

State	Objective	PH Intervention	Legal Authorities
NH		<b>Definitions</b>	“Treatment” means the provision of medical services to prevent, control, or eliminate the infection of a person by a communicable disease. (RSA 141-C:2 (XIV)). “Quarantine” means the restriction of activities of well persons who have been exposed to a case of communicable disease, during its period of communicability, to prevent disease transmission during the incubation period if infection should occur. (RSA 141-C:2 (XIII)). “Isolation” means the separation, for the period of communicability, of infected persons from others in such places and under such conditions as to prevent or limit the direct or indirect transmission of the infectious agent from those infected to those who are susceptible or who may spread the agent to others. (RSA 141-C:2 (XII)).
	<b>Prevention of TB Cases</b>	<b>TB Control Programs</b>	
	<b>Identification of TB Cases</b>	<b>Screening</b>	
		<b>Examination &amp; Testing</b>	Any person having or suspected of having a communicable disease, any person who is a communicable disease carrier or contact or any person who is suspected of being a communicable disease carrier or contact shall, when requested by the commissioner ...submit to a physical examination for the purpose of determining the existence of a communicable disease. Such person shall submit specimens of body secretions, excretions, body fluids, and discharges for laboratory examinations when so requested by the commissioner...(RSA 141-C:9(II)).
	<b>Reporting</b>	Upon becoming aware of any communicable disease listed under (RSA 141-C:8), any health care provider, clinical laboratory director, or the superintendent in charge of any hospital, or other health care facility, or any other person having under his or her care or observation a person afflicted with a communicable disease or who has reason to believe that a person was or might have been afflicted with a communicable disease at the time of death, shall report to the commissioner the communicable disease. (RSA 141-C:7(I)).	

NH	<b>Management of TB Cases</b>	<b>Investigation</b>	The commissioner may investigate incidents of communicable diseases. Such investigations shall include, but are not limited to, requiring additional information and periodic reports from the reporting official, their patients, and other persons affected by or having information pertaining to the communicable disease, surveys of such individuals, inspections of buildings and conveyances and their contents, and laboratory analysis of samples collected during the course of such inspections. The commissioner shall adopt such rules as necessary to carry out investigations with due regard for the rights of person and property. (RSA 141-C:9(I)).	
		<b>Treatment</b>	<b>Treatment</b>	
			<b>DOT</b>	
		<b>Specific Measures</b>	<b>Emergency Detention</b>	
<b>Quarantine</b>	Whenever it is necessary to prevent the introduction or spread of communicable diseases within the state, the commissioner shall establish isolation or quarantine for persons who are cases or carriers, or suspected cases or carriers of communicable diseases in accordance with (RSA 141-C:12). Such isolation or quarantine shall be by the least restrictive means necessary to protect the citizenry which in the case of an individual shall be at a place of his or her choosing unless the commissioner determines such place to be impractical or unlikely to adequately protect the public health. The commissioner shall adopt such rules regarding the establishment, maintenance and lifting of isolation and quarantine as the commissioner may deem best for protecting public health. (RSA 141-C:11 (I)). The commissioner may, in ordering isolation or quarantine of persons, require that treatment be obtained in accordance with rules adopted under (RSA 141-C:15). (RSA 141-C:11(III).) If any person enters a place of quarantine or isolation who is not an employee or agent of the facility providing treatment, he shall be considered infected and ordered to undergo isolation or quarantine under ( RSA 141-C:11.) He shall remain there at his own			

such rules regarding the establishment, maintenance and lifting of isolation and quarantine as the commissioner may deem best for protecting public health. (RSA 141-C:11 (I)). The commissioner may, in ordering isolation or quarantine of persons, require that treatment be obtained in accordance with rules adopted under (RSA 141-C:15). (RSA 141-C:11(III).) If any person enters a place of quarantine or isolation who is not an employee or agent of the facility providing treatment, he shall be considered infected and ordered to undergo isolation or quarantine under ( RSA 141-C:11.) He shall remain there at his own

