



Foodborne Outbreaks

Recent Lessons Learned



Foodborne Outbreaks

Wake AHEC requires all speakers to disclose any relevant financial conflicts of interest.

Nicole Lee has nothing to disclose.



Objectives

1. List the activities the Local Health Director (LHD) has authority to do
2. Locate communicable disease law references
3. Understand how #1 & 2 apply in an outbreak
 1. Review outbreak investigation steps



Forms of Law

- **Statutes** – provide authority; guiding principles
- **Rules** – provide specifics (who, what, how, when, where)
- **Ordinances** - adopted by local county or municipal government



Communicable Disease Laws

- **Communicable disease statutes:**
 - Chapter 130A, Article 6, of the NC General Statutes (**GS 130A-6**)
- **Communicable disease rules:**
 - Title 10A, Chapter 41, Subchapter 41A, of the NC Administrative Code (**10A NCAC 41A**)

Important Statutes

- Disease reporting (130A-139)
- Investigation and control measures (130A-144)
- Quarantine and isolation authority (130A-145)



Important Rules

- Control Measures – General
(10A NCAC 41A .0201)
- Duties of a LHD: Report CDs
(10A NCAC 41A .0103)
- Method of Reporting (10A
NCAC 41A .0102)

LHD has authority

- **Receive reports**
 - Reportables
 - Outbreaks
- **Investigate**
- **Control**
- **Isolate**
- **Quarantine**
- **Abate imminent hazards**

10 Steps of an Outbreak Investigation

1. Identify investigation team and resources
2. Establish existence of an outbreak
3. Verify the diagnosis
4. Construct case definition
5. Case finding: Find cases systematically / develop line list
6. Perform descriptive epidemiology / develop hypotheses
7. Evaluate hypotheses / perform additional studies (as necessary)
8. Implement control measures
9. Communicate findings
10. Maintain surveillance

§ 130A-41. Powers and duties of local health director.

(a) A local health director shall be the administrative head of the local health department, shall perform public health duties prescribed by and under the supervision of the local board of health and the Department and shall be employed full time in the field of public health.

(b) A local health director shall have the following powers and duties:

- (1) To administer programs as directed by the local board of health;
- (2) To enforce the rules of the local board of health;
- (3) To investigate the causes of infectious, communicable and other diseases;

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(11) To abate public health nuisances and imminent hazards pursuant to G.S. 130A-19 and G.S. 130A-20;

(12) To employ and dismiss employees of the local health department in accordance with Chapter 126 of the General Statutes;

(13) To enter contracts, in accordance with The Local Government Finance Act, G.S. Chapter 159, on behalf of the local health department. Nothing in this paragraph shall be construed to abrogate the authority of the board of county commissioners.

(c) Authority conferred upon a local health director may be exercised only within the county or counties comprising the local health department. (1957, c. 1357, s. 1; 1973, c. 476, s. 128; 1983, c. 891, s. 2; 1985, c. 175, s. 2; 1999-110, s. 1.)

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§ 130A-144. Investigation and control measures.

(a) The local health director shall investigate, as required by the Commission, cases of communicable diseases and communicable conditions reported to the local health director pursuant to this Article.

(b) Physicians, persons in charge of medical facilities or laboratories, and other persons shall, upon request and proper identification, permit a local health director or the State Health Director to examine, review, and obtain a copy of medical or other records in their possession or under their control which the State Health Director or a local health director determines pertain to the (i) diagnosis, treatment, or prevention of a communicable disease or communicable condition for a person infected, exposed, or reasonably suspected of being infected or exposed to such a disease or condition, or (ii) the investigation of a known or reasonably suspected outbreak of a communicable disease or communicable condition.

(c) A physician or a person in charge of a medical facility or laboratory who permits examination, review or copying of medical records pursuant to subsection (b) shall be immune from any civil or criminal liability that otherwise might be incurred or imposed as a result of complying with a request made pursuant to subsection (b).

(d) A person who permits examination, review or copying of medical records pursuant to subsection (b) shall be immune from any civil or criminal liability that otherwise might be incurred or imposed as a result of complying with a request made pursuant to subsection (b).

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...person shall permit LHD to obtain patient information related to the investigation of an outbreak...

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(d) A person who is a health care worker, a person who is a health care worker, or a person who is a health care worker, shall be immune from civil liability that otherwise might be incurred or imposed for any acts or omissions which result from such assistance or service, provided that the person acts in good faith and the acts or omissions do not amount to gross negligence, willful or wanton misconduct, or intentional wrongdoing. This qualified immunity does not apply to acts or omissions which occur with respect to the operation of a motor vehicle. Nothing in this subsection provides immunity from liability for a violation of G.S. 130A-143. (1893, c. 214, s. 16; Rev., s. 4459; 1909, c. 793, s. 8; C.S., s. 7158; 1957, c. 1357, s. 1; 1973, c. 476, s. 128; 1983, c. 891, s. 2; 1987, c. 782, s. 14; 1991, c. 225, s. 1; 1995, c. 228, s. 1; 2001-28, s. 2; 2004-80, s. 6; 2009-501, s. 2.)

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...all persons shall comply with control measures, including submission to examinations and tests...



Did we reach our objectives?

1. Can you list the activities the Local Health Director (LHD) has authority to do?
2. Do you know where to find the CD law references?
3. Do you understand how #1 & 2 apply in an outbreak?