



STATE OF WASHINGTON
DEPARTMENT OF HEALTH

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October 27, 2021

Keith Grellner, Chair
Michelle Davis, Executive Director
Washington State Board of Health
Post Office Box 47990
Olympia, Washington 98504-7990

Re: Extend Effective Date for Notifiable Conditions Rules (Chapter 246-101 WAC)

Dear Keith and Michelle:

The Washington State Department of Health (DOH) respectfully requests the Washington State Board of Health extend the effective date of the Notifiable Conditions rule codified in Chapter 246-101 WAC (WSR 21-11-040).

I greatly appreciate the engagement of many community partners to update the Notifiable Conditions rule. The disaggregated race and ethnicity categories, as well as the patients preferred language categories, will provide vital data to identify health inequity and work to improve the health of all people. I commend the Washington State Board of Health for this important policy work.

As DOH has worked to implement the Notifiable Conditions rule, we have identified technical challenges to complete this work by the effective date in regulation. As you know, the public health system has been woefully underfunded, including our IT systems.¹ DOH has identified 19 IT systems that will need updating to implement the new Notifiable Conditions rule. DOH IT staff and communicable disease staff's capacity to update these IT systems has been impeded by the relentless demands of the COVID-19 pandemic.

In addition, the Washington State Legislature passed House Bill 1272 (2021) an *Act Relating to Health Care System Transparency*. This bill requires DOH to update Washington's Comprehensive Hospital Abstract Reporting System (CHARS). HB 1272 impacts DOH IT systems and requires the collection of similar demographic data. The effective date for HB 1272 is January 1, 2023.

DOH recommends amending the Notifiable Conditions rule to an effective date of January 1, 2023, to align implementation with HB 1272 and provide enough time to successfully complete this critical public health work.

Sincerely,

Umair A. Shah, MD, MPH
Secretary of Health

¹ <https://www.nytimes.com/2020/07/13/upshot/coronavirus-response-fax-machines.html>

cc: Molly Voris, Senior Policy Advisor, Office of the Governor
Dr. Tao Sheng Kwan-Gett, Chief Science Officer, Department of Health
Dr. Scott Lindquist, State Epidemiologist for Communicable Disease, Department of Health
Jessica Todorovich, Chief of Staff, Department of Health
Elizabeth Perez, Deputy Secretary for Public Affairs and Equity, Department of Health
Kristin Peterson, Deputy Secretary for Policy and Planning, Department of Health
Les Becker, Deputy Secretary for Innovation, Department of Health
Jerrod Davis, Assistant Secretary for Disease Control and Health Statistics, Department of Health
Michael Ellsworth, Liaison and Policy Counsel, Department of Health