

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 purpose of this Act is to require the
2 department of health to accept Food and Drug Administration-
3 approved, Centers for Communicable Disease and Prevention-
4 recommended tests for tuberculosis infection in addition to the
5 Mantoux tuberculin skin test for the purpose of obtaining a
6 certificate of tuberculosis examination. Many people are
7 required to be tested for tuberculosis: children entering
8 school, school personnel, personnel working with higher-risk
9 populations, students enrolling in higher education programs,
10 and others. The addition of the Food and Drug Administration-
11 approved, Centers for Communicable Disease and Prevention-
12 recommended tests for tuberculosis infection as an approved
13 tuberculosis diagnostic is necessary because they are more
14 appropriate tests for those who have received the bacille
15 Calmette-Guerin tuberculosis vaccine, individuals opposed to the
16 tuberculin injection, and people for whom returning for a second
17 appointment to check for a skin reaction is a hardship. There



1 is no intent to change current requirements or procedures
2 regarding the use of the Mantoux tuberculin skin test or chest
3 x-rays in obtaining a certificate of tuberculosis examination;
4 rather, the intent of this Act is only to provide for an
5 additional accepted diagnostic.

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

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

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

19 SECTION 4. The department of health shall amend its
20 administrative rules to reflect the addition of a Food and Drug
21 Administration-approved, Centers for Communicable Disease and



1 Prevention-recommended test for tuberculosis infection as an
 2 alternative to the Mantoux tuberculin skin test as an acceptable
 3 diagnostic for the purpose of obtaining a tuberculosis
 4 examination certificate.

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

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

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

[Handwritten signatures: John Goh, Will, Paul N. ...]

[Handwritten signatures: Michelle D. Tedani, Rosaly de Becker, Suzanne L. Prosser, Will Grew, Sal Rivera, B, ...]



S.B. NO. 194

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 obtaining 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.

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