

Georgia Laws Governing Disease and Injury Reporting

O.C.G.A. §31-12-2. Reporting disease; confidentiality; immunity from liability as to information supplied; notification of potential bioterrorism

- (a) The department is empowered to *declare certain diseases, injuries, and conditions to be diseases requiring notice and to require the reporting* thereof to the county board of health and the department in a manner and at such times as may be prescribed. The department shall require that such data be supplied as are deemed necessary and appropriate for the prevention of certain diseases, injuries, and conditions as are determined by the department. *All such reports and data shall be deemed confidential* and shall not be open to inspection by the public; provided, however, the department may release such reports and data in statistical form or for valid research purposes.
- (b) A *health care provider, coroner, or medical examiner shall report* to the department and the county board of health all known or presumptively diagnosed cases of persons harboring any illness or health condition that may be caused by bioterrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents or toxins and that may pose a substantial risk of a public health emergency. Reportable illnesses and conditions include, without limitation, diseases caused by biological agents listed at 42 C.F.R. Part 72, app. A (2000) and any illnesses or conditions identified by the department as potential causes of a public health emergency.
- (c) A *pharmacist* shall report to the department and the county board of health any unusual or increased prescription rates, unusual types of prescriptions, or unusual trends in pharmacy visits that may reasonably be believed to be caused by bioterrorism, epidemic or pandemic disease, or novel and highly fatal infectious agents or toxins and that may pose a substantial risk of a public health emergency.
- (d) Any person, including but not limited to practitioners of the healing arts, submitting in good faith reports or data to the department or county boards of health in compliance with the provisions of this Code section *shall not be liable* for any civil damages therefor.
- (e) Whenever the department learns of any case of an unusual illness, health condition, or death, or an unusual cluster of such events, or any other suspicious health related event that it reasonably believes has the potential to be caused by *bioterrorism*, it shall immediately notify the Department of Public Safety and other appropriate public safety authorities.

O.C.G.A. §31-22-7. Reports to department; clinical laboratories

- (a) The department *shall require reporting by clinical laboratories* of evidence of such infectious diseases as the department may specify and shall furnish forms for such reporting. *No clinical laboratory making reports shall be held liable* for

having violated a trust or confidential relationship. The reports submitted shall be *deemed confidential* and not subject to public inspection.

- (b) Every director of a clinical laboratory shall report to the department such information regarding the operation of the clinical laboratory as the department by its rules and regulations may require in order to aid in the proper administration of this chapter.

Georgia Rules and Regulations 290-5-3: Notification of Disease

290-5-3-.01 Definitions. Amended.

Unless a different meaning is required by the context, the terms as used in these regulations shall have the following meanings:

- (a) *"Notifiable Disease"* means any illness, condition, or disability declared to be notifiable by the Department of Human Resources in a published "Official" list.
- (b) *"Department"* means the Department of Human Resources of the State of Georgia.
- (c) *"Reporter"* means a person specifically designated by law or these regulations to report notifiable diseases or conditions.
- (d) *"Person"* means any individual, firm, partnership, association, corporation, the State or any municipality or other subdivision thereof, or any other entity whether organized for profit or not.

Authority: O.C.G.A. Secs. 31-2-4, 31-12-2, 31-17-2, 31-18-3 & 4 and 50-13-4.

290-5-3-.02 Provisions. Amended.

- (1) It shall be the *duty of every licensed physician to report all cases of notifiable diseases or conditions declared notifiable* to the board of health in the county where the report originates or to the Department. Such reports shall also be made by the chief administrative officer, or a designee thereof (hereinafter referred to as reporters), of each hospital, nursing home, clinic, health maintenance organization, university health service, primary health care center, or institution such as a school, day care center, mental health hospital, and detention facility. These reports may be made by telephone, by letter, or by completing and mailing forms provided by the Department.
- (2) *Outbreaks or unusual clusters of disease (infectious and noninfectious) must be reported* promptly by telephone to the county board of health or to the Department, Division of Public Health.
- (3) The *Department shall determine which diseases and conditions are notifiable and shall provide an official list of said diseases and conditions* to the county

Boards of Health. Each county health department shall be responsible for supplying reporting forms, which contain the official list, to the designated reporters. The Board of Human Resources will review any changes of disease which are to be added or removed from the official list of reportable diseases.

