



THE MODEL STATE EMERGENCY HEALTH POWERS ACT  
**Summary Matrix**

At the completion of the [Model State Emergency Health Powers Act \(MSEHPA\)](#) on December 21, 2001, its drafters at the [Centers for Law and the Public's Health: A Collaborative at Georgetown and John Hopkins Universities](#) initially tracked state legislative bills, statutes and regulations relating to the subject matter of the Act through July 15, 2006.

In an effort to update the *Centers'* original legal tracking of MSEHPA provisions, this Table provides information regarding statutory or regulatory provisions among all 50 states and the District of Columbia that replicate, reflect or closely relate to several of its key provisions as of **August 1, 2011**. For each of the major sections of MSEHPA listed in the columns below, citations and active hyperlinks (where available) to related state statutes/ regulations/bills are provided. States for which no relevant results were located in any of the selected sections of MSEHPA are shaded. The fact that no results are noted for any state should not be used to evaluate that state's level of emergency legal preparedness. The numbers of states whose laws relate to each of the specific provisions of MSEHPA are tallied in the final row. Corresponding endnotes provide specific information to help clarify results.

**Disclaimer:** Data for this Table was assembled through online searches of each state's statutes and regulations based on the language and purposes of MSEHPA's specific provisions. In most cases, these results have not been independently evaluated by legal counsel in each state, nor are they meant to suggest that each reported state's laws are based entirely on MSEHPA. Additional model laws, including the [Turning Point Model State Public Health Act](#) and the [Uniform Emergency Volunteer Health Practitioners Act](#), reflect provisions of MSEHPA and may be a source of guidance for corresponding state laws. In some cases, enactment or promulgation of state laws reported in this Table may precede the completion of MSEHPA or other model acts. Finally, please note that the results of this Table should not be used to evaluate or "score" any state regarding its level of emergency legal preparedness.



State	\$104(m) Defines PHE or Like Term	\$301 PHE Reporting	\$401 PHE Declaration	\$404(a)(1) Suspension of Laws	\$502 Access/ Control of Facilities & Properties	\$505 Control of Health Care Supplies	\$603 Vaccination/ Treatment	§§ 604, 605 Isolation & Quarantine	\$608 Licensing of HCWs	\$804 Immunity for State/Private Actors
AK <sup>1</sup>		<a href="#">7 A.C.C. 27.005, 27.007</a>			<a href="#">A.S. § 18.15.390(3)</a>			<a href="#">A.S. § 18.15.385</a>	<a href="#">A.S. § 18.15.390(12)</a> <sup>2</sup>	
AL	<a href="#">A.C. § 31-9-3(4)</a>		<a href="#">A.C. § 31-9-8(b)</a>	<a href="#">A.C. § 31-9-6(1)</a> <sup>3</sup>						
AR										
AZ	<a href="#">A.R.S. § 36-787(A)</a>	<a href="#">A.R.S. § 36-783</a>	<a href="#">A.R.S. § 36-787(A)</a>			<a href="#">A.R.S. § 36-787(B)(2),(4)</a>	<a href="#">A.R.S. § 36-787(C)(1)</a>	<a href="#">A.R.S. § 36-788; A.R.S. § 36-789</a>	<a href="#">A.R.S. § 36-787(A)(7)</a>	<a href="#">A.R.S. § 36-790</a>
CA										
CO										
CT	<a href="#">CT § 19a-131(8)</a>		<a href="#">CT § 19a-131a</a>			<a href="#">CT § 19a-70</a>	<a href="#">CT § 19a-131e</a> <sup>4</sup>	<a href="#">CT § 19a-131b</a>	<a href="#">CT § 19a-131j</a>	<a href="#">CT § 19a-131i</a> <sup>5</sup>
DC	<a href="#">D.C. § 7-2301(3)</a>		<a href="#">D.C. § 7-2304.01</a>				<a href="#">D.C. § 7-133</a>	<a href="#">D.C. § 7-133</a>	<a href="#">D.C. § 7-2304.01(d)</a>	<a href="#">D.C. § 7-401</a>
DE	<a href="#">20 D.C. § 3132 (11); 16 D.A.C. 4202-1.0</a>	<a href="#">16 D.C. § 130; 16 D.A.C. 4202-3.0</a>	<a href="#">20 D.C. § 3115</a>	<a href="#">D.C. § 3116(a)(2)</a>		<a href="#">20 D.C. § 3133</a>	<a href="#">20 D.C. § 3137</a>	<a href="#">20 D.C. § 3136; 16 D.A.C. 4202-6.0</a>	<a href="#">20 D.C. § 3140</a>	<a href="#">20 D.C. § 3144</a>
FL	<a href="#">F.S.A § 381.00315(1)(b)</a>		<a href="#">F.S.A § 381.00315(1)(b)</a> <sup>6</sup>			<a href="#">F.S.A § 381.00315(1)(b)(1)</a>	<a href="#">F.S.A § 381.00315(1)(b)(4)</a>	<a href="#">F.S.A § 381.00315(1)(b)(4)</a>	<a href="#">F.S.A § 381.00315(1)(b)(3)</a>	<a href="#">F.S.A § 768.13(2)(a)</a>



