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# **2022 Colorado Code**

## **Title 25 - Public Health and Environment**

### **Article 1.5 - Powers and Duties of the Department of Public Health and Environment**

#### **Part 1 - General Powers and Duties**

#### **§ 25-1.5-102. Epidemic and Communicable Diseases - Powers and Duties of Department - Rules - Definitions**

**Universal Citation:** CO Code § 25-1.5-102 (2022)

1. The department has, in addition to all other powers and duties imposed upon it by law, the powers and duties provided in this section as follows:
  - a.
    - I. To investigate and control the causes of epidemic and communicable diseases affecting the public health.
    - II. For the purposes of this paragraph (a), the board shall determine, by rule and regulation, those epidemic and communicable diseases and conditions that are dangerous to the public health. The board is authorized to require reports relating to such designated diseases in

accordance with the provisions of section 25-1-122 and to have access to medical records relating to such designated diseases in accordance with the provisions of section 25-1-122.

- III. For the purposes of this paragraph (a), "epidemic diseases" means cases of an illness or condition, communicable or noncommunicable, in excess of normal expectancy, compared to the usual frequency of the illness or condition in the same area, among the specified population, at the same season of the year. A single case of a disease long absent from a population may require immediate investigation.
  - IV. For the purposes of this paragraph (a), "communicable diseases" means an illness due to a specific infectious agent or its toxic products that arises through transmission of that agent or its products from an infected person, animal, or reservoir to a susceptible host, either directly or indirectly through an intermediate plant or animal host, vector, or the inanimate environment.
- b.
- I. To investigate and monitor the spread of disease that is considered part of an emergency epidemic as defined in section 24-33.5-703 (4) to determine the extent of environmental contamination resulting from the emergency epidemic, and to rapidly provide epidemiological and environmental information to the governor's expert emergency epidemic response committee, created in section 24-33.5-704.5.
  - II. Except as otherwise directed by executive order of the governor, the department shall exercise its powers and duties to control epidemic and communicable diseases and protect the public health as set out in this section.
  - III. The department may accept and expend federal funds, gifts, grants, and donations for the purposes of an emergency epidemic or preparation for an emergency epidemic.
  - IV. When a public safety worker, emergency medical service provider, peace officer, or staff member of a detention facility has been exposed to blood or other bodily fluid which there is a reason to believe may be infectious with hepatitis C, the state department and county, district, and municipal

public health agencies within their respective jurisdictions shall assist in evaluation and treatment of any involved persons by:

- A. Accessing information on the incident and any persons involved to determine whether a potential exposure to hepatitis C occurred;
  - B. Examining and testing such involved persons to determine hepatitis C infection when the fact of an exposure has been established by the state department or county, district, or municipal public health agency;
  - C. Communicating relevant information and laboratory test results on the involved persons to such persons' attending physicians or directly to the involved persons if the confidentiality of such information and test results is acknowledged by the recipients and adequately protected, as determined by the state department or county, district, or municipal public health agency; and
  - D. Providing counseling to the involved persons on the potential health risks resulting from exposure and the available methods of treatment.
- V. The employer of an exposed person shall ensure that relevant information and laboratory test results on the involved person are kept confidential. Such information and laboratory results are considered medical information and protected from unauthorized disclosure.
- VI. For purposes of this paragraph (b), "public safety worker" includes, but is not limited to, law enforcement officers, peace officers, and firefighters.
- c. To establish, maintain, and enforce isolation and quarantine, and, in pursuance thereof and for this purpose only, to exercise such physical control over property and the persons of the people within this state as the department may find necessary for the protection of the public health;
  - d. To abate nuisances when necessary for the purpose of eliminating sources of epidemic and communicable diseases affecting the public health.
2. Notwithstanding any other provision of law to the contrary, the department shall administer the provisions of this section regardless of an individual's race, religion, gender, ethnicity, national origin, or immigration status.

Source: L. 2003: Entire article added with relocations, p. 680, § 2, effective July 1; IP(1)(b)(IV) amended, p. 1617, § 23, effective August 6. L. 2006, 1st Ex. Sess.: (2) added, p. 25, § 2, effective July 31. L. 2010: IP(1)(b)(IV), (1)(b)(IV)(B), and (1)(b)(IV)(C) amended, (HB 10-1422), ch. 419, p. 2091, § 86, effective August 11. L. 2013: (1)(b)(I) amended, (HB 13-1300), ch. 316, p. 1687, § 72, effective August 7. L. 2018: (1)(b)(I) amended, (HB 18-1394), ch. 234, p. 1473, § 20, effective August 8.

**Editor's note:**

1. This section is similar to former § 25-1-107 (1)(a), (1)(a.5), (1)(b), and (1)(d) as they existed prior to 2003.
2. Amendments to subsection (1)(b)(IV) by House Bill 03-1266 and Senate Bill 03-002 were harmonized.

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