- Physicians (GS 130A-135)
- School principals & child care facility operators (GS 130A-136)
- Operators of restaurants & other food or drink establishments (GS 130A-138)
- Laboratories (GS 130A-139)
- Medical facilities *may* report (GS 130A-137)

Control Measures

- 10A NCAC 41A .0201(b)
- Specific control measures for HIV, hepatitis B, STDs, TB, smallpox, vaccinia
- Adopt by reference
 - Guidelines and recommendations from CDC
 - *Control of Communicable Diseases Manual*, APHA

Enforcement

- Always provide education first
- Civil enforcement: court order from judge directing compliance
- Criminal enforcement: misdemeanor charge for violation with up to 2 years in prison
- Goal is protection of public and compliance with control measure

Confidentiality of Records

- Exceptions to confidentiality
(130A-143)
- Authority to investigate
(130A-144)
- Immunity from liability for
good faith reporting
(130A-142)

Quarantine and Isolation

- 130A-145 provides authority to restrict freedom of movement
- Used only when public health is endangered
- All reasonable means have been exhausted
- No less restrictive alternatives exist
- 30 day limit (TB is exception)
- Can be appealed

Important Statutes



- Disease reporting
- Investigation and control measures
- Confidentiality of records
- Quarantine and isolation authority
- Consent of minors