- (4) The ***Department may employ sampling techniques*** to contain by special request information regarding the occurrence of certain noninfectious diseases of public health significance, e.g. alcohol/drug abuse, birth defects, cancer, heart attack, stroke, injuries, poisonings and occupational diseases.
- (5) ***Reporters are expected to provide additional information to the Department*** concerning cases for which they have submitted laboratory specimens ***and to provide additional specimens when so requested for the purpose of providing complete laboratory confirmation*** of cases having public health importance, if the condition and circumstances of the patient permit.
- (6) ***Clinical laboratories shall report to the Department evidence of notifiable diseases*** on forms provided by the Department. Report forms shall be retained on file by clinical laboratories for two years from the date of the report. Clinical laboratories are required to retain each isolate of an agent of notifiable disease for at least one week from the date of the report and to send said isolate to the Department for further testing upon request.
- (7) Information concerning the occurrence or probable occurrence of any notifiable disease and condition which comes to the attention of any ***county board of health shall be transmitted to the Department*** weekly on a routine basis or immediately if circumstances dictate.

Authority: O.C.G.A. Secs. 31-2-4, 31-12-2, 31-17-2, 31-18-3 & 4, and 50-13-4.

290-5-3-.03 Confidentiality. Amended.

Case reports submitted to county boards of health or to the Department ***shall be deemed confidential*** and shall not be subject to public inspection.

Authority: O.C.G.A. Secs. 31-2-4, 31-12-2, 31-17-2, 31-18-3 & 4, and 50-13-4.

290-5-3-.04 Liability.

Any person, including but not limited to practitioners of the healing arts, submitting in ***good-faith*** reports or data to the Department or county boards of health in compliance with the provisions of this Rule ***shall not be liable*** for any civil damages therefor.

Authority: O.C.G.A. Secs. 31-2-4, 31-12-2, 31-17-2, 31-18-3 & 4, and 50-13-4.

290-5-3-.05 Enforcement.

The *administration and enforcement* of these rules and regulations shall be as prescribed in *Chapter 31-5 of the Official Code of Georgia* Annotated.

Authority: O.C.G.A. Secs. 31-2-4, 31-12-2, 31-17-2, 31-18-3 & 4, and 50-13-4.

Georgia Rules and Regulations 290-2-3: Day Care Centers

290-2-3-.14 Reporting.

- (1) Within twenty-four (24) hours or the next work day, the home shall report the following to the Child Care Licensing Office:
 - (a) Any death of a child while in the care of the home;
 - (b) Any serious illness or injury requiring hospitalization or professional medical attention other than first aid administered by the provider;
 - (c) Any fire;
 - (d) Any structural disaster; and
 - (e) Closing of the home.
- (2) Any suspected incident of child abuse, neglect or deprivation shall be reported to the local county Department of Family and Children Services in accordance with O.C.G.A. Sec. [19-7-5](#), and to the Child Care Licensing Office.
- (3) Any *cases or suspected cases of notifiable communicable diseases shall be reported to the local county health department* in accordance with rules of the department regarding Notification of Disease, Chapter [290-5-3](#), and to the Child Care Licensing Office.

Authority: O.C.G.A. Chap. 49-5-12 (1982 and 1982 Supp.) Chaps. 19-7-5; 49-5-8.

Georgia Rules and Regulations 591-1-1: Child Care Learning Centers

591-1-1-.29 Required Reporting.

- (1) The director shall report or cause to be reported the following:
 - (a) Child Abuse, Neglect or Deprivation. Suspected incidents of child abuse, neglect or deprivation shall be reported to the local County Department of Family and Children Services in accordance with state law.

(b) ***Communicable Diseases***. Any cases or suspected cases of notifiable communicable diseases shall be reported to the local County Health Department as required by the rules of the Department of Human Resources regarding Notification of Disease, Chapter 290-5-3.

(c) Incident Reports. The following incidents must be reported to the Office of School Readiness within twenty-four (24) hours or the next work day:

1. Any death of a child while in the care of the center;
2. Any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the center;
3. Any fire;
4. Any structural disaster;
5. Any emergency situation that requires temporarily relocating children.

(d) Criminal Record. The name of any employee who acquires a criminal record if the director knows, or reasonably should know, of the employee's criminal record shall be reported to the office.

(2) Annual Reports. Within forty-five (45) days of the center's receipt of an annual report form from the Office of School Readiness, the administrator shall submit to the office a complete annual report on the form provided. The annual report may be used in determining licensure requirements.

Authority: O.C.G.A. Sec. 20-1A-1.