

University of Michigan Academic Center for Public Health Preparedness Scenario: Building the Case for a Court Order

- *April:* People with symptoms of a respiratory flu-like illness are dying in Asia. WHO begins epidemiological investigation and alerts CDC of the findings. CDC begins its own investigation and puts out an alert of what is known.
- *May:* The WHO continues to collect information describing the symptoms affecting victims of the illness in China, Taiwan and Vietnam. CDC is closely watching for signs of an outbreak of an unusual respiratory flu-like illness in the U.S., but no cases have been reported. CDC advises active surveillance for outbreaks similar to the one in Asia. Canada reports cases involving those who have recently traveled to Asia. MDCH issues guidelines to local health departments to address this unusual illness, including a broad case definition to help providers detect a potential outbreak, and a list of tests that should be recommended for patients with an unusual flu-like respiratory illness and travel history.
- *June 1:* CNN reports an increase in deaths from this respiratory illness in China. The news report includes coverage of an orphanage in China that has closed due to the death of several orphanage workers and the orphanage doctor, resulting from a flu-like respiratory illness.
- *June 10:* A private doctor telephones a local health department and reaches a communicable disease nurse (CD nurse). The parents of a baby adopted in China have just returned, only 4 days ago, from an orphanage in China, and the baby has respiratory symptoms that look like flu. The doctor tests the child as recommended by the MDCH guidelines for this new illness.
- The CD nurse advises the doctor to send the baby home, but to isolate the child and quarantine the family. The CD nurse calls the parents and explains to them that there is a new disease that has just been identified – that exhibits flu-like symptoms and spreads from person to person -- thus, contact with all members of the family, including parents and child, should be limited. The CD nurse tells the parents to stay home, not have anyone else over to the house, and to take their temperatures, including the baby's, every four hours. She explains to the parents that she will call them to monitor everyone's temperature, and to inquire about signs and symptoms of any type of respiratory problem that may emerge over the next several days or a worsening of the baby's condition.
- *June 11:* The CD nurse calls the parents, no one answers. She calls again a few hours later; again, no answer. She decides to visit their home. A neighbor

who is in the front yard of the house next door tells the CD nurse that the baby's mother has returned to her job as a greeter at Wal-Mart, while the father has gone to play golf. The neighbor is caring for the baby. The CD nurse gives the same instructions to the neighbor: not to leave the house, and not to allow any visitors to come in contact with the baby. The neighbor says that the baby is fussy; the CD nurse takes the baby's temperature and it has risen to 103. She leaves a note on the parents' front door to please call and attempts to contact the mother at Wal-Mart.

- The CD nurse returns to the local health department and calls the doctor to provide an update. She tells him that the baby is sicker and requests all data on the baby, to try to collect as much information as possible for a diagnosis. The data shows that the x-ray is abnormal and the rapid strep screen and nasal swab are normal.
- In the meantime, the CD nurse has received 4 more calls from the hospital ED about suspect cases of respiratory illness. She conducts her own epidemiological investigation of the four patients. All cases have a history of travel to Asia in the last two weeks, and are showing signs of a flu-like respiratory illness.
- The State Department and CDC report that they are seeing several suspect cases of respiratory illness with a history of travel to Asia, and hold a press conference to encourage travelers to avoid Asia.
- The parents of the new baby are still not home. The parents have disobeyed the quarantine, and the CD nurse wants to get a court order. She must convince the local health officer to go to court and get an order to enforce the quarantine.

Question: Does the CD nurse have documentation sufficient to persuade a Judge to issue a Court Order to:

- (1) Isolate the baby,**
- (2) Detain the mother, and**
- (3) Detain the father?**