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GA	<a href="#">G.C.A. § 31-12-1.1(2)</a>	<a href="#">G.C.A. § 31-12-2</a>	<a href="#">G.C.A. § 38-3-51(a)</a> <sup>7</sup>	<a href="#">G.C.A. § 38-3-51(d)(1)</a>	<a href="#">G.C.A. § 31-12-10</a>		<a href="#">G.C.A. § 31-12-3</a>	<a href="#">G.C.A. § 31-12-4</a>	<a href="#">G.C.A. § 43-34-103(i)</a>	<a href="#">G.C.A. § 31-12-4.1(b)(2)</a> <sup>8</sup>
HI		<a href="#">H.A.R. § 11-156-3</a>							<a href="#">H.R.S. 25 § 455-8.4</a> <sup>9</sup>	
IA	<a href="#">I.C.A. § 135.140(6)</a> <sup>10</sup>	<a href="#">I.C.A. § 135.141(2)(j)</a> <sup>11</sup>	<a href="#">I.C.A. § 29C.6(1)</a>		<a href="#">I.C.A. § 135.144(1)</a>	<a href="#">I.C.A. § 135.142</a>	<a href="#">I.C.A. § 135.144(6-7)</a>	<a href="#">I.C.A. § 135.144(8)</a>		<a href="#">I.C.A. § 135.147</a>
ID								<a href="#">I.C.A. § 56-1003(7)</a>		<a href="#">I.C.A. § 46-1017</a>
IL	<a href="#">20 I.L.C.S. 3305 §4</a>	<a href="#">20 I.L.C.S. 2305 §2.1</a>			<a href="#">20 I.L.C.S. 3305 §7(4),(7),(8)</a>		<a href="#">20 I.L.C.S. 2305 §2(d),(e)</a>	<a href="#">20 I.L.C.S. 2305 §2</a> <sup>12</sup>	<a href="#">20 I.L.C.S. 2310 §625</a>	<a href="#">20 I.L.C.S. 3305 §15</a>
IN <sup>13</sup>	<a href="#">I.C. § 10-14-3-1(b)(23)</a> <sup>14</sup>		<a href="#">I.C. § 10-14-3-12(a)</a>	<a href="#">I.C. § 10-14-3-12(d)(1)</a>	<a href="#">I.C. § 10-14-3-12(d)</a>	<a href="#">I.C. § 10-14-3-12(d)(11)</a>		<a href="#">I.C. § 16-41-9-1.5</a> <sup>15</sup>	<a href="#">I.C. § 10-14-3-12(d)(10)</a>	<a href="#">I.C. § 34-30-12.5-3</a>
KS		<a href="#">K.A.R. 28-1-2(b)</a>								
KY										
LA	<a href="#">29 L.R.S. § 762(12)</a>	<a href="#">29 L.R.S. § 765</a>	<a href="#">29 L.R.S. § 766(A)</a>	<a href="#">29 L.R.S. § 766(D)(1)</a>	<a href="#">29 L.R.S. § 769(B)</a>	<a href="#">29 L.R.S. § 764(2)(a)</a> <sup>16</sup>	<a href="#">29 L.R.S. § 764(2)(e)</a> <sup>17</sup>	<a href="#">29 L.R.S. § 764(4)(d)</a> <sup>18</sup>	<a href="#">29 L.R.S. § 769(E); 46 L.A.C. § 1705(D); §412(B)</a>	<a href="#">29 L.R.S. § 771 (B)</a>



