

**Testimony on House Bill 2224
House Federal and State Affairs Committee
Thursday, February 11, 2021
Farah S. Ahmed, State Epidemiologist
Kansas Department of Health and Environment**

Chairman Barker and members of the committee, thank you for the opportunity to provide written testimony in support of House Bill 2224 related to potential exposure to infectious diseases during the act of committing a crime and while performing law enforcement activities.

The KDHE Secretary, under K.S.A. 65-101, has the authority to adopt rules and regulations necessary to investigate the causes and prevent the spread of diseases. KDHE updated the list of infectious and contagious diseases and other health conditions in K.A.R. 28-1-2 in May 2018.

House Bill 2224 updates the definition of “Infectious Disease” in K.S.A. 65-6001 to include those diseases designated by the Secretary of KDHE as infectious or contagious in nature and replaces the narrower definition of infectious diseases as AIDS. Senate Bill 320 also strikes from K.S.A. 65-6009 the definition of infectious diseases as only HIV and hepatitis B.

There is no change to the intent of K.S.A. 65-6009 in which the alleged victim and law enforcement are to be notified that infectious disease tests are available where there appears to have been transmission of body fluids from one person to another by any person arrested and charged with a crime.

Also, if the person arrested and charged with a crime stated to the law enforcement officer making the arrest that he/she has an infectious disease, the court can order the arrested person to submit to infectious disease tests. Similarly, upon conviction of a person for any crime where the facts of the case involve the likely transmission of body fluids, the court may order the convicted person to submit to infectious disease testing. Senate Bill 320 broadens the list of diseases considered infectious and contagious for these purposes.

Thank you for this opportunity to share our support for House Bill 2224.