

WELLNESS AND HEALTH SERVICES
COMMUNICABLE DISEASES

FFAC
(LEGAL)

AIDS / HIV POLICY	Each institution of higher education, including each college district, shall make available the institution's policy on HIV infection and AIDS to students by including the policy in the student handbook if practicable or by any other method. <i>Education Code 51.919(b)</i>
EDUCATIONAL PAMPHLET	Each institution of higher education shall make available to students, on request, the educational pamphlet on HIV infection developed by the Texas Department of State Health Services (DSHS) and shall include in the student handbook a statement that the pamphlet is available. <i>Education Code 51.919(c)</i>
HEALTH CENTERS	<p>The student health center of each institution of higher education shall provide clear, accurate information on how to prevent the transmission of HIV infection, including:</p> <ol style="list-style-type: none">1. The value of abstinence and long-term mutual monogamy.2. Information on the efficacy and use of condoms.3. Offering of or referring students, faculty, or staff to anonymous HIV counseling and testing services.4. State laws relating to the transmission of and to conduct that may result in transmission of HIV. <p><i>Education Code 51.919(d)</i></p>
BACTERIAL MENINGITIS	<p>The Coordinating Board shall prescribe procedures by which each institution of higher education, including each college district, shall provide information relating to bacterial meningitis to new students of the institution. The procedures must provide for the information to be provided in a brochure or other manner so that the information is reasonably likely to come to the attention of each student. The Coordinating Board shall prescribe the form and content of the information. The information must cover:</p> <ol style="list-style-type: none">1. The symptoms of the disease, how it may be diagnosed, and its possible consequences if untreated;2. How the disease is transmitted, how it may be prevented, and the relative risk of contracting the disease for students of institutions of higher education;3. The availability and effectiveness of vaccination against and treatment for the disease, including how students of the institution may seek vaccination or treatment and whether a vaccination is available from the student health center, and a brief description of the risks and possible side effects of vaccination; and

WELLNESS AND HEALTH SERVICES
COMMUNICABLE DISEASES

FFAC
(LEGAL)

4. Sources of additional information regarding the disease and must include the telephone numbers of the student health center, if there is a student health center, and the appropriate office of the DSHS.

An institution of higher education, with the written consent of the Coordinating Board, may provide the information required by this section to new students of the institution by a method different from the method prescribed by the Coordinating Board if the Coordinating Board determines that method would be effective in bringing the information to the attention of all new students of the institution.

Each institution of higher education shall make reasonable efforts to obtain from each new student of the institution a confirmation signed or acknowledged by the student that the student has received the information required to be provided to the student and shall retain the confirmation for not less than two years after the student first enrolls at the institution.

“New student” means a first-time student of an institution of higher education and includes a student who transfers to the institution from another institution.

Education Code 51.9191(a)(2), (b), (d)–(e)

REPORTS

The persons described in Health and Safety Code 81.042 shall report to the local health authority or the DSHS a suspected case of a reportable disease, as defined by state law and the Health and Human Services Commission (HHSC) executive commissioner, and all information known concerning the person who has or is suspected of having the disease if a report is not made as required by Health and Safety Code 81.042(a)–(d):

1. A professional registered nurse;
2. An administrator or director of a public or private temporary or permanent child-care facility;
3. An administrator or health official of a public or private institution of higher education;
4. A health professional; or
5. A peace officer.

Health and Safety Code 81.041-.042; 25 TAC 97.2(d)

In addition to the reporting requirements for communicable diseases found in 25 Administrative Code 97.1, individuals listed at 25 Administrative Code 97.132, including the following, shall report cases and suspected cases of sexually transmitted diseases

(STDs), which includes HIV-exposed infants, in the manner described in 25 Administrative Code 97.133:

1. A health professional, and any other person mandated to report under Health and Safety Code 81.042; and
2. Any person in charge of a clinical laboratory, hospital laboratory, blood bank, mobile unit, or other facility (such as a contract research organization laboratory) in which a laboratory examination of a blood specimen, or any specimen derived from a human body, yields microscopic, cultural, serological, or any other evidence of a suspected STD.

The Health Insurance Portability and Accountability Act (HIPAA) allows covered entities to disclose otherwise protected health information, without either obtaining the written authorization of the individual whose information is at issue or giving that individual the opportunity to agree or object, for purposes of public health communicable disease reporting requirements [see 45 C.F.R. 164.512(a)–(b)].

25 TAC 97.132

If there is no local health authority appointed for the jurisdiction where the school is located, the report shall be made to the DSHS regional director. Public health emergencies shall be reported to DSHS's central office if the local health authority or DSHS's regional director is not immediately accessible. *25 TAC 97.5(a)*

Note: For a list of reportable diseases, visit DSHS Infectious Disease Control Unit Notifiable Conditions website, available at <http://www.dshs.state.tx.us/idcu/investigation/conditions/>.
