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65-128. Rules and regulations of secretary to prevent spread and dissemination of diseases; testing and quarantine; protection of providers and recipients of services. (a) For the protection of the public health and for the control of infectious or contagious diseases, the secretary of health and environment by rules and regulations shall designate such diseases as are infectious or contagious in their nature.

(b) The secretary of health and environment is authorized to issue such orders and adopt rules and regulations as may be medically necessary and reasonable to prevent the spread and dissemination of diseases injurious to the public health, including, but not limited to, providing for the testing for such diseases and the isolation and quarantine of persons afflicted with or exposed to such diseases.

(c) No later than January 1, 2014, the secretary shall develop and adopt rules and regulations providing for the protection of individuals who provide medical or nursing services, clinical or forensic laboratory services, emergency medical services and firefighting, law enforcement and correctional services, or who provide any other service, or individuals who receive any such services or are in any other employment where the individual may encounter occupational exposure to blood and other potentially infectious materials.

History: L. 1917, ch. 205, § 1; R.S. 1923, 65-128; L. 1953, ch. 283, § 6; L. 1965, ch. 506, § 25; L. 1974, ch. 352, § 11; L. 1976, ch. 262, § 7; L. 1988, ch. 232, § 9; L. 2013, ch. 112, § 2; July 1.

Law Review and Bar Journal References:

"AIDS in Kansas," Cindy Wood, M.D., M.P.H., 89, No. 4, Kan.Med. 110 (1988).

Attorney General's Opinions:

Acquired immune deficiency syndrome (AIDS) and hepatitis B; confidentiality of information; disclosure. 95-5.

CASE ANNOTATIONS

1. Statute relating to control of infectious and communicable diseases constitutional. In re McGee, Petitioner, 105 Kan. 574, 575, 185 P. 14.

2. Board may make city health officers part of its machinery. In re Irby, 113 Kan. 565, 566, 215 P. 449, 450.

3. Relief from isolation order is by appeal to health board not habeas corpus. Noland v. Gardner, 156 Kan. 697, 698, 136 P.2d 233.

4. Person suspected of venereal disease; power and duty of health officer. Welch v. Shepherd, 165 Kan. 394, 401, 196 P.2d 235.

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