

/* The ALASKA ADMINISTRATIVE CODE addresses the issues of pupils and school personnel who are HIV positive; educational programs; and communicable disease control. Any Alaska Statutes cited as authority for these administrative codes are not relevant to the HIV issue; the statutes in these cases consist of "elastic clauses," giving various departments the authority to address any matters affecting their operation. */

CHAPTER 4. EDUCATION

4 AAC 06.060. SUSPENSION OR DENIAL OF ADMISSION. (a) In a public school, the superintendent or principal may suspend a pupil under the provisions of AS 14.30.045, and the pupils may be reinstated by the superintendent or principal or by the school board. A child who is diagnosed as having the disease known as acquired immune deficiency syndrome (AIDS) or AIDS-related Complex (ARC) or who is infected with the AIDS-producing virus, does not have a condition "which will cause the attendance of the child to be inimicable of the welfare of other pupils," within the meaning of AS 14.30.045(4), unless, in addition, the child has uncoverable oozing lesions or other symptoms, or displays behavior, such as biting, which in the opinion of a team made up of the child's physician, public health personnel, the child's parent or guardian, and school personnel associated with the child's educational placement, substantially increases the risk of transmission of the AIDS virus to other pupils.

(b) Expulsion or denial of admission of a pupil shall be only upon the action of the governing school board in a district school.

(c) A pupil suspended or expelled under this section may appeal to the district board (In effect before 7/28/59; am 9/24/65 Register 20; am 9/6/66, Register 24; am 1/9/68, Register 26; am 5/10/78, Register 66; am 12/13/87, Register 104)

Authority: AS 14.07.060

AS 14.30045

4 AAC 06.140. AIDS IN SCHOOL PERSONNEL. No employee of a public school district may be transferred, suspended, or terminated from employment because the employee has the disease known as acquired immune deficiency syndrome (AIDS) or AIDS-related Complex (ARC) or is infected with the AIDS-producing virus, unless, in addition, the employee's condition prevents the employee from

competently performing the employee's duties or the employee has uncoverable oozing lesions or other symptoms which, in the opinion of competent medical personnel, substantially increases the risk of transmission of the AIDS virus to students or others with whom the employee has regular contact. (Eff. 12/1,3/87, Register 104)

Authority: AS 14.07.020

4 AAC 06.150. CONFIDENTIALITY OF AIDS INFORMATION. A school district, and a school district employee, having information that a student or employee of the district has acquired immune deficiency syndrome (AIDS) or AIDS-related Complex (ARC), or is infected with the AIDS-producing virus, shall keep that information confidential except from public health officials and district personnel who need the information in order to make informed decisions under 4 AAC 06.060(a), 4 AAC 06.140, and AS 14.30.185 - 14.30.350. (Eff. 5/8/88, Register 106)

CHAPTER 27. PREVENTIVE MEDICAL SERVICES

Article 1. Control of Diseases of Public Health Significance

7 AAC 27.005. REPORTING BY HEALTH CARE PROVIDERS. (a) The following common diseases of public health significance must be reported by the physician, nurse, or other health care professional who prescribes for or attends a person with these diseases or suspected diseases: amebiasis. botulism. brucellosis, campylobacter, diphtheria, giardia, gonorrhoea, hepatitis (type A or B, or non A - non B), legionnaire's disease, meningitis, mumps, paralytic shellfish poisoning, pertussis, psittacosis, Reye's Syndrome, rheumatic fever rubella, rubeola, salmonella, shigella, syphilis, trichinosis, tuberculosis, tularemia, typhoid, yersinia, severe reactions to any vaccination, and epidemic outbreaks or unusual incidences of communicable disease.

(b) The following rare diseases of public health significance must be reported by the physician, nurse, or other health care professional who prescribes for or attends a person with these diseases or suspected diseases; acquired immune deficiency syndrome (AIDS), cholera, echinococcus, encephalitis, leprosy, malaria, poliomyelitis, plague, rabies, smallpox, tetanus, and yellow fever.

(c) Reports must be submitted to the Department of Health and Social Services, division of public health, orally or on a form provided by the division of public health promptly after first discovering or suspecting the existence of the disease or disease outbreak. Each report must give the name, address, age, sex, and race of the person diagnosed as having the reported disease, and the name and address of the health care provider reporting the disease.

(d) Outbreaks or unusual incidences of diseases which are known or suspected to be related to exposure to environmental toxic or hazardous material must be reported by the physician, nurse, or other health care professional who prescribes for or attends those affected. (Eff. 8/21/74, Register 51; am 9/20/75, Register 55; am 3/28/84, Register 89)

Authority: AS 18.05.040(1)

7 AAC 27.010. CONTROL OF COMMUNICABLE DISEASES IN MAN. (a) The provision on methods of control of communicable diseases outlined in the Control of Communicable Diseases in Man, American Public Health Association, Thirteenth Edition, 1981, are adopted by reference as the regulations governing "Preventive Measures," "Control of Patients, Contacts and the Immediate Environment," and "Epidemic Measures."

(b) The provisions of (a) of this section are not applicable to the control of rabies in animals or on the reporting of diseases of public health significance. (Eff. 6/10/62, Register 6; am 8/21/74, Register 51; am 3/28/84, Register 89)

Authority: AS 18.05.040(1)

7 AAC 27.016. RIGHT OF INSPECTION. The division of public health may have access to any establishment and records of any establishment in the discharge of its official duties in accordance with law (Eff. 3/28/84, Register 89)

Authority: AS 18.05.040