



Washington State Board of Health

Emergency Rule: Chapter 246-101 WAC, Notifiable Conditions
– COVID-19 Reporting

July 30, 2020

Overview

- CARES Act Requirements
- COVID-19 and Racial/Ethnic Health Disparities
- Proposed Emergency Rule
- FAQs

Coronavirus Aid, Relief, and Economic Security (CARES) Act



Section 18115

- (a) In general - Every laboratory that performs or analyzes a test that is intended to detect SARS-CoV-2 or to diagnose a possible case of COVID-19 shall report the results from each such test, to the Secretary of Health and Human Services in such form and manner, and at such timing and frequency, as the Secretary may prescribe until the end of the Secretary's Public Health Emergency declaration with respect to COVID-19 or any extension of such declaration.
- (b) Laboratories covered - The Secretary may prescribe which laboratories must submit reports pursuant to this section.
- (c) Implementation - The Secretary may make prescriptions under this section by regulation, including by interim final rule, or by guidance, and may issue such regulations or guidance without regard to the procedures otherwise required by section 553 of title 5, United States Code.

Laboratory Data Reporting Guidance for COVID-19 Testing

- On June 4, 2020, the U.S. Department of Health and Human Services (HHS) released guidance for laboratories to report COVID-19 cases.
- Laboratory testing data, including standardized test results, relevant demographic details, and additional information must be reported through existing public health data reporting methods.
 - Data should be sent to state or local public health departments using existing reporting channels in accordance with state law or policies.
- Any person or entity ordering a diagnostic or serologic test, collecting a specimen, or performing a test should make every reasonable effort to collect complete demographic information and should include such data when ordering a laboratory test.
- Reporting must occur no later than August 1, 2020.

Data Components That Must Be Collected

- Test ordered
- Device identifier
- Test result*
- Accession number or specimen ID
- Patient age**
- Patient race
- Patient ethnicity
- Patient sex**
- Patient residence zip code**
- Patient residence county
- Ordering provider name* and NPI
- Ordering provider zip code
- Performing facility name* and/or CLIA number
- Performing facility zip code
- Specimen source*
- Date test ordered
- Date specimen collected*

*Data components already required for laboratory reporting under chapter 246-101-225 WAC

**Data components already required for laboratory reporting under chapter 246-101-225 WAC, "if available"