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MA		<a href="#">105 C.M.R. 300.140, 105 C.M.R. 300.150</a>						<a href="#">105 C.M.R. 300.210</a>		
MD	<a href="#">M.C.A. § 14-3A-01(b)</a> <sup>19</sup>	<a href="#">M.C.A. § 18-904</a>	<a href="#">M.C.A. § 14-3A-02</a>		<a href="#">M.C.A. § 14-3A-03(b)(1)</a>	<a href="#">M.C.A. § 14-3A-03(b)(2)</a>	<a href="#">M.C.A. § 14-3A-03(b)(3)(ii)</a>	<a href="#">M.C.A. § 14-3A-04, 05</a>	<a href="#">M.C.A. § 18-903(c)</a>	<a href="#">M.C.A. § 14-3A-06</a>
ME	<a href="#">22 M.R.S.A. § 801 (4-A)</a> <sup>20</sup>	<a href="#">22 M.R.S.A. § 820 (1)(A); 10-144 C.M.R. Ch. 258 § 10(B)</a>	<a href="#">22 M.R.S.A. § 802 (2-A)</a>		<a href="#">22 M.R.S.A. § 807; 10-144 C.M.R. Ch. 258 § 10(C)(3)</a>	<a href="#">10-144 C.M.R. Ch. 258 § 10(C)(3)(e)</a>	<a href="#">10-144 C.M.R. Ch. 258 § 10(C)(1)(d)</a>	<a href="#">22 M.R.S.A. § 820 (1)(B); 10-144 C.M.R. Ch. 258 § 10(C)(2)</a>		<a href="#">22 M.R.S.A. § 816(1-A)</a> <sup>21</sup>
MI		<a href="#">M.A.C. R. 325.163(8)</a>								
MN <sup>22</sup>	<a href="#">M.A.R. § 4735.0100(4)</a>				<a href="#">M.S.A. § 12.34(1)</a>		<a href="#">M.S.A. § 12.39(1)</a>	<a href="#">M.S.A. § 144.419 Subd. 2</a>	<a href="#">M.S.A. § 12.42</a>	<a href="#">M.S.A. § 12.22(2), M.S.A. 12.61(2)(b)</a>
MO										<a href="#">M.R.S. §44.045</a>
MS										
MT										<a href="#">M.C.A. § 10-3-110 (2)</a> <sup>23</sup>



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NC	<a href="#">N.C.S. § 130A-475(d)</a> <sup>24,25</sup>	<a href="#">N.C.S. §§ 130A-476, 130-480, 106-307.2</a>	<a href="#">25 N.C.A.C. § 1N.0401</a>		<a href="#">N.C.S. § 130A-475</a>	<a href="#">N.C.S. § 166A-5 (3)(b1)(3)</a>		<a href="#">N.C.S. § 130A-145(d)</a>		
ND		<a href="#">N.D.C. § 23-07-02</a> <sup>26</sup> , <a href="#">N.D.A. § 33-06-01-01</a>						<a href="#">N.D.C. § 23-07.6-02</a>		
NM	<a href="#">NM § 12-10A-3(g)</a>		<a href="#">NM § 12-10A-5</a>			<a href="#">NM § 12-10A-6(B)</a>	<a href="#">NM § 12-10A-13</a>	<a href="#">NM § 12-10A-7, 8, 10, 11</a>		<a href="#">NM § 12-10A-14</a>
NE <sup>27</sup>										
NH										
NJ	<a href="#">N.J.S.A. § 26:13-2</a>	<a href="#">N.J.S.A. § 26:13-4</a>	<a href="#">N.J.S.A. § 26:13-3</a>		<a href="#">N.J.S.A. § 26:13-8</a>	<a href="#">N.J.S.A. § 26:13-11</a>	<a href="#">N.J.S.A. § 26:13-14</a>	<a href="#">N.J.S.A. § 26:13-15</a>	<a href="#">N.J.S.A. § 26:13-18</a>	<a href="#">N.J.S.A. § 26:13-19</a>
NV			<a href="#">N.R.S. § 439.970(2)</a>					<a href="#">N.R.S. § 441(A).560</a> <sup>28</sup>		
NY										
OH <sup>29</sup>		<a href="#">O.R.C. § 3701.201</a> ; <a href="#">§ 3701.23</a> ; <a href="#">§ 3701.232</a> ; <a href="#">O.A.C. § 3701-3-15(B)</a> ; <a href="#">§ 3701-3-14(B)(3)</a>				<a href="#">O.R.C. § 3701.16</a>				



