

FIRST REGULAR SESSION

# SENATE BILL NO. 261

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOWARD.

Read 1st time January 12, 1999, and 1,000 copies ordered printed.

S1070.011

TERRY L. SPIELER, Secretary.

## AN ACT

To repeal sections 199.170 and 199.180, RSMo 1994, and section 199.230, RSMo Supp. 1998, relating to the treatment of tuberculosis, and to enact in lieu thereof three new sections relating to the same subject.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 199.170 and 199.180, RSMo 1994, and section 199.230, RSMo Supp. 1998, are repealed and three new sections enacted in lieu thereof, to be known as sections 199.170, 199.180 and 199.230, to read as follows:

199.170. The following terms, as used in sections 199.170 to 199.270, mean:

(1) ["Communicable tuberculosis", tuberculosis manifested by a laboratory report of sputum or other body fluid or excretion found to contain tubercle bacilli. Such finding shall be considered evidence of communicable tuberculosis for a period of at least three months and thereafter until three successive concentrated twenty-four hour specimens collected at weekly intervals are found to contain no tubercle bacilli;] **"Active tuberculosis", tuberculosis disease that is demonstrated to be potentially contagious by clinical, bacteriological, or radiological evidence, or by other means as determined by rule of the department. Tuberculosis is considered active until cured;**

(2) **"Cure" or "treatment to cure", the completion of a recommended course of therapy as determined by the attending physician;**

[(2)] (3) "Local board", any legally constituted local city or county board of health or health center board of trustees or the director of health of the city of Kansas City or the commissioner of health of the city of St. Louis, or in the absence

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

of such board, the county commission or the county board of tuberculosis hospital commissioners of any county;

[(3)] (4) "Potential transmitter", any person who has the diagnosis of pulmonary tuberculosis but has not begun a recommended course of therapy, or who has the diagnosis of pulmonary tuberculosis and has started a recommended course of therapy but has not completed the therapy. This status applies to any individual with tuberculosis, regardless of his current bacteriologic status;

[(4)] (5) "Recommended course of therapy", a regimen of antituberculosis chemotherapy in accordance with medical standards of the American Thoracic Society and the Centers for Disease Control **and Prevention**.

199.180. A person found to have tuberculosis shall follow the instructions of the local board, shall obtain the required treatment, and shall minimize the risk of infecting others with tuberculosis. When a person with [communicable] **active** tuberculosis, or a person who is a potential transmitter, violates the rules, regulations, instructions, or orders promulgated by the department of health or the local board, and is thereby conducting himself so as to expose other persons to danger of infection, after having been directed by the local board to comply with such rules, regulations, instructions, or orders, the local board may institute proceedings by petition[,] for commitment, returnable to the circuit court of the county in which such person resides, or if the person be a nonresident or has no fixed place of abode, then in the county in which the person is found. Strictness of pleading shall not be required and a general allegation that the public health requires commitment of the person named therein shall be sufficient.

199.230. Upon commitment, the patient shall be confined in a facility designated by the curators of the University of Missouri until such time as the director of the facility determines that the patient no longer has [communicable] **active** tuberculosis or that his discharge will not endanger public health.

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