

Legal Aspects of Patient Quarantine

The Texas Judiciary has taken steps by which to assure that patients comply with medical orders to follow quarantine instructions. Specifically, two judges from every judicial region throughout Texas have been appointed for purposes of hearing involuntary quarantine cases. These judges will be available 24/7 for immediate action. Non-compliant patients who refuse to obey quarantine orders can be required to do so. When such a patient is brought to the attention of the local, regional or state health authority, the local county or district attorney (or the State Attorney General's Office) can ask a Judge for an emergency order enforcing the quarantine restrictions. The hearing can be conducted immediately by telephone on an "ex parte" basis (meaning the patient or his attorney won't necessarily have to be present or even aware of the hearing). The following day, however, the patient or his attorney will be given the opportunity to challenge the order. As of this date, there have been no involuntary quarantine orders, but a system has now been established should the need arise.

Physicians are required to immediately report all confirmed or suspected cases of COVID-19 to the appropriate health authority. See below. Physicians are also legally authorized under both HIPAA and Texas state law to contact law enforcement authorities if the physician reasonably believes the patient poses a risk of probable, imminent threat of physical injury to others (as might be the case in patients who refuse quarantine orders). Once notified, health and/or law enforcement authorities may now seek judicial enforcement of quarantine restrictions at any hour of the day or night.

**For questions or to report a suspected case, please
contact your local health department:**

Bexar County Residents:

San Antonio Metropolitan Health District
Epidemiology Program
Phone: (210) 207-8876
Fax: (210) 207-8807

Residents of Other Counties:

Texas Department of State Health Services
Public Health Region 8
Phone: (210) 949-2121
Fax: (210) 692-1457



As of March 9, 2020

Provided as a service from the Bexar County Medical Society