
HOUSE COMMITTEE AMENDMENTS

2022 Regular Session

Amendments proposed by House Committee on Education to Original House Concurrent Resolution No. 1 by Representative Ivey

1 AMENDMENT NO. 1

2 On page 1, delete lines 6 through 17 and insert the following:

3 "WHEREAS, R.S. 40:5 provides that "the state health officer and the office of public
4 health of the Louisiana Department of health shall have exclusive jurisdiction, control, and
5 authority ... to isolate or quarantine for the care and control of communicable disease with
6 the state" and "to take such action as is necessary to accomplish the subsidence and
7 suppression of diseases of all kinds in order to prevent their spread"; and8 WHEREAS, the control of the spread of communicable diseases within the state can
9 be accomplished through the authority granted by the Sanitary Code; R.S. 40:4(A)(13)
10 provides that "the state health officer, through the office of public health, shall be expressly
11 empowered and authorized to issue emergency rules and orders when necessary and for the
12 purposes of controlling nuisances dangerous to the public health and communicable,
13 contagious, and infectious diseases, and any other danger to the public life, health, and
14 safety"; and15 WHEREAS, R.S. 17:170(F) provides that "in the event of an outbreak of a vaccine-
16 preventable disease at the location of an educational institution or facility ... the
17 administrators of that institution or facility are empowered, upon the recommendation of the
18 office of public health, to exclude from attendance unimmunized students and clients until
19 the appropriate disease incubation period has expired or the unimmunized person presents
20 evidence of immunization"; and21 WHEREAS, it is the intention of the legislature to confine the process and
22 procedures for making any determination to exclude unimmunized students from attendance
23 during an outbreak of a vaccine preventable disease to the exclusive authority of the state
24 health officer to issue emergency rules and orders when necessary to control communicable
25 diseases; and26 WHEREAS, it is not the intention of the legislature to diminish the authority or
27 impair the ability of the state health officer who has the exclusive jurisdiction, control, and
28 authority to take such action as is necessary to accomplish the subsidence and suppression
29 of diseases of all kinds in order to prevent their spread."