

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2181

By: West (Kevin)

4
5
6 AS INTRODUCED

7 An Act relating to quarantine protocols; amending 63
8 O.S. 2021, Section 1-504, which relates to quarantine
9 procedures; prohibiting certain movement of person
10 having or suspected of having communicable disease;
11 broadening certain authority of district court;
12 updating statutory language; amending 63 O.S. 2021,
13 Section 1-507, which relates to school attendance of
14 diseased pupils; broadening applicability of section;
15 eliminating certain duty of school; modifying
16 criteria for determination of exclusion period;
17 authorizing local health departments and the State
18 Department of Health to provide certain guidance to
19 schools; amending 70 O.S. 2021, Section 1210.194,
20 which relates to children afflicted with contagious
21 disease or head lice; broadening applicability of
22 section; requiring compliance with certain public
23 health law; authorizing certain certification from a
24 licensed doctor; eliminating certain provisions
relating to head lice; repealing 63 O.S. 2021,
Sections 1-505 and 1-506, which relate to removal of
diseased persons; providing an effective date; and
declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 63 O.S. 2021, Section 1-504, is
amended to read as follows:

1 Section 1-504. A. Whenever a local health officer determines
2 or suspects that a person has been exposed to and may be incubating
3 a communicable disease of public health concern, the local health
4 officer may impose a quarantine upon such person and require such
5 person to remain out of public contact and in the place or premises
6 where such person usually stays. Notice thereof shall be given in
7 accordance with ~~the rules and regulations of~~ promulgated by the
8 State ~~Board~~ Commissioner of Health. It shall be unlawful for such
9 person, or any other person, to violate the terms or conditions of
10 the quarantine.

11 B. Whenever a local health officer determines or suspects that
12 a person has a communicable disease of public health concern, the
13 local health officer may impose isolation upon such person and
14 require such person to remain out of public contact and in an
15 adequate treatment facility or in the place or premises where such
16 person usually stays. Notice thereof shall be given in accordance
17 with ~~the rules and regulations of~~ promulgated by the State ~~Board~~
18 Commissioner of Health. It shall be unlawful for such person, or
19 any other person, to violate the terms or conditions of the
20 isolation.

21 C. No person having or suspected of having a communicable
22 disease shall be compelled to be moved from the place where he or
23 she is sick to any place other than his or her own residence unless
24 the individual does not reside in a permanent residence.

1 D. District courts ~~shall be authorized to~~ may grant injunctive
2 relief, including temporary injunctions and temporary restraining
3 orders, to overturn or compel compliance with a quarantine or
4 isolation order issued by a local health officer pursuant to this
5 section.

6 SECTION 2. AMENDATORY 63 O.S. 2021, Section 1-507, is
7 amended to read as follows:

8 Section 1-507. ~~No~~ Any person having a communicable disease
9 ~~shall be permitted to attend~~ or head lice may be prohibited from
10 attending a private ~~or~~, public, or parochial school, and it. It
11 shall be the duty of the parent or guardian ~~and the school~~ of such
12 person to exclude from the school such person ~~until the expiration~~
13 ~~of the period of isolation or quarantine ordered for the case, or~~
14 ~~until permission to do so shall have been given by the local county~~
15 ~~health department or the State Department of Health~~ in compliance
16 with the school's communicable disease policy. Local health
17 departments and the State Department of Health may provide guidance
18 and assistance to schools in setting or changing such policy.

19 SECTION 3. AMENDATORY 70 O.S. 2021, Section 1210.194, is
20 amended to read as follows:

21 Section 1210.194 ~~A.~~ Any child afflicted with a contagious or
22 communicable disease or head lice may be prohibited from attending a
23 public, private, or parochial school until such time as ~~he~~ the child
24 is free from the contagious or communicable disease or head lice in

1 compliance with Section 1-507 of Title 63 of the Oklahoma Statutes
2 or upon certification from a licensed medical doctor or licensed
3 doctor of osteopathic medicine.

4 ~~B. Any child prohibited from attending school due to head lice~~
5 ~~shall present to the appropriate school authorities, before the~~
6 ~~child may reenter school, certification from a health professional~~
7 ~~as defined by Section 2601 of Title 63 of the Oklahoma Statutes or~~
8 ~~an authorized representative of the State Department of Health that~~
9 ~~the child is no longer afflicted with head lice.~~

10 ~~C. School districts and county or city-county health~~
11 ~~departments may enter into agreements under the Interlocal~~
12 ~~Cooperation Act for the purpose of providing assistance to the~~
13 ~~school district by inspecting children who are returning to school~~
14 ~~after an absence due to head lice to ensure that the child is no~~
15 ~~longer afflicted with head lice.~~

16 ~~D. If a school district and county or city-county health~~
17 ~~department has entered into an agreement as authorized in subsection~~
18 ~~C of this section, upon written authorization of the parent or~~
19 ~~guardian of a child, the county or city-county health department may~~
20 ~~provide treatment to the child for head lice.~~

21 SECTION 4. REPEALER 63 O.S. 2021, Section 1-505, is
22 hereby repealed.

23 SECTION 5. REPEALER 63 O.S. 2021, Section 1-506, is
24 hereby repealed.

1 SECTION 6. This act shall become effective July 1, 2023.

2 SECTION 7. It being immediately necessary for the preservation
3 of the public peace, health or safety, an emergency is hereby
4 declared to exist, by reason whereof this act shall take effect and
5 be in full force from and after its passage and approval.

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