

Massachusetts Department of Public Health (MDPH)

List of Documents Pertaining to Isolation and Quarantine

Helpful Background Documents

- Frequently Asked Questions about Isolation and Quarantine (2010)
- Summary of Laws and Regulations Relevant to Infectious Disease Surveillance, Reporting and Control (2011)

Documents Pertaining to Specific Professional Responsibilities or Jurisdictional Issues

- EMS Responsibilities When Responding to Cases of Infectious Disease (also known as “Duty to Treat”) (2008, reviewed 2010)
- Police Powers During Public Emergencies (also known as “Community Caretaking Function”) (2003, reviewed 2011)
- Options for Financing Hospital Isolation (2004, reviewed 2010)
- The Power of the Massachusetts Department of Public Health (MDPH) to Require Immunization as Condition for Entry into Schools and to Require Quarantine During Times of Outbreak (2003, reviewed 2011)

Documents Pertaining to Privacy and Confidentiality Concerns

- HIPAA Memo for Local Boards of Health (2003, reviewed 2011)
- HIPAA Memo for Health Care Facilities and Laboratories (2003, reviewed 2011)

Isolation and Quarantine Case Study Examining Fictitious Mass Exposure to an Infectious Agent

- Scenario and Analysis of Response (2011)

Technical Resources that Include Information about Isolation and Quarantine

- *Guide to Surveillance, Reporting and Control*: A Massachusetts-specific manual to guide local boards of health and other audiences through surveillance and control of reportable infectious diseases. Contains basic epidemiological information as well as isolation and quarantine requirements for each reportable disease. (2006)
- 105 CMR 300.000: *Reportable Diseases, Surveillance, and Isolation and Quarantine Requirements* (2008)
- Immunization Exemptions and Vaccine Preventable Disease Exclusion Guidelines in School Settings (2008)

Legal Documents for Use by Municipal Attorneys and Local Boards of Health When Ordering and Enforcing Isolation

In most instances, local boards of health will be able to obtain voluntarily compliance with isolation or quarantine. If all means of eliciting voluntary compliance have failed, local boards of health may need to work with their municipal attorneys to obtain a court order to place a person in isolation or quarantine. The majority of the documents listed below were developed specifically for use in seeking a court order for the isolation of a person infected with SARS; however they may be modified to address other diseases.

Legal Documents for Enforcement of Isolation and Quarantine by Local Health Officials

Obtaining Voluntary Compliance

- Letter to SARS Patient with Massachusetts Residence (2008)
- Letter to SARS Patient without Massachusetts Residence (2008)
- SARS Information for Persons in Home Isolation (2008)
- SARS Information for Persons in Home Quarantine (2008)

Administrative Enforcement of Isolation or Quarantine

- Emergency SARS Isolation Order (2008)
- Emergency Varicella Quarantine Order (2008)

Enforcement of Isolation or Quarantine through Superior Court

Background on the Court Process

- Background Information on the Court Process for Cities and Towns (2008)
- Time Line for Seeking Judicial Order Authorizing Removal and Isolation (2008)
- Instructions for Filling out the Complaint and Supporting Documents Relating to Mandatory Isolation of a SARS Patient (2008)
- Use of SARS Legal Documents to Isolate Someone for a Different Disease (2008)
- Summary of Steps for Isolation of an Individual (2008)

Papers to be Filed in Court

- Letter to Clerk of Court to Request Waiver of Filing Fees (2008)
- Complaint, Request for Temporary Restraining Order, and Application for Preliminary and Permanent Injunction (2008)
- Physician's or Other Health Care Provider's Affidavit of Medical Examination, Treatment or Evaluation (2008)
- Physician's, Other Health Care Provider's, or Health Official's Affidavit of Patient's Unwillingness to Remain Isolated at Home (2008)
- Physician's, Other Health Care Provider's, or Local Board of Health's Affidavit of Medical Examination, Treatment or Evaluation AND Patient's Unwillingness to Remain Isolated at Home (2008)
- Ex Parte Motion for a Temporary Restraining Order (2008)
- Temporary Restraining Order (2008)
- Designated Facility for Isolation (2008)
- Ex Parte Motion to Impound Case File (2008)
- Impoundment Order (2008)
- Motion to Proceed without Complying with Superior Court Rule 9A (2008)
- Notice of Hearing of an Application for Preliminary Injunction (2008)
- Order on Application for Preliminary Injunction (2008)
- Warrant to Law Enforcement Personnel (2008)

How to Access the Documents

- All of the documents on this page are posted on the Massachusetts Health and Homeland Alert Network (HHAN) in the Isolation and Quarantine Documents Group. For more information about the HHAN and how to access it, please contact Scott Kenfield at alert.network@state.ma.us or call 617-983-6875.
- Documents listed on the preceding page are available on the MDPH web site: www.mass.gov/dph/epi under Reportable Communicable Diseases, Isolation and Quarantine Requirements.
- For questions about these documents, please contact the Division of Epidemiology and Immunization at 617-983-6800.