

## CHAPTER 313

---

**HEALTH AND ENVIRONMENT**

---

## SENATE BILL 02-185

BY SENATOR(S) Reeves, Dyer, Entz, Epps, Evans, Hanna, Hernandez, Pascoe, Perlmutter, Taylor, and Tupa;  
also REPRESENTATIVE(S) Stafford, Tochtrop, Borodkin, Coleman, Crane, Groff, Jahn, Romanoff, Tapia, and Williams S.

**AN ACT****CONCERNING MEASURES TO OPPOSE CERTAIN FORMS OF TUBERCULOSIS.**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** 25-4-501, Colorado Revised Statutes, is amended to read:

**25-4-501. Tuberculosis declared to be an infectious and communicable disease.** It is hereby declared that tuberculosis is an infectious and communicable disease, that it endangers the population of this state, and that the treatment and control of ~~said~~ SUCH disease is a state AND LOCAL responsibility. IT IS FURTHER DECLARED THAT THE EMERGENCE OF MULTIDRUG-RESISTANT TUBERCULOSIS REQUIRES THAT THIS THREAT BE ADDRESSED WITH A COHERENT AND CONSISTENT STRATEGY IN ORDER TO PROTECT THE PUBLIC HEALTH. To the end that tuberculosis may be brought better under control AND MULTI-DRUG-RESISTANT TUBERCULOSIS PREVENTED, it is further declared that it is the duty of the department of public health and environment to conduct an active program of hospitalization, AS NECESSARY AND WITHIN THE AVAILABLE RESOURCES, and treatment of persons suffering from ~~said disease~~ ACTIVE OR LATENT TUBERCULOSIS INFECTION, INCLUDING ASSURANCE THAT PATIENTS RECEIVE A FULL COURSE OF THERAPY.

**SECTION 2.** 25-4-506 (1), Colorado Revised Statutes, is amended to read:

**25-4-506. Investigation and examination of suspected tuberculosis cases - isolation - quarantine.** (1) (a) Every chief medical health officer is directed to use every available means to investigate immediately and ascertain the existence of all reported or suspected cases of tuberculosis in the infectious stages within ~~his~~ THE CHIEF MEDICAL HEALTH OFFICER'S jurisdiction, ~~and~~ to ascertain the sources of such infections, TO IDENTIFY THE CONTACTS OF SUCH CASES AND OFFER TREATMENT AS APPROPRIATE. In carrying out such investigations, such chief medical health officer

---

*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

is invested with full powers of inspection, examination, and quarantine or isolation of all persons known to be infected with tuberculosis in an infectious stage and is directed to make or cause to be made such examinations as are deemed necessary of persons who, on reasonable grounds, are suspected of having tuberculosis in an infectious stage and to isolate or isolate and quarantine such persons whenever ~~he~~ ~~deems it~~ necessary for the protection of the public health.

(b) A CHIEF MEDICAL HEALTH OFFICER MAY CONDUCT SCREENING PROGRAMS OF POPULATIONS WHO ARE AT INCREASED RISK OF DEVELOPING TUBERCULOSIS OR HAVING LATENT TUBERCULOSIS INFECTION, AS DEFINED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION, AND OFFER TREATMENT AS APPROPRIATE. SUCH SCREENING PROGRAMS SHALL NOT BE IMPLEMENTED WITHOUT THE APPROVAL OF THE STATE CHIEF MEDICAL HEALTH OFFICER.

**SECTION 3.** 25-4-507, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

**25-4-507. Quarantine or isolation order.** (3) IN A CASE OF A PATIENT WITH MULTIDRUG-RESISTANT TUBERCULOSIS, THE CHIEF MEDICAL HEALTH OFFICER MAY ISSUE A QUARANTINE OR ISOLATION ORDER TO SUCH PATIENT IF IT IS DETERMINED THAT THE PATIENT HAS CEASED TAKING PRESCRIBED MEDICATIONS AGAINST MEDICAL ADVICE. SUCH ORDER MAY BE ISSUED EVEN IF THE PATIENT IS NO LONGER CONTAGIOUS SO LONG AS THE PATIENT HAS NOT COMPLETED AN ENTIRE COURSE OF THERAPY.

**SECTION 4.** 25-4-511 (2) (a) and (2) (b), Colorado Revised Statutes, are amended to read:

**25-4-511. Duties of the state board of health and the department of public health and environment.** (2) The executive director of the department of public health and environment, with respect to the tuberculosis program provided for in section 25-4-501, shall:

(a) Direct any program of investigation and examination of suspected tuberculosis cases, INCLUDING PERSONS WHO HAVE HAD CONTACT WITH A PERSON WHO IS A SUSPECTED TUBERCULOSIS CASE, and the administration of antituberculosis chemotherapy OR THE TREATMENT OF A LATENT TUBERCULOSIS INFECTION on an outpatient basis where appropriate;

(b) Make the necessary contractual arrangements with hospitals ~~or sanitariums~~ within this state for the care and treatment of PATIENTS WITH EITHER DRUG-SUSCEPTIBLE OR DRUG-RESISTANT tuberculosis ~~patients~~ AS NECESSARY AND IF RESOURCES PERMIT;

**SECTION 5.** 25-4-512, Colorado Revised Statutes, is amended to read:

**25-4-512. Residency requirement.** (1) Eligibility of persons applying for hospitalization assistance under this part 5 shall be limited to persons ~~having~~ WHO:

(a) HAVE actually resided, as distinguished from legal residence, in the state for one or more years immediately preceding the date of application; ~~or~~

(b) Who were born in the state within one year immediately preceding the making of such application; OR

(c) WHO HAVE MULTIDRUG-RESISTANT TUBERCULOSIS, REGARDLESS OF THEIR LENGTH OF RESIDENCE IN THIS STATE.

**SECTION 6. Effective date.** This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 7, 2002