

JAN 23 2015

A BILL FOR AN ACT

RELATING TO TUBERCULOSIS TESTING.

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

1 SECTION 1. The purpose of this Act is to require the
2 department of health to accept interferon-gamma release assay
3 tuberculosis blood tests in addition to the Mantoux tuberculin
4 skin test for the purpose of obtaining a certificate of
5 tuberculosis examination. Many people are required to be tested
6 for tuberculosis; children entering school, school personnel,
7 personnel working with higher-risk populations, students
8 enrolling in higher education, and others. The addition of the
9 interferon-gamma release assay tuberculosis blood test as an
10 approved tuberculosis diagnostic is necessary because it is a
11 more appropriate test for those who have received the bacille
12 Calmette-Guerin tuberculosis vaccine, individuals opposed to the
13 tuberculin injection, and people for whom returning for a second
14 appointment to check for a skin reaction is a hardship. There
15 is no intent to change current requirements or procedures
16 regarding the use of the Mantoux tuberculin skin test or chest
17 x-rays in obtaining a certificate of tuberculosis examination,



1 rather the intent of this Act is only to provide for an
2 additional accepted diagnostic.

3 SECTION 2. The department of health shall accept the
4 results of any tuberculosis blood test, also known as an
5 interferon-gamma release assay, approved by the United States
6 Food and Drug Administration, for the purpose of obtaining a
7 certificate of tuberculosis examination.

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

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

16 SECTION 4. The department of health shall amend its
17 current administrative rules to reflect the addition of the
18 tuberculosis blood test, also known as an interferon-gamma
19 release assay, to the Mantoux tuberculin skin test as acceptable
20 diagnostics for the purpose of obtaining a tuberculosis
21 examination certificate.



1 SECTION 5. Any existing administrative rules and
 2 procedures regarding the use of the Mantoux tuberculin skin test
 3 or chest x-rays in obtaining a certificate of tuberculosis
 4 examination shall remain in effect until amended to include the
 5 addition of interferon-gamma release assay as an acceptable
 6 tuberculosis diagnostic pursuant to section 4.

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

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

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S.B. NO. 818

Report Title:

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

Description:

Requires the department of health to accept tuberculosis (TB) blood tests in addition to the TB skin test for the purpose of obtaining a certificate of TB examination. Amends the law requiring tuberculosis clearance prior to public school entry to be in accordance with law rather than with 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.

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