

**TB LAWS IMPLEMENTED**  
**FOR SUSPECTED OR CONFIRMED CASES OF TUBERCULOSIS**

The amended sections of the California Health and Safety Code (H&SC) [effective January 1, 1994] and the California Code of Regulations (CCR) [effective February 2, 1996] are designed to improve the timeliness and completeness of case reporting and assure continuity of care.

The following are the key changes and implementation guidelines.

**REPORTING AND CASE MANAGEMENT UPDATES**

H&SC Section 121362 (formerly 3282) or CCR Title 17, Section 2500: *Requires that each health care provider, each person in charge of a health care facility, and each person in charge of a clinic providing outpatient care for TB shall make a case report to the Local Health Officer within one working day (specifically required under CCR Title 17, Section 2500) if a person is suspected of, or has active tuberculosis. In addition,*

- 1) *treatment updates must be filed with the TB Program as required by the Health Officer until the patient has completed the recommended TB treatment,*
- 2) *prompt notification on the TB Program shall be made after determining that the patient has missed follow-up appointments, changed physicians, discontinued care, or moved to another county before their TB treatment is completed.*

**DISCHARGE OR TRANSFER**

H&SC Section 121361 (formerly 3281): *A health facility, (licensed as defined in Sections 1250, 1250.2, 1250.3), local detention facilities or State correctional institution shall not discharge, transfer or release a patient until notification and a written plan has been submitted and, in some situations, approved (see exceptions in H&SC 121361) by the Local Health Officer (of the sending jurisdiction) for the following:*

- 1) *any person known to have active tuberculosis disease,*
- 2) *any person who is suspected to have active tuberculosis disease.*

**IMPLEMENTATION**

**Individuals should be reported as soon as there is a high index of suspicion of active disease; do not wait for positive smears or cultures. Prompt reporting enables the local TB Control Program to offer the appropriate level of case management and to institute contact investigations and follow-up.**

- ▼ REPORT TO LOCAL HEALTH DEPARTMENT SUSPECTED OR CONFIRMED ACTIVE TB CASES WITHIN 1 WORKING DAY. (CCR Title 17, Section 2500)
- ▼ COMPLETE AND SUBMIT THE FORM FOR TRANSFER/DISCHARGE PRIOR TO THE PATIENT'S MOVEMENT.

**EXCEPTIONS**  
**SECTION 121361 (formerly 3281)**  
**DISCHARGE/RELEASE/TRANSFER NOTIFICATIONS**

Unless specified below, all discharges, releases, and transfers of persons with known or suspected active tuberculosis disease require *prior* notification, written treatment plan, and approval of the Local Health Officer (of the sending jurisdiction).

**OVERRIDING EXCEPTION:**

When prior notification would jeopardize the person's health, the public safety, or the safety and security of the penal institution, then the notification and treatment plan shall be submitted *within 24 hours of discharge, release, or transfer*.

**HEALTH FACILITIES**

- ▼ Before *transfer* to a *general acute care hospital* when there is an immediate need for a higher level of care: Approval not required. Notification and written treatment plan must be received by the Local Health Officer (sending jurisdiction).
- ▼ Before *transfer* to a *correctional institution* (state or local detention facility): Approval not required. Notification and written treatment plan must be received by the Local Health Officer (sending jurisdiction).

**STATE CORRECTIONAL FACILITY**

- ▼ Before *transfer* to a *local detention facility*: Notification and written treatment plan must be received by the Chief Medical Officer (CMO) of the local detention facility, and by the Local Health Officer (sending jurisdiction). Approval not required.
- ▼ Before *transfer* to another *state correctional facility*: No requirements under 121361. However, notification of the CMO of the receiving facility is essential.
- ▼ Before *transfer* to a *health facility*: Approval not required. Notification and written treatment plan must be received by the Local Health Officer (sending jurisdiction).

**LOCAL DETENTION FACILITIES**

- ▼ Before *discharge or release*: Approval not required. Notification and written treatment plan must be received by the Local Health Officer (sending jurisdiction).
- ▼ Before *transfer within a local detention facility system*: No requirements.
- ▼ Before *transfer* to a *detention facility in another local detention facility system*: Notification and a written treatment plan must be received by the CMO of the *receiving* detention facility, and by the Local Health Officer (sending jurisdiction). Approval not required.
- ▼ Before *transfer* to a *state correctional facility*: Notification and a written treatment plan must be received by the CMO of the receiving facility, and by the Local Health Officer (sending jurisdiction). Approval not required.
- ▼ Before *transfer* to a *health facility*: Approval not required. Notification and written treatment plan must be received by the Local Health Officer (sending jurisdiction).