

Public Health Emergency

(6) “Public health emergency” means a sudden or unexpected and imminent public health threat that poses a significant risk of substantial harm to the health or safety of the affected population and that requires immediate action to avoid that serious harm:

(A) “a sudden or unexpected and imminent public health threat ” means the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin.

(B) “that poses a significant risk of substantial harm to the health or safety of the affected population” means where there is a high probability of any of the following:

(I) a large number of deaths in the affected population;

(ii) a large number of serious or long-term disabilities in the affected population;

(iii) widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population; or

(iv) a substantial and adverse impact on the availability of medical, public health, or other emergency resources.

(C) “that requires immediate action to avoid that serious harm” means that immediate extraordinary executive action is required through a declaration of a public health emergency in order to reasonably prevent or ameliorate a significant risk of substantial harm to the health or safety of the affected population.