

## §801. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings. [PL 1989, c. 487, §11 (NEW).]

**1. Commissioner.** "Commissioner" means the Commissioner of Health and Human Services. [PL 1989, c. 487, §11 (NEW); PL 2003, c. 689, Pt. B, §7 (REV).]

**2. Communicable disease.** "Communicable disease" means an illness or condition due to a specific infectious agent or its toxic products which arises through transmission of that agent or its products from a reservoir to a susceptible host. [PL 1989, c. 487, §11 (NEW).]

**3. Contact notification program.** "Contact notification program" means a program coordinated by the department to encourage any person infected with a communicable disease to identify others who may be at risk as a result of contact with the infected person; or to permit the department to notify those persons who may be at risk to inform them of the risk if the infected person refuses to cooperate. [PL 1989, c. 487, §11 (NEW).]

**4. Department.** "Department" means the Department of Health and Human Services. [PL 1989, c. 487, §11 (NEW); PL 2003, c. 689, Pt. B, §6 (REV).]

**4-A. Extreme public health emergency.** "Extreme public health emergency" means the occurrence or imminent threat of widespread exposure to a highly infectious or toxic agent that poses an imminent threat of substantial harm to the population of the State. [PL 2001, c. 694, Pt. B, §1 (NEW); PL 2005, c. 383, §24 (AFF).]

**4-B. Environmental disease.** "Environmental disease" means any abnormal condition or disorder aggravated or caused by exposure to an environmental hazard. [PL 2005, c. 383, §2 (NEW).]

**4-C. Environmental hazard.** "Environmental hazard" means chemicals, physical agents, biomechanical stressors and biological toxins that are present in the environment and that have an adverse effect on human health. [PL 2005, c. 383, §2 (NEW).]

**4-D. Environmentally related health effects.** "Environmentally related health effects" means chronic diseases, birth defects, developmental disabilities and other noninfectious health effects that may be related to exposure to environmental hazards. [PL 2005, c. 383, §2 (NEW).]

**4-E. Exposure.** "Exposure" means direct contact or interaction with an environmental hazard or toxic agent affecting or being taken into the body. [PL 2005, c. 383, §2 (NEW).]

**5. Infected person.** "Infected person" means a person who is diagnosed as having a communicable disease or who, after appropriate medical evaluation or testing, is determined to harbor an infectious agent. [PL 1989, c. 487, §11 (NEW).]

**6. Local health officer.** "Local health officer" means a person who is a municipal official appointed pursuant to section 451 and who is authorized by the department to enforce this chapter. [PL 2007, c. 598, §9 (AMD).]

**7. Notifiable disease or condition.** "Notifiable disease or condition" means any communicable disease, occupational disease or environmental disease, the occurrence or suspected occurrence of which is required to be reported to the department pursuant to sections 821 to 825. [PL 2023, c. 412, Pt. UU, §1 (AMD).]

**8. Occupational disease.** "Occupational disease" means any abnormal condition or disorder, including an occupational injury, caused by exposure to environmental factors associated with employment.

[PL 2023, c. 412, Pt. UU, §2 (AMD).]

**8-A. Prescribed care.** "Prescribed care" means isolation, quarantine, examination, vaccination, medical care or treatment ordered by the department or a court pursuant to section 820.

[PL 2001, c. 694, Pt. B, §2 (NEW); PL 2005, c. 383, §24 (AFF).]

**9. Property.** "Property" means animals, inanimate objects, vessels, public conveyances, buildings and all other real or personal property.

[PL 1989, c. 487, §11 (NEW).]

**10. Public health threat.** "Public health threat" means any condition or behavior that can reasonably be expected to place others at significant risk of exposure to a toxic agent or environmental hazard or infection with a notifiable disease or condition.

A. A condition poses a public health threat if an infectious or toxic agent or environmental hazard is present in the environment under circumstances that would place persons at significant risk of an adverse effect on a person's health from exposure to or infection with a notifiable disease or condition. [PL 2005, c. 383, §4 (AMD).]

B. Behavior by an infected person poses a public health threat if:

- (1) The infected person engages in behavior that has been demonstrated epidemiologically to create a significant risk of transmission of a communicable disease;
- (2) The infected person's past behavior indicates a serious and present danger that the infected person will engage in behavior that creates a significant risk of transmission of a communicable disease to another;
- (3) The infected person fails or refuses to cooperate with a departmental contact notification program; or
- (4) The infected person fails or refuses to comply with any part of either a cease and desist order or a court order issued to the infected person to prevent transmission of a communicable disease to another. [PL 1989, c. 487, §11 (NEW).]

C. Behavior described in paragraph B, subparagraphs (1) and (2) may not be considered a public health threat if the infected person demonstrates that any other person placed at significant risk of becoming infected with a communicable disease was informed of the risk and consented to it. [PL 2005, c. 383, §4 (AMD).]

[PL 2005, c. 383, §4 (AMD).]

**11. Toxic agent.** "Toxic agent" means a chemical or physical substance that, under certain circumstances of exposure, may cause harmful effects to living organisms.

[PL 2005, c. 383, §5 (NEW).]

#### SECTION HISTORY

PL 1989, c. 487, §11 (NEW). PL 2001, c. 694, §§B1,2 (AMD). PL 2001, c. 694, §B6 (AFF). PL 2003, c. 366, §1 (AFF). PL 2003, c. 689, §§B6,7 (REV). PL 2005, c. 383, §§2-5 (AMD). PL 2005, c. 383, §24 (AFF). PL 2007, c. 598, §9 (AMD). PL 2023, c. 412, Pt. UU, §§1, 2 (AMD).

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