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Council of the
DISTRICT OF COLUMBIA

Code of the District of Columbia

§ 7–131. Regulations to prevent spread of communicable diseases.

(a) The Mayor may, upon the advice of the Director of the Department of Health and pursuant to subchapter I of Chapter 5 of Title 2, issue rules to prevent and control the spread of communicable diseases, environmentally or occupationally related diseases, and other diseases or medical conditions that the Director of the Department of Health has advised should be monitored for epidemiological or other public health reasons. These rules may include, but shall not necessarily be limited to:

(1) A list of reportable diseases and conditions;

(2) Reporting procedures; and

(3) Requirements and procedures for restriction of movement, isolation, and quarantine not inconsistent with this subchapter.

(b)(1) Except as provided in paragraph (2) of this subsection, the Director of the Department of Health shall use the records incident to the case of a disease or medical condition reported under this subchapter for statistical and public health purposes only, and identifying information contained in these records shall be disclosed only when essential to safeguard the physical health of others. No person shall otherwise disclose or redisclose identifying information derived from these records unless:

(A) The person reported gives his or her prior written permission; or

(B) A court finds, upon clear and convincing evidence and after granting the person reported an opportunity to contest the disclosure, that disclosure:

(i) Is essential to safeguard the physical health of others; or

(ii) Would afford evidence probative of guilt or innocence in a criminal prosecution.

(2) The constraints on disclosure and redisclosure of identifying information set forth in paragraph (1) of this subsection shall not apply to the disclosure and use of information disclosed and used pursuant to:

(A) Subchapter I of Chapter 13 of Title 4 [§ 4-1301.01 et seq.]; or

(B) Chapter 23 of Title 16.

(Aug. 11, 1939, 53 Stat. 1408, ch. 601, § 1; Aug. 8, 1946, 60 Stat. 919, ch. 871, § 1; Feb. 21, 1986, D.C. Law 6-83, § 3(a), 32 DCR 7276; Dec. 4, 2010, D.C. Law 18-273, § 203, 57 DCR 7171.)

Prior Codifications

1981 Ed., § 6-117.

1973 Ed., § 6-118.

Section References

This section is referenced in § 7-132 and § 7-140.

Effect of Amendments

D.C. Law 18-273, in subsec. (a), substituted "Director of the Department of Health" for "Commissioner of Public Health" in two places; in subsec. (b)(1), substituted "Director of the Department of Health" for "Commissioner of Public Health"; and rewrote subsec. (b)(2), which had read as follows: "(2) The prohibitions set forth in paragraph (1) of this subsection shall not apply to the exchange and use of information effected under Chapter 29 of Title 3, subchapter I of Chapter 13 of Title 4, and Chapter 23 of Title 16."

Emergency Legislation

For temporary (90 day) amendment of section, see § 203 of Data-Sharing and Information Coordination Emergency Amendment Act of 2010 (D.C. Act 18-530, August 6, 2010, 57 DCR 8099).

For temporary (90 day) amendment of section, see § 203 of Data-Sharing and Information Coordination Congressional Review Emergency Amendment Act of 2010 (D.C. Act 18-582, October 20, 2010, 57 DCR 10118).

Delegation of Authority

Delegation of authority pursuant to the "Preventive Health Services Amendment Act of 1985", see Mayor's Order 98-141, August 20,

Change in Government

This section originated at a time when local government powers were delegated to a Board of Commissioners of the District of Columbia (see Acts Relating to the Establishment of the District of Columbia and its Various Forms of Governmental Organization in Volume 1). Section 402(134) of Reorganization Plan No. 3 of 1967 (see Reorganization Plans in Volume 1) transferred all of the functions of the Board of Commissioners under this section to the District of Columbia Council, subject to the right of the Commissioner as provided in § 406 of the Plan. The District of Columbia Self-Government and Governmental Reorganization Act, 87 Stat. 818, § 711 (D.C. Code, § 1-207.11), abolished the District of Columbia Council and the Office of Commissioner of the District of Columbia. These branches of government were replaced by the Council of the District of Columbia and the Office of Mayor of the District of Columbia, respectively. Accordingly, and also pursuant to § 714(a) of such Act (D.C. Code, § 1-207.14(a)), appropriate changes in terminology were made in this section.

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