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Quarantine Workshop May 13, 2016

# Quarantine: Maritime Law

Pratique

Quarantine

Isolation

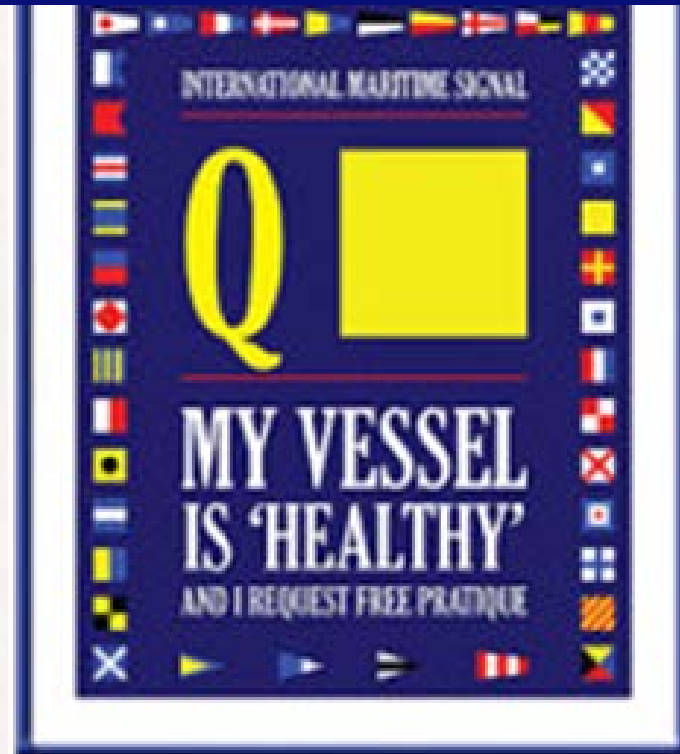
Public Health Service  
Commissioned Corps  
created by the  
Marine Hospital Fund  
in 1798



# PRATIQUE

License given to a ship to enter port on assurance from the captain that she is free from contagious disease.

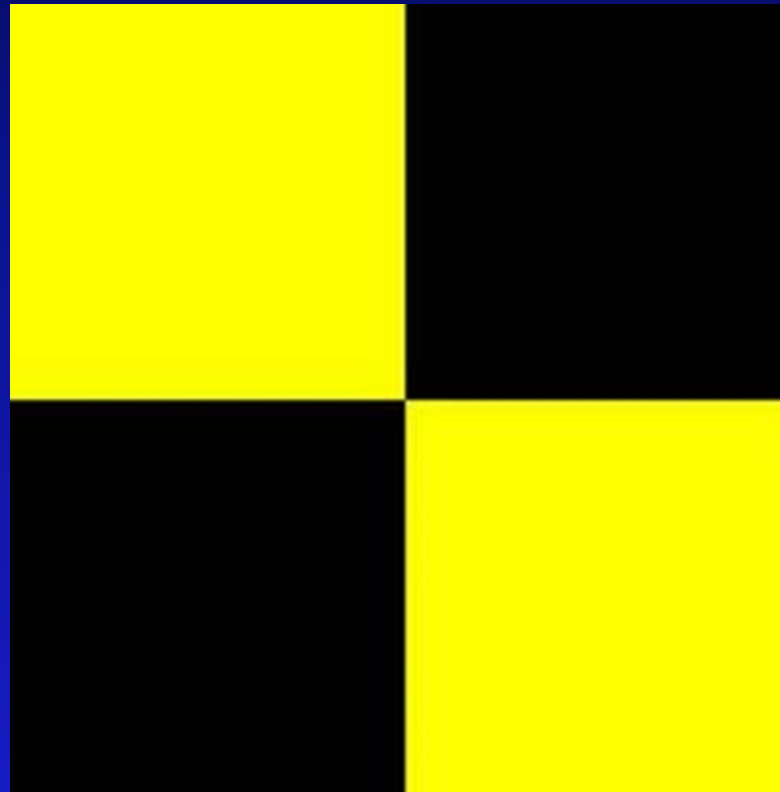
Clearance granted is commonly referred to as Free Pratique.



# Quarantine

During the Middle Ages, Venice required ships from locations known to have the Black Death (plague) to anchor or moor off the port for 40 days (*quaranta giorni*).