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OK	<a href="#">63 O.S.A. § 6104</a> <sup>30</sup>	<a href="#">63 O.S.A. § 6301</a>	<a href="#">63 O.S.A. § 6401</a>	<a href="#">63 O.S.A. § 6403(B)(1)</a>		<a href="#">63 O.S.A. § 6503</a>				
OR	<a href="#">O.R.S. § 433.442(4)</a> ; <a href="#">O.A.R. 333-003-0010(10)</a>	<a href="#">O.R.S. § 433.443(2)(a)</a>	<a href="#">O.R.S. § 433.441(1)</a> ; <a href="#">O.A.R. 333-003-0020</a>	<a href="#">O.R.S. § 433.441(3)(e)</a> ; <a href="#">O.R.S. § 401.168(2)</a>	<a href="#">O.R.S. § 433.441(3)</a>	<a href="#">O.A.R. 333-003-0040(5)</a>		<a href="#">O.A.R. 333-003-0070</a>	<a href="#">O.A.R. 333-003-0116(2)</a>	<a href="#">O.A.R. 333-003-0210</a>
PA								<a href="#">35 P.S. § 2140.301</a>		<a href="#">35 P.S. § 2140.302</a>
RI <sup>31</sup>	<a href="#">R.I. § 30-15-3(4)</a> <sup>32</sup>	<a href="#">R.I. § 23-1-18(11)</a>		<a href="#">R.I. § 30-15-9(e)(1)</a>		<a href="#">R.I. § 30-15-9(e)(12)</a>		<a href="#">R.I. § 23-8-4</a>	<a href="#">R.I. § 23-1-17(b)</a>	
SC	<a href="#">S.C.A. § 44-4-130(P)</a>	<a href="#">S.C.A. § 44-29-10</a> ; <a href="#">SC Regs 61-112 Sec. 4</a>	<a href="#">S.C.A. § 25-1-440(d)(2)</a> ; <a href="#">SC Regs. 61-112 Sec. 3</a>	<a href="#">S.C.A. § 25-1-440(a)(3)</a>	<a href="#">S.C.A. § 44-4-310</a> ; <a href="#">SC Regs. 61-112 Sec. 5</a>	<a href="#">S.C.A. § 44-4-330</a> ; <a href="#">SC Regs. 61-112 Sec. 7</a>	<a href="#">S.C.A. § 44-4-520</a>	<a href="#">S.C.A. §§ 44-4-530, 44-4-540</a> ; <a href="#">SC Regs. 61-112 Sec. 9</a>	<a href="#">S.C.A. § 44-4-570</a> ; <a href="#">SC Regs. 61-112 Sec. 8</a>	<a href="#">S.C.A. § 44-4-570(C)</a>
SD	<a href="#">S.D.C.L. § 34-22-41</a>		<a href="#">S.D.C.L. § 34-22-42</a>		<a href="#">S.D.C.L. § 33-15-8(3)</a> , (6)	<a href="#">S.D.C.L. § 33-15-8(3)</a> , (6)				
TN <sup>33</sup>										
TX	<a href="#">T.C.A. § 81.003(7)</a> <sup>34</sup> ; <a href="#">25 T.A.C. § 101.1(15)</a>	<a href="#">T.C.A. § 81.041(f)</a> ; <a href="#">25 T.A.C. § 97.4</a>	<a href="#">T.C.A. § 81.003(7)(a)</a> ; <a href="#">T.C.A. 81.082(d)</a> ; <a href="#">22 T.A.C. § 166.1 (f)(5)</a> <sup>35</sup>		<a href="#">T.C.A. 81.082(c-1)</a> <sup>36</sup>		<a href="#">T.C.A. § 81.085(i)</a>			



