



pennsylvania
DEPARTMENT OF HEALTH

**Testimony of
Deputy Secretary Martin Raniowski
Department of Health
before the
Veterans Affairs & Emergency Preparedness Committee
Tuesday, August 14, 2012**

Chairmen Barrar and Sainato, members of the Veterans Affairs & Emergency Preparedness Committee, thank you for the opportunity to provide written testimony regarding House Bill 2562, the proposed rewrite of Title 35, specifically as it impacts the Department of Health.

The Department of Health plays a critical role in safeguarding the health of the public in a disaster emergency through a variety of disease prevention and control measures and coordination activities. These activities include disease monitoring and investigation, laboratory testing, medical countermeasure distribution and dispensing, emergency medical services and medical surge coordination and public information dissemination. The Department works closely with the Pennsylvania Emergency Management Agency (PEMA) during emergency responses, and over the years has established a strong and productive working relationship with our sister agency.

The Department of Health collaborated with PEMA to develop a new chapter to Title 35, Chapter 79. The Department of Health fully supports the addition of Chapter 79 into the rewrite of Title 35 because it clarifies the Secretary of Health's authority, describes isolation and quarantine protocols during disaster emergencies, and expands who can administer or dispense pharmaceuticals during disaster emergencies.

Additionally, Chapter 79 describes the Department of Health's coordination role during public health and medical emergencies. It also articulates a temporary isolation or quarantine policy to prevent or limit the transmission of a contagious disease or hazardous agent during an emergency. Quarantine is the term used for persons who have been exposed and may be incubating disease but are not presently ill. Isolation is the term used for persons who are ill and need to be separated from others. Both isolation and quarantine are crucial public health measures to prevent the spread of disease. This language clarifies the process for establishing isolation and quarantine of individuals or groups of individuals and the roles and responsibilities of several partners for managing these persons. Chapter 79 also describes the role of the Governor or Secretary of Health in protecting the health and safety of the public by providing the authority to authorize any person to administer vaccine or dispense or administer drugs in the event of a declared disaster emergency or when the Secretary of Health determines it is necessary to protect the public. Some emergencies, for example, an anthrax attack where large numbers of people must receive prophylaxis within 48 hours of exposure, require a quick response. This provision allows drug dispensing and administration actions to occur quickly, without requiring a specific waiver of every applicable law that might preclude such occurrences.

The Department of Health recommends the definition of public health emergency currently used in Chapter 79 be revised. The Department of Health is in the process of updating its own regulation (Chapter 27) entitled Communicable and Noncommunicable Diseases under the Disease Prevention and Control Law of 1955. The draft revisions were recently reviewed and endorsed by the Advisory Health Board. Chapter 27 includes the following definition of a public health emergency: "An event which affects or has the potential to seriously affect the health, safety or welfare of a significant number of citizens of this Commonwealth, and whose scale, timing, or unpredictability threatens to overwhelm routine medical or public health capabilities. This includes any event that has been declared to be a public health emergency by the Secretary of the federal Department of Health and Human Services."

For consistency and clarity purposes, the Department of Health recommends that the above definition replace the definition of "Public Health Emergency" currently proposed in Title 35, Chapter 79, which reads: "Public health emergency. An occurrence or imminent threat of a disease or condition of public health importance with the following characteristics: (1) Is believed to be caused by any of the following: (i) A bioterrorist event, a chemical attack or a nuclear attack. (ii) The appearance of a novel or previously controlled or eradicated infectious agent or biological toxin. (iii) A natural disaster, an accidental chemical release or a nuclear incident. (2) Poses a high probability of any of the following harms in the affected population: (i) A large number of deaths. (ii) A large number of serious or long-term disabilities. (iii) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people."

Thank you for inviting the Department of Health to submit testimony. We support the revisions to Chapter 35 and will continue to work with PEMA to mitigate the consequences of emergencies that occur within the commonwealth. The Department would be happy to provide any additional information or respond to any questions the Committee may have during its deliberations.