LIMA:  
Stop  
Instantly



# Isolation



# Kalaupapa Leprasorium, Hawaii



# Mary Mallon



# Early American Quarantine

Originally individual states and city port problem.

Yellow fever outbreaks prompted Congress to pass federal quarantine legislation in 1878.

Cholera outbreaks from European immigrants prompted reinterpretation of the law in 1892 to provide federal government authority to impose quarantine.





Public Health Services and Quarantine originally  
part of the Treasury Department

1939, became part of Federal Security Agency

1953, PHS & Quarantine joined Department of  
Health, Education, and Welfare (HEW).

1967, Quarantine was transferred to Centers for  
Disease Control and Prevention (CDC).

2003, CDC quarantine station system, expanded  
from 7 to 18 stations



# CDC

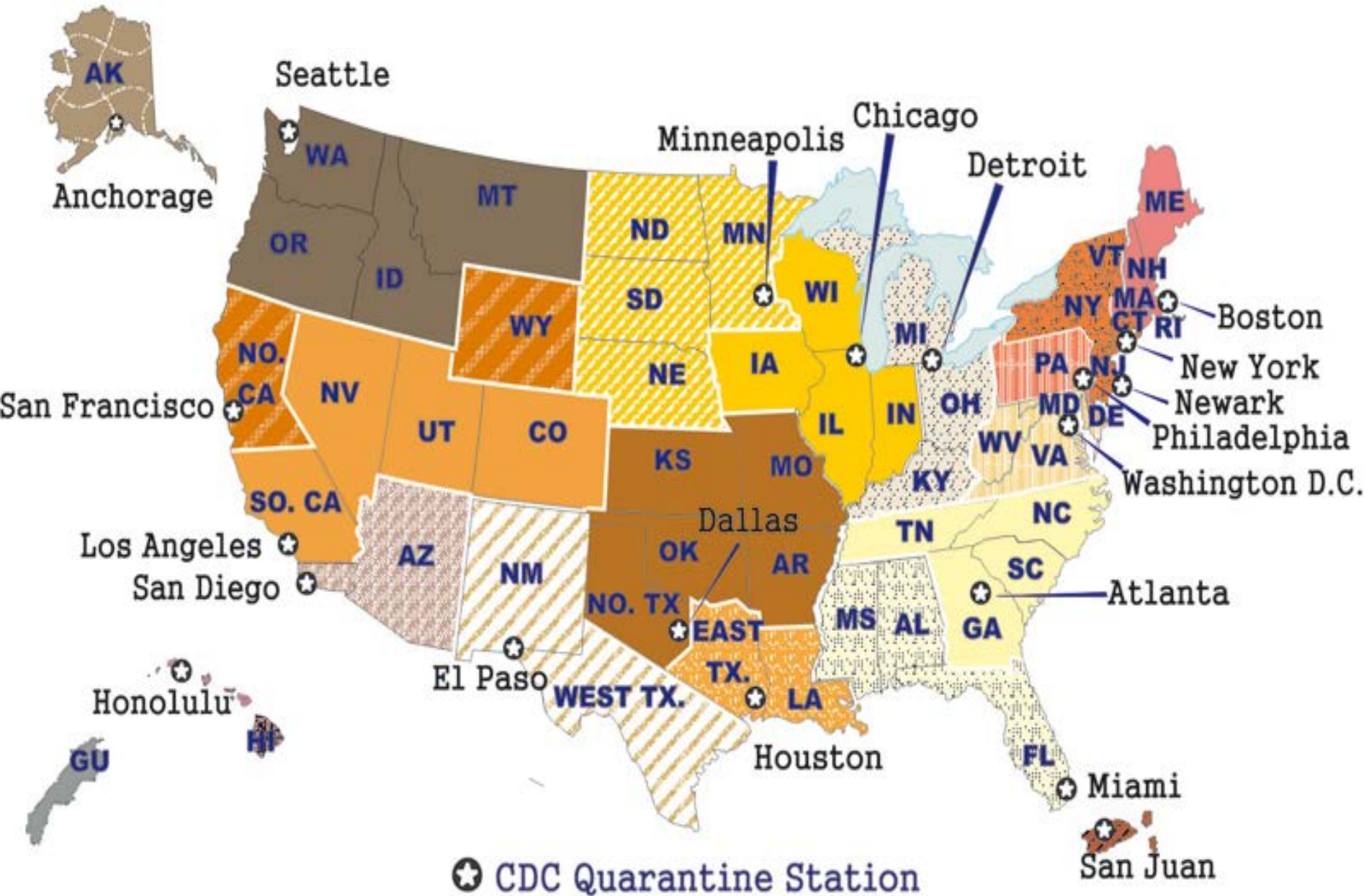
National Center for Emerging & Zoonotic Infectious Diseases: Div. Global Migration and Quarantine

Quarantine Stations respond to reports of illness in travelers aboard airplanes, ships, and at land border crossings.