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UT										
VA	<a href="#">V.C. § 32.1-48.06</a> <sup>37</sup>	<a href="#">V.C. § 32.1-116.3</a>	<a href="#">V.C. § 44-146.17</a> <sup>38</sup>		<a href="#">V.C. § 32.1-48.17</a>		<a href="#">V.C. § 32.1-48(A)</a> ; <a href="#">12 V.A.C. 5-90-40(B)</a>	<a href="#">V.C. § 32.1-48.07</a> ; <a href="#">12 V.A.C. 5-90-40(B)</a>		<a href="#">V.C. § 32.1.48.16</a>
VT		<a href="#">13 V.T.S. § 3504</a>								
WA <sup>39</sup>	<a href="#">W.C.A. § 70.119A.020(11)</a> <sup>40</sup> ; <a href="#">W.A.C. § 173-95A-020(52)</a>	<a href="#">W.A.C. § 246-101-510(1)(d)</a> ; <a href="#">W.A.C. § 246-101-405</a>								
WI	<a href="#">W.S.A. § 323.02(16)</a>	<a href="#">W.S.A. § 450.145</a>	<a href="#">W.S.A. § 323.10</a>	<a href="#">W.S.A. § 323.12(4)(d)</a> <sup>41</sup>	<a href="#">W.S.A. § 323.12(4)</a>	<a href="#">W.S.A. § 250.042(2)</a>	<a href="#">W.S.A. § 252.041(1)</a>	<a href="#">W.S.A. § 252.06</a>		<a href="#">W.S.A. § 323.45</a>
WV <sup>42</sup>		<a href="#">W.V.A.C. § 64-7-3.1(b)</a>								
WY	<a href="#">W.S.A. § 35-4-115(a)(i)</a> ; <a href="#">W.A.C. Ch. 11 Sec. 3(a)</a>	<a href="#">W.S.A. § 33-24-155(a)</a> ; <a href="#">W.A.C. Ch.11 Sec. 6, 7</a>					<a href="#">W.S.A. § 35-1-240(a)(xxi)</a> ; <a href="#">W.S.A. § 35-4-113</a>	<a href="#">W.S.A. § 35-4-112(c)</a>	<a href="#">W.S.A. § 35-4-114(b)</a>	<a href="#">W.S.A. § 35-4-114(a)</a>
<b>Total#</b>	<b>27</b>	<b>28</b>	<b>22</b>	<b>11</b>	<b>17</b>	<b>19</b>	<b>19</b>	<b>28</b>	<b>18</b>	<b>24</b>

**SUPPORTERS**

**The Network for Public Health Law is a national initiative of the Robert Wood Johnson Foundation with direction and technical assistance by the Public Health Law Center.**



Robert Wood Johnson Foundation

**This document was developed by James G. Hodge, Jr., JD/LLM, director, Network for Public Health Law– Western Region, and Lexi C. White, J.D./Ph.D. candidate and legal researcher, Network for Public Health Law – Western Region, with research and editing contributions by Andrew Sorensen and Siena Smith, J.D. candidates and legal researchers, Network for Public Health Law – Western Region at the Sandra Day O’Connor College of Law, Arizona State University. The Network for Public Health Law provides information and technical assistance on issues related to public health. The legal information and assistance provided in this document does not constitute legal advice or legal representation. For legal advice, please consult specific legal counsel.**

<sup>1</sup> Alaska statutes use the term “public health disaster,” while Alaska Administrative Code uses the term “public health emergency.”

<sup>2</sup> Alaska allows its health department to only appoint emergency assistant medical examiners.

<sup>3</sup> Alabama only allows the governor to amend or rescind rules, orders or regulations but not statutes.

<sup>4</sup> Connecticut introduced a bill in 2011 that modifies §19a to allow physicians assistants and others to administer vaccinations during a public health emergency. (2011 Connecticut House Bill No. 5484, Connecticut General Assembly - January Session, 2011).

