

**SENATE BILL No. 172**

By Committee on Public Health and Welfare

2-3

1 AN ACT concerning public health; relating to schools and child care  
2 facilities; prohibiting a school or such facility from excluding a child  
3 who has been exposed to an infectious or contagious disease without a  
4 valid isolation or quarantine order; amending K.S.A. 65-122 and  
5 repealing the existing section.

6  
7 *Be it enacted by the Legislature of the State of Kansas:*

8 Section 1. K.S.A. 65-122 is hereby amended to read as follows: 65-  
9 122. ~~No~~ A person afflicted with an infectious or contagious disease  
10 dangerous to the public health shall *not* be admitted into any public,  
11 parochial or private school or licensed child care facility. It shall be the  
12 duty of the parent or guardian, and the principal or other person in charge  
13 of any public, parochial, private school or licensed child care facility to  
14 exclude therefrom any child or other person affected with a disease *that is*  
15 suspected of being infectious or contagious until the expiration of the  
16 prescribed period of isolation or quarantine for the particular infectious or  
17 contagious disease. ~~If the attending person licensed to practice medicine~~  
18 ~~and surgery a physician~~ or local health officer finds upon examination that  
19 the person affected with a disease; *that is* suspected of being infectious or  
20 contagious is not suffering from an infectious or contagious disease, ~~he or~~  
21 ~~she~~ *such physician* may submit a certificate to this effect to the person in  
22 charge of the public, parochial, private school or licensed child care  
23 facility and such person shall be readmitted to school or to the child care  
24 facility.

25 (b) *A person who has been exposed or potentially exposed to an*  
26 *infectious or contagious disease shall not be excluded from a public,*  
27 *parochial or private school or licensed child care facility due to such*  
28 *exposure or potential exposure unless the local health office or secretary*  
29 *has issued an order to such person requiring isolation or quarantine*  
30 *pursuant to K.S.A. 65-129c, and amendments thereto. Any exclusion from*  
31 *school due to exposure or potential exposure to an infectious or*  
32 *contagious disease shall not be longer than the period of isolation or*  
33 *quarantine specified in such order.*

34 (c) *As used in this section, "physician" means a person licensed to*  
35 *practice medicine and surgery by the state board of healing arts.*

36 Sec. 2. K.S.A. 65-122 is hereby repealed.

1       Sec. 3. This act shall take effect and be in force from and after its  
2       publication in the statute book.