Empowered to detain, medically examine, or conditionally release individuals and wildlife suspected of carrying a communicable disease



# CDC Quarantine Stations by Jurisdiction



# Public Health Service Act

42 USC § 201 et seq.

Clearly establishes federal government's  
quarantine authority.

United States Public Health Service responsible for  
preventing introduction, transmission and  
spread of communicable diseases.



# Federal Quarantine

Cholera

Diphtheria

Tuberculosis

Plague

Smallpox

Yellow Fever

Viral Hemorrhagic Fevers (Lassa, Marburg, Ebola, Crimean-Congo, South American, etc.)

Influenza (new or re-emergent flu viruses with potential to cause a pandemic)

Severe acute respiratory syndromes (SARS).



# Emerging Infectious Diseases

Newly recognized (since the 1980s):

Acanthamebiasis

Babesiosis

Bartonella

Coronaviruses, (SARS)

Ehrlichiosis

Helicobacter pylori

Hanta virus

Hepatitis C

Hepatitis E

Human Immunosuppressive Virus (HIV)

Lyme

Microsporidia

Parvovirus B19



# Re-emergence of Old Diseases

Multi-Drug Resistant Tuberculosis (MDR-TB)

Coccidioides: San Joaquin Valley fever

Enterovirus 71: hand, foot & mouth disease (HFMD)

Eschericia coli: O157:H7 (Hemolytic Uremic Syndrome)

Prion diseases: (Kuru, Kreutzfeld-Jacobson disease)

Methicillin Resistant Staphylococcus aureus (MRSA)

Klebsiella pneumoniae carbapenemase bacteria (KPC)

Carbapenem-resistant Enterobacteriaceae (CRE)



# Contributing factors

Microbial adaption (genetic drift)

Changing human susceptibility

Climate and weather

Change human demographics and trade

Economic development

Breakdown of public health

Poverty and social inequality

War and famine

Bioterrorism

Dam and irrigation system construction





# Anecdotal Stories

Person undergoing diagnostic testing signs themselves out before testing complete or infectious/contagious process ruled out.

Person enters public spaces and is tracked down to airport where TSA assists in detaining patient.

Arrangements made for return of person and completion of testing.



# Andrew Speaker

TB Andy

2007 Diagnosed with Multi-Drug Resistant TB

Commercial Flight to Greece for wedding

CDC contacts Speaker informed of XDR TB

Couple flies to Montreal & drives back to US

Federally mandated isolation taken to Denver

2008 Speaker has partial pneumonectomy

Passengers sues Mr. Speaker

Speaker sues CDC

2012 Case dismissed against CDC





# Nurse Kaci Hickox sues Gov. Chris Christie over Ebola quarantine

# Emerging Infectious Disease Unit

WVUH received \$ 29 M Ebola funding for  
assessment and treatment rooms (EIDU)

Volunteer staff trained, special equipment  
(PPE, Lab, X-ray, purchased)

Rooms built inside existing ED

Activation shuts down ½ ED

Expensive Proposition

Decision to open made by: ED Doc + ID Doc +  
Hospital Administrator if patient is sick enough

If person Not sick enough . . .



# Real World / Tough Decisions

Person needs additional time to sort out severity of illness, communicability, type treatment.

Discharge to home confinement

Isolation if Sick

Quarantine if not sure

Responsibility outside hospital is Public Health's

Activities of daily living

Feeding

Household maintenance



# Medical Legal Interaction

West Virginia Code grants authority to  
Boards of Health to invoke Quarantine  
Health Officer may apply to Court for  
Restraining Order

Be careful of what you wish for

When a person's Constitutional Rights are removed  
because the Benefit to Society outweighs the  
Benefits to the Person, responsibility shifts as  
to who must care for that person.



# Questions ???



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