<sup>5</sup> CT § 19a-131i does not protect those who administered a vaccine without consent.

<sup>6</sup> Florida does not copy the exact language of §401 of the Model Act, but it is similar conceptually.

<sup>7</sup> Georgia has proposed legislation that would allow for the Chief Justice of the Georgia Supreme Court to extend emergency orders if there is a declared public health emergency. (2009 Georgia House Bill No. 185, Georgia One Hundred Fiftieth General Assembly - 2009-2010 Regular Session.

<sup>8</sup> G.C.A. § 31-12-4.1(b)(2) only limits liability for the administration of smallpox vaccine.

<sup>9</sup> Ha. Rev. Stat. addresses the licensure status of naturopathic physicians during a declared public health emergency, but not general physicians or nurses.

<sup>10</sup> Iowa uses the term “public health disaster” based on a similar definition of “public health emergency” in §104(m) of MSEHPA.

<sup>11</sup> I.C.A. § 136.141(j) authorizes a reporting mechanism but does not detail how reporting shall be accomplished.

<sup>12</sup> Illinois modified its quarantine and isolation provisions (20 I.L.C.S. 2305 §2) consistent with several key principles from MSEHPA §§ 604, 605 through the same legislative bill which introduced the definition of “public health emergency.”

<sup>13</sup> Indiana passed a bill in 2003 that recodified portions of its civil defense code and appeared to base certain additions on portions of MSEHPA (Indiana 2003 Legislative Service 2003 First Regular Session of the 113<sup>th</sup> General Assembly 1763, P.L. 2-2003, S.E.A. No. 257, Title 10-Recodification).

<sup>14</sup> Indiana defines “disaster” to include a public health emergency.

<sup>15</sup> I.C. § 16-41-9-1.5 makes provision for using the least restrictive means necessary, which is similar to MSEHPA §604(b)(1).

<sup>16</sup> 29 L.R.S. § 764 requires Louisiana’s Subcommittee on Chemical and Biological Terrorism of the Homeland Security Advisory Council to create a plan that includes a provision for the stockpiling of medical supplies, drugs, vaccines and antidotes in accordance with MSEHPA § 202 and § 505.

<sup>17</sup> 29 L.R.S. § 764 requires Louisiana’s Subcommittee on Chemical and Biological Terrorism of the Homeland Security Advisory Council to create a plan that includes a provision for mandatory vaccination of persons in accordance with MSEHPA § 603.



