

26-6-28 Protection from examination in legal proceedings -- Exceptions.

- (1) Except as provided in Subsection (2), an officer or employee of the department or of a local health department may not be examined in a legal proceeding of any kind or character as to the existence or content of information retained pursuant to this chapter or obtained as a result of an investigation conducted pursuant to this chapter, without the written consent of the individual who is identified in the information or, if that individual is deceased, the consent of his next-of-kin.
- (2) This section does not restrict testimony and evidence provided by an employee or officer of the department or a local health department about:
 - (a) persons who are under restrictive actions taken by the department in accordance with Subsection 26-6-27(2)(e); or
 - (b) individuals or groups of individuals subject to examination, treatment, isolation, and quarantine actions under Chapter 6b, Communicable Diseases - Treatment, Isolation, and Quarantine Procedures.

Amended by Chapter 38, 2007 General Session