			isolation or quarantine. (RSA 141-C:14). Any person infected with a communicable disease or reasonably suspected of being infected with a communicable disease, and whose continued presence among the citizenry poses a significant threat to health and life, shall be ordered by the commissioner under (RSA 141-C:11) to report to a health care provider or health care facility to undergo treatment and care as the commissioner may deem necessary to eliminate the threat. The commissioner shall adopt rules, pursuant to (RSA 541-A) necessary to issue and carry out such orders for treatment and to restrict and control communicable disease treatment. (RSA 141-C:15(I)). If the person subject to the order cannot be removed to a HCP w/o danger to his life or the citizenry, the commissioner shall impose isolation or quarantine under (RSA 141-C:11) and shall arrange for treatment and care as necessary to mitigate the threat. (RSA 141-C:15(II)).
		<b>Isolation</b>	
		<b>Activities Restricted</b>	
		<b>Enforcement</b>	When an individual subject to an order for isolation or quarantine refuses to cooperate with such order, the commissioner may issue a complaint, which shall be sworn before a justice of the peace. Upon being presented with the order, any law enforcement officer shall take such individual into custody and transport the individual to the place or facility where the individual is to be isolated or quarantined. (RSA 141-C:12(III)). If any person ordered to undergo isolation or quarantine leaves such a place of quarantine, without the permission of the commissioner, the commissioner shall petition the superior court for review of the order. (RSA 141-C:13(II)).

<b>NH</b>	<b>Safeguarding Rights</b>	<b>Due Process</b>	The commissioner, in imposing <b>isolation and quarantine</b> under (RSA 141-C:11), or in requiring <b>treatment</b> under (RSA 141-C:15) shall do so by written order, which includes the cause, location and effect of treatment, and duration of the isolation or quarantine. (RSA 141-C:12(I)). Any person subject to an <b>order for submission of specimen, examination, treatment, isolation, or quarantine</b> may request a hearing in the superior court to contest such order. The commissioner shall provide, notice of the right to contest the order and the form for making the request which shall include no more than the person's name, address, and signature and the date and time of the signature. (RSA 141-C:14-a(I)). The superior court shall schedule a hearing and render a decision upon the request within 48 hours of the time the request was made. (RSA 141-C:14-a(III)). No examination, specimen, treatment or other action shall be required against the will of a person who has filed a request for hearing. A person may be held in isolation or quarantine pending the outcome of the court hearing, but may no longer be held if the court fails to render its decision within the time period required under paragraph III. (RSA 141-C:14-a(IV)). At the hearing, the burden of proof shall be on the commissioner to prove by <i>clear and convincing</i> evidence that the person poses a threat to public health, or that the information to be produced is necessary to protect against a serious threat to the public health, and the order issued by the commissioner is thereby warranted to alleviate such threat. (RSA 141-C:14-a (V)). Nothing in this chapter shall be construed to require the medical examination, medical treatment, or immunization of a person who objects and no criminal penalties shall be imposed as a result. Notwithstanding this paragraph, such a person may be subject to isolation or quarantine for the minimum period necessary to protect the public health, as determined by the court in its decision following the hearing pursuant to this section. (RSA 141-C:14-a(VII)).
		<b>Burden of Proof</b>	At a hearing for the order of submission of specimen, examination, treatment, isolation or quarantine, the burden of proof is on the commissioner to provide by clear and convincing evidence that the person poses a threat to public health. (RSA 141-C:14-a).
		<b>Payment</b>	
		<b>Confidentiality and Privacy</b>	Any protected health information provided to or acquired by the department under this chapter shall be released only with the informed written consent of the individual or to those authorized persons having a legitimate need to acquire or use the information and then only so much of the information as is necessary for such persons to provide care and treatment to the individual who is the subject of the protected health information, investigate the causes of the disease transmission in the particular case, or control the spread of the disease among the public. Any release of information under this section without the informed, written consent of the individual shall be conditioned upon the protected health information remaining confidential. (RSA 141-C:10(I)). Analyses and compilations of data which do not disclose protected health information shall be available to the public under (RSA 91-A). (RSA 141-C:10(II)). The physician-patient privilege shall not apply to information

		required to be reported or provided to the commissioner under this chapter. (RSA 141-C:10(III)).
	<b>Anti-Discrimination</b>	
	<b>Religious Exemptions</b>	Nothing in this chapter shall be construed to authorize the commissioner to restrict in any manner a person's right to select the mode of treatment of his choice, or to refuse treatment, when treatment is ordered by the commissioner under (RSA 141-C:15(l)) or to request any physical examination or treatment of a person who in good faith relies upon spiritual means or prayer for healing. Such reliance or treatment or refusal of treatment shall not be considered a danger or menace to others under any provision of this chapter; provided however, that there is compliance with the isolation and quarantine laws under this chapter. This section shall not be construed to prevent a parent or guardian from exercising his legal responsibilities. (RSA 141-C:16).
<b>Special Populations</b>	<b>Considerations for Certain Populations</b>	
<b>Additional TB Provisions</b>		