
DIGEST

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HB 90 Original

2020 Second Extraordinary Session

Amedee

Abstract: Limits the authority of the La. Department of Health and the state health officer relative to orders, regulations, and other actions effecting isolation or quarantine.

Present law provides for the qualifications, powers, and duties of the state health officer, an official of the La. Department of Health (LDH). Provides that the state health officer shall have exclusive jurisdiction, control, and authority to isolate or quarantine for the care and control of communicable disease within the state.

Proposed law retains present law and adds thereto the following prohibitions:

- (1) The state health officer shall not issue any general, mandatory statewide or regional isolation or quarantine order that applies to and is enforced against any individual who has been neither directly exposed to nor medically diagnosed with the disease that is the subject of the order.
- (2) The state health officer shall not take any action to control or suppress a disease or illness that has the effect of being a general, mandatory statewide or regional isolation or quarantine order that applies to and is enforced against any individual who has been neither directly exposed to nor medically diagnosed with the disease or illness that is the subject of the state health officer's action.

Proposed law prohibits LDH from promulgating any administrative rule or regulation for preventing the spread of a contagious or infectious disease that has the effect of being a general, mandatory statewide or regional isolation or quarantine order that applies to and is enforced against any individual who has been neither directly exposed to nor medically diagnosed with the disease that is the subject of the rule or regulation.

Proposed law amends references to isolation and quarantine in present law relative to public health, generally (R.S. 40:1 et seq.) and the state public health emergency plan (R.S. 29:764) to stipulate that such provisions are subject to the limitations on isolation and quarantine provided in proposed law.

(Amends R.S. 29:764(A)(2)(d) and (h), (4)(d), (6), (8), and (9) and R.S. 40:4(A)(2)(intro. para.), 5(A)(1), 6(B), 7(A), and 18(B); Adds R.S. 40:3.2)