

## DEPARTMENTAL POLICY

<b>POLICY # 103</b>	<b>SUBJECT:</b> Communicable Diseases
<b>EFFECTIVE DATE:</b> August 8, 1988	<b>PAGE</b> 1 of 5
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### COMMUNICABLE DISEASES

#### I. Purpose

The purpose of this policy is to establish uniform standards and practices throughout the Department regarding communicable diseases as related to Department of Services for Children, Youth and Their Families (DSCYF) employees and children and youth served by the Department. Communicable diseases may be acquired through one of the following means of transmission:

- (1) through environmental (by touching or coming into contact with) and airborne exposure—examples being bacterial meningitis and tuberculosis
- (2) through contact with blood or body products or the handling of waste products—examples being AIDS, Hepatitis B and Hepatitis A
- (3) by sexual contact—examples being AIDS, Hepatitis B, sexually transmitted diseases (STDs)

#### II. Policy

This policy addresses only those communicable diseases which may be serious enough to require hospitalization and/or be construed as being life threatening. This policy is based on the following assumptions, principles and regulations:

- A. Standard precautions and infection control measures should be practiced routinely to prevent the spread of infectious diseases and are sufficient to reduce the low risk of transmission of most communicable diseases in the workplace.
- B. Children, youth and their families who have, or may be at risk of getting any communicable disease do not forfeit any rights of access, confidentiality or assignment regarding the services and protection offered by the Department; and thus have the right to the same services offered to other children, youth and their families.

- C. DSCYF employees, volunteers, interns, contractors and subcontractors who have, or may be at risk of acquiring any communicable disease do not forfeit any rights of employment, confidentiality or job opportunities offered by the Department.
- D. It is the expectation of the Department that all employees knowing or suspecting that they have contracted a communicable disease that meets the criteria noted above will seek medical attention.
- E. It is also the expectation of DSCYF that employees knowing or suspecting of any children and youth who have contracted a communicable disease will inform their supervisor in accordance to divisional policy and operating procedures.
- F. The Delaware Division of Public Health has established Health Promotion and Disease Prevention regulations for the Control of Communicable and other Disease Conditions. These regulations can be accessed at:  
<http://regulations.delaware.gov/AdminCode/title16/4000/4200/4202.shtml>  
The policy and procedures of DSCYF abide by the guidelines provided in these regulations.

### III. Definitions

- A. Communicable Disease: Means “contagious disease--a disease capable of being transmitted from one person to another. The current list of communicable diseases identified by the Delaware’s Division of Public Health can be accessed on their website: <http://www.dhss.delaware.gov/dhss/dph/dpc/rptdisease.html>
- B. Epidemic or Outbreak: The occurrence in persons in a community, institution or other defined area of cases of an illness of similar nature clearly in excess of normal expectancy.
- C. Infectious Disease: A disease caused by a living organism or other pathogen, including a fungus, bacillus, parasite, protozoan or virus. An infectious disease may or may not be transmissible from person to person or animal to person.
- D. Standard Precautions: These precautions, including the appropriate use of hand washing, protective barriers and care in the use and disposal of needles and other sharp instruments minimize the risk of transmission of communicable diseases between patients, health care providers and other care providers. Standard precautions go beyond universal precautions and protect against both bloodborne and airborne pathogens. This policy requires DSCYF employees and service providers follow and use standard precautions.

- E. Universal Precautions: These precautions require that care providers use appropriate barrier precautions to prevent exposure to blood, body fluids, secretions and excretions of all clients or patients at all times. Universal precautions are a sub-set of standard precautions.

**IV. Prevention Education and Practices for Limiting the Transmission of Communicable Diseases**

- A. DSCYF shall offer training to all appropriate employees and volunteers regarding communicable disease transmission, standard precautions they can take to protect their own health and the health of the children, youth and families with whom they may come in contact with in the course of case management and service delivery.
- B. Each Division, where appropriate, shall offer similar training to foster parents and children and youth; and shall ensure that all contracted providers offer similar training to their employees, volunteers, children and youth in their services and subcontractors.
- C. Routine infection control procedures and standard precautions shall be implemented and practiced that are appropriate to each workplace and service delivery environment. Employees, volunteers, interns, clients, contractors and subcontractors will be informed of these procedures and standard precautions.

