



Containing and Preventing the Spread of Infectious Disease: A Cornerstone of Public Health



Legislative Overview Series: 2024 Public Health Spotlight

Introduction

Preventing, identifying, and containing disease is at the heart of public health. Public health entities have a responsibility to protect the health and safety of their populations and are typically granted legal authority to conduct routine public health actions like investigating a disease outbreak and enforcing proper food safety protocols.

Legislative Trends

Guaranteeing Legal Authorities to Keep Communities Healthy and Safe

Measures like [isolation and quarantine](#), [contact tracing](#), [masking](#), and [venue closures](#) work to prevent the spread of infectious disease. During the 2023 state legislative sessions, at least four jurisdictions considered bills related to isolation or quarantine. For example, Texas considered a proposal ([TX HB 2927](#)) to provide paid leave to certain public safety employees who are subject to an isolation or quarantine order, and a bill in Pennsylvania ([PA SB 503](#)) would prohibit employers from dismissing employees who are isolated or quarantined or who are assisting a family member who is complying under an isolation or quarantine order.

In 2023, at least two states—Florida ([FL HB 1487/FL SB 1618](#)) and Kansas ([KS HB 2390/KS SB 6](#))—considered legislation to limit a public health department’s isolation and quarantine powers. In Kansas, the proposed legislation would have removed the secretary of health’s authority to order medically necessary and reasonable actions to prevent the spread of disease and limited public health officials to issuing isolation or quarantine recommendations instead of enforceable orders. None of these proposals were enacted into law, preserving the existing legal authorities for public health officials to contain and prevent disease outbreaks.

Supporting Routine Childhood Immunizations

A key strategy for preventing the spread of infectious disease is employing [vaccines](#) and [other products](#) that can prevent infections from occurring or spreading. Vaccination is one of public health’s most powerful and cost-effective tools to

prevent disease, disability, and death among children and adults. A [2021 study](#) showed that adults vaccinated for influenza who were hospitalized with the flu had a 26% lower risk of needing ICU admission and a 31% lower risk of death than unvaccinated patients.

All U.S. states and territories require children to be vaccinated against certain disease to enroll in school, with all [50 states and Washington, D.C.](#) requiring students to be immunized against diphtheria, measles, mumps, pertussis, polio, rubella, and tetanus. Additionally, [25 states](#) require college or university students to receive the meningococcal ACWY vaccine and [15 states and Washington, D.C.](#) require certain college and university students to receive the hepatitis B vaccine. These vaccination requirements always include a medical exemption, and at least [45 states and Washington, D.C.](#) also grant nonmedical exemptions based on a person’s religious or personal belief.

During the 2023 legislative sessions, 38 states and Washington, D.C. considered bills related to routine childhood immunizations. At least five states and Washington, D.C. adopted laws impacting school entry requirements. In addition, California enacted [AB 659](#), requiring parents of students enrolled in 6th grade to be advised to have their child immunized against human papillomavirus (HPV) in accordance with CDC guidelines. HPV infections are associated with cervical cancers, with HPV vaccination associated with as much as an [83% decline in HPV infections](#) among females 13-19 years old.

Arkansas ([AR SB 3](#)) and Florida ([FL SB 252](#)) enacted laws prohibiting the requirement of a COVID-19 vaccine for school entry, with the new Florida law also prohibiting any governmental requirement to receive a vaccine created with mRNA technology. Tennessee ([TN SB 644](#)) removed a requirement that homeschooled students comply with school entry vaccine requirements and provide the health department documentation that homeschooled children received the requisite immunizations. Washington, D.C. removed its temporary, emergency requirement for K-12 students to receive the COVID-19 vaccine ([DC B 25-0377](#)). Montana enacted [HB 715](#), which now requires school communication about vaccine requirements include information about the state’s non-medical exemptions. Idaho enacted [S 1005](#), which requires licensed daycare facilities to describe nonmedical exemptions in all parental communications related to vaccines.



Addressing Public Health Misinformation and Disinformation

In 2021, the U.S. surgeon general issued a [report](#) outlining how public health misinformation (information that available evidence shows to be false, inaccurate, or misleading) and disinformation (misinformation spread intentionally to advance a malicious purpose) undermines public health efforts to protect the community's health. Among the strategies to mitigate the impact of misinformation or disinformation include equipping the public [with the tools](#) to identify misinformation and build long-term resilience to misinformation. During the 2023 legislative sessions, at least five states considered bills intended to prevent misinformation or disinformation. California ([CA AB 873](#)) enacted a law supporting the integration of media literacy content in math, science, and social science curriculum across every grade level, a strategy highlighted in the U.S. surgeon general's report.

A [2022 study](#) concluded that routine immunizations for children under 10 have averted more than 24 million cases of vaccine-preventable disease (e.g., polio, measles, diphtheria, etc.).

In October 2023, ASTHO, in partnership with the Act for Public Health Initiative, released a [longitudinal data-set](#) of state legislation related to vaccines required for school entry, exemptions to those requirements, and efforts to expand provider scope of practice to support vaccine administration.

Looking Ahead

In the upcoming legislative sessions, ASTHO expects some policymakers to continue reassessing the legal authorities that empower public health officials to identify, contain, and prevent infectious disease outbreaks. Additionally, ASTHO expects more states to consider laws impacting their existing vaccination requirements and exemptions from those requirements. Specifically, states are likely to consider:

- Removing or expanding nonmedical exemptions for existing vaccination requirements.
- Expanding the scope of practice for medical professionals to administer vaccinations.
- Expanding funding to provide immunizations and preventive antibody products to children, seniors, and low-income adults.
- Building connections between immunization information systems and health information exchanges to help providers inform patients about whether they have received the recommended vaccines.

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