

ACT 94

S.B. NO. 194

A Bill for an Act Relating to Tuberculosis Testing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to require the department of health to accept Food and Drug Administration-approved, Centers for Disease Control and Prevention-recommended tests for tuberculosis infection in addition to the Mantoux tuberculin skin test for the purpose of obtaining a certificate of tuberculosis examination. Many individuals are required to be tested for tuberculosis: children entering school, school personnel, personnel working with higher-risk populations, students enrolling in higher education programs, and others. The addition of the Food and Drug Administration-approved, Centers for Disease Control and Prevention-recommended tests for tuberculosis infection as an approved tuberculosis diagnostic is necessary because these tests are appropriate for those who have received the bacille Calmette-Guerin tuberculosis vaccine, individuals opposed to the tuberculin injection, and individuals for whom returning for a second appointment to check for a skin reaction is a hardship. There is no intent to change current requirements or procedures re-

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garding the use of the Mantoux tuberculin skin test or chest x-rays in obtaining a certificate of tuberculosis examination. Rather, the only intent of this Act is to provide for an additional accepted diagnostic.

SECTION 2. The department of health shall accept the results of any tuberculosis blood test that is a Food and Drug Administration-approved, Centers for Disease Control and Prevention-recommended test for tuberculosis infection for the purpose of obtaining a certificate of tuberculosis examination.

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

“(b) No child shall attend any school for the first time in the State unless the child presents to the appropriate school official documentation satisfactory to the department of health that the child has been examined and tested according to the rules of the department^[5] and law and is free from tuberculosis in a communicable form.”

SECTION 4. The department of health shall amend its administrative rules to reflect the addition of a Food and Drug Administration-approved, Centers for Disease Control and Prevention-recommended test for tuberculosis infection as an alternative to the Mantoux tuberculin skin test as an acceptable diagnostic for the purpose of obtaining a tuberculosis examination certificate.

SECTION 5. Any existing administrative rules and procedures 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 Food and Drug Administration-approved, Centers for Disease Control and Prevention-recommended tests for tuberculosis infection as an acceptable tuberculosis diagnostic pursuant to section 4.

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

SECTION 7. This Act shall take effect upon its approval.

(Approved July 5, 2017.)