**V. DSCYF Policy Protections for Children, Youth and DSCYF Employees Related to Communicable Diseases**

- A. Confidentiality for Clients and Employees: All existing policies and safeguards regarding the confidentiality of client and employee records and information apply to disease-related information. It is the expectation of DSCYF that, beyond the basic safeguards and laws protecting all client and/or employee information, the utmost importance and care be placed on preventing the unauthorized and/or unnecessary disclosure of information regarding employee and/or client disease status. The sharing of highly sensitive client and employee information is sanctioned, when appropriate, among agencies, practitioners and review bodies within the guidelines provided by federal and state law and DSCYF policy.
- B. Employee Non-Discrimination: Employees having or affected by any communicable disease will be accorded the full protection of the Department's non-discrimination policy. No present or prospective employee shall be denied employment or be otherwise discriminated against on the basis of whether that person is infected or potentially has been infected with a communicable disease. Such employees will not be restricted from work except under circumstances for which any employee should also be restricted.

- C. Service Delivery Non-Discrimination: Employees, volunteers, interns, contractors and subcontractors shall abide by Department policy regarding communicable diseases and shall not discriminate against clients on the basis of the infection or exposure to any communicable disease. All clients having or affected by a communicable disease shall be afforded the full protection of the Department's non-discrimination policy.
- a. Any client who would normally receive services offered by the Department shall not be denied such services on the basis of the presence of any communicable disease, potential infection of any communicable disease, or with the potential for acquiring any communicable disease.
  - b. Once receiving communicable disease training / education and necessary safeguards and standard precautions are in place, an employee refusing to provide usual and expected services shall be subject to normal disciplinary processes of the Department as stated in the Merit Rules or in the appropriate bargaining agreement.
  - c. Each Division shall ensure that contractors and subcontractors adhere to non-discrimination policies consistent with Department policy and contract boilerplate language. Any contractor or subcontractor found to be in violation of the Department non-discrimination policies shall be subject to disciplinary actions consistent Department policy and Delaware and Federal laws.
  - d. Decisions regarding the selection of residential care settings for a child infected with any communicable disease should be based on an assessment of the behavior, neurologic development, physical condition of the child, the skills and services available in the placement setting and the anticipated types of interaction with other in the placement setting. Except where the presence or risk of communicable disease presents specialized care needs, the presence or risk of communicable diseases should not be a mitigating factor in the placement decision.
  - e. Should the presence or risk of communicable disease present specialized care needs for a child, it is the policy of DSCYF to convene a team of professionals to dictate the placement decision. Participants in the placement planning process should include, but not necessarily be limited to the child's physician, the Division of Public Health, the child's parent/ guardian, the child's DSCYF Case Manager(s), the proposed placement provider and the Office of Case Management (OCM). OCM will convene the planning team upon notification by the child's Case Manager.

D. Screening for Communicable Diseases: It is the policy of DSCYF to:

1. Prohibit routine screening of employees, prospective employees, volunteers, interns, contractors, subcontractors or clients for communicable diseases.
2. Ensure that any employee, volunteer, intern, contractor, subcontractor or client who may, in the performance of normal, assigned and/or expected duties and interactions be exposed to blood or other body fluids from a person who has or is likely to have a communicable disease, have access to screening for communicable diseases.
3. Ensure that the results of any screening be performed, recorded, reported and maintained in a confidential and discrete manner between the person tested and the medical professional / facility performing such tests.
4. Require that employees in residential and child care facilities and teachers and school employees must have on file with their employing organization within the first month of employment written evidence that they are free of communicable tuberculosis based on a tuberculin skin test within the previous 12 months. Periodic follow-up testing is required at a frequency contained in current Delacare regulations and the Administrative Code of the Department of Education (DOE).