

JAN 20 2017

A BILL FOR AN ACT

RELATING TO TUBERCULOSIS TESTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that many people are
2 required to be tested for tuberculosis: children entering
3 school, school personnel, personnel working with higher-risk
4 populations, students enrolling in higher education, and others.
5 The legislature further finds that the addition of the Food and
6 Drug Administration-approved, Centers for Communicable Disease
7 and Prevention-recommended tests for tuberculosis infection as
8 an approved tuberculosis diagnostic is necessary because they
9 are more appropriate tests for those who have received the
10 bacille Calmette-Guerin tuberculosis vaccine, individuals
11 opposed to the tuberculin injection, and people for whom
12 returning for a second appointment to check for a skin reaction
13 is a hardship. There is no intent to change current
14 requirements or procedures regarding the use of the Mantoux
15 tuberculin skin test or chest x-rays in obtaining a certificate
16 of tuberculosis examination; rather, the intent of this Act is
17 only to provide for an additional accepted diagnostic.



1 Thus, the purpose of this Act is to require the department
2 of health to accept Food and Drug Administration-approved,
3 Centers for Communicable Disease and Prevention-recommended
4 tests for tuberculosis infection in addition to the Mantoux
5 tuberculin skin test for the purpose of granting a certificate
6 of tuberculosis examination.

7 SECTION 2. The department of health shall accept the
8 results of any tuberculosis blood test that is a Food and Drug
9 Administration-approved, Centers for Communicable Disease and
10 Prevention-recommended test for tuberculosis infection for the
11 purpose of granting a certificate of tuberculosis examination.

12 SECTION 3. Section 302A-1154, Hawaii Revised Statutes, is
13 amended by amending subsection (b) to read as follows:

14 "(b) No child shall attend any school for the first time
15 in the State unless the child presents to the appropriate school
16 official documentation satisfactory to the department of health
17 that the child has been examined and tested according to the
18 rules of the department [7] and law and is free from tuberculosis
19 in a communicable form."

20 SECTION 4. The department of health shall amend its
21 administrative rules to reflect the addition of a Food and Drug



1 Administration-approved, Centers for Communicable Disease and
2 Prevention-recommended test for tuberculosis infection as an
3 alternative to the Mantoux tuberculin skin test as an acceptable
4 diagnostic for the purpose of granting a tuberculosis
5 examination certificate.

6 SECTION 5. Any existing administrative rules and
7 procedures regarding the use of the Mantoux tuberculin skin test
8 or chest x-rays in granting a certificate of tuberculosis
9 examination shall remain in effect until amended to include the
10 addition of Food and Drug Administration-approved, Centers for
11 Communicable Disease and Prevention-recommended tests for
12 tuberculosis infection as an acceptable tuberculosis diagnostic
13 pursuant to section 4.

14 SECTION 6. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 7. This Act shall take effect upon its approval.
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INTRODUCED BY:

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Report Title:

Tuberculosis Testing (TB); Department of Education; Department of Health; Certificate of TB Examination

Description:

Requires the department of health to accept FDA-approved, CDC-recommended tuberculosis (TB) blood tests in addition to the TB skin test for the purpose of granting a certificate of TB examination. Amends the law requiring tuberculosis clearance prior to public school entry to be in accordance with law in addition to department of health rules. Clarifies that the department of health's administrative rules regarding the use of the Mantoux tuberculin skin test or chest x-rays in obtaining a certificate of tuberculosis examination shall remain in effect until amended to include the addition of TB blood tests as an acceptable TB diagnostic.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