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- <sup>18</sup> 29 L.R.S. § 764 requires Louisiana's Subcommittee on Chemical and Biological Terrorism of the Homeland Security Advisory Council to create a plan that includes a provision for the isolation and quarantine of individuals by the least restrictive means necessary in accordance with MSEHPA §§ 604 and 605.
- <sup>19</sup> Maryland defines the term "catastrophic health emergency," similarly to the definition of "public health emergency" in MSEHPA §104(m).
- <sup>20</sup> Maine defines the term "extreme public health emergency" similarly to the definition of "public health emergency" in MSEHPA §104(m).
- <sup>21</sup> Maine offers immunity during an extreme public health emergency only to private institutions. Immunity for public institutions and employees is governed by M.R.S.A. Title 14, Chapter 741.
- <sup>22</sup> The Minnesota Emergency Health Powers Act, which included multiple sections related to MSEHPA, expired on Aug. 1, 2005. While some provisions of this were retained after 2005, others are no longer in effect. However, other similar regulatory provisions have been enacted in some areas.
- <sup>23</sup> Montana Code Annotated allows health care professionals to be administratively sanctioned for their responses to a declared public health emergency.
- <sup>24</sup> North Carolina defines "public health threat" similarly to the definition of "public health emergency" in MSEHPA §104(m).
- <sup>25</sup> North Carolina Administrative Code also defines "public health emergency" as "any condition that may immediately cause shellfish waters to be unsafe for the harvest of shellfish for human consumption." (15A N.C. Admin. Code 18A.0901).
- <sup>26</sup> North Dakota modified portions of its disease reporting and quarantine code in a 2003 bill to assimilate MSEHPA (2003 North Dakota Laws Ch. 210 (West's 485) (H.B. No. 1414)).
- <sup>27</sup> Sections of Nebraska Revised Statutes § 81-829.40, Governor; Powers and duties, as relates to an emergency, disaster, or civil defense emergency, reflect similar themes of some provisions of MSEHPA. While these provisions mimic these themes, they are not directly related to MSEHPA's provisions, and thus are not included in this Table notwithstanding their potential to be used in declarations of emergency as defined in Nebraska state laws. According to Nebraska Department of Health and Human Services legal authorities, the provisions of MSEHPA were introduced in a bill originally in the state. On January 22, 2002, Senator Pam Brown introduced LB 1224. The bill was referred to the Health and Human Services Committee on January 25, 2002. A hearing on the bill was scheduled for Feb. 13, 2002, and indefinitely postponed on April 19, 2002. The bill was not passed by the legislature due in part to the existence of duplicative emergency powers consistent with an all-hazards approach taken by the state.
- <sup>28</sup> Nevada extensively revised its quarantine code in 2003 incorporating elements of MSEHPA's definition and procedures prior to their addition of their public health emergency code section in 2009.
- <sup>29</sup> Ohio introduced proposed legislation in 2009 that amended the existing Interstate Mutual Aid Compact, authorized the governor to declare a "public health emergency," and granted heightened powers during a "health exigency." (2009 Ohio House Bill No. 327, Ohio One Hundred Twenty-Eighth General Assembly – 2009-2010 Session).
- <sup>30</sup> Oklahoma uses the term "catastrophic health emergency" similarly to the definition of "public health emergency" in MSEHPA §104(m).
- <sup>31</sup> Rhode Island added provisions based on MSEHPA in its 2003 Act Relating to Military Affairs and Defense-Emergency Health Powers.
- <sup>32</sup> Rhode Island does not define "public health emergency" but does include "bioterrorism" in its definition of a disaster.
- <sup>33</sup> The Tennessee Emergency Health Powers Act, which included multiple sections related to MSEHPA, was repealed June 30, 2005.
- <sup>34</sup> Texas uses the term "public health disaster" similarly to the definition of "public health emergency" in MSEHPA §104(m).
- <sup>35</sup> Texas states that the governor declares a "public health emergency" in its provision explaining physician registration.
- <sup>36</sup> T.C.A. 81.082(c-1) applies only to health care facilities within a health authority's jurisdiction.
- <sup>37</sup> Virginia Code references the term "communicable disease of public health threat," along with other provisions of MSEHPA. 2004 Virginia Laws Ch. 1021 (S.B. 685). Virginia Code also defines the term "communicable disease of public health significance," V.C. § 32.1-48.01, which cross-references the similar term related to public health threats. As the "significance" definition typically refers to conditions for which responses do not entail an emergency declaration, similar provisions related to these conditions that approximate provisions of MSEHPA are not listed.
- <sup>38</sup> V.C. § 44-146.17 indicates that the governor may declare a state of emergency in response to a State Health Commissioner's issuance of quarantine orders regarding a "communicable disease of public health threat."
- <sup>39</sup> Washington passed a bill in 2006 requiring the Secretary of the Department of Health and local jurisdictions to generate a pandemic influenza plan that included reporting measures, mass vaccination plans, and isolation plans (2006 Wash. Legis. Serv. Ch. 63 (S.S.B. 6366) (WEST)).



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<sup>40</sup> Washington defines “public health emergency” as “a situation in which either illness, or exposure known to cause illness, is occurring or is imminent.”

<sup>41</sup> Wisconsin only allows the governor to suspend administrative rules during a public health emergency.

<sup>42</sup> West Virginia legislature introduced two bills in 2009, one that included elements of MSEHPA’s quarantine provisions (2009 West Virginia House Bill No. 3069, West Virginia Seventy-Ninth Legislature - Regular Session, 2009) and another that allowed for the take-over of health facilities during a public health crisis (2009 West Virginia House Bill No. 2780, West Virginia Seventy-Ninth Legislature - Regular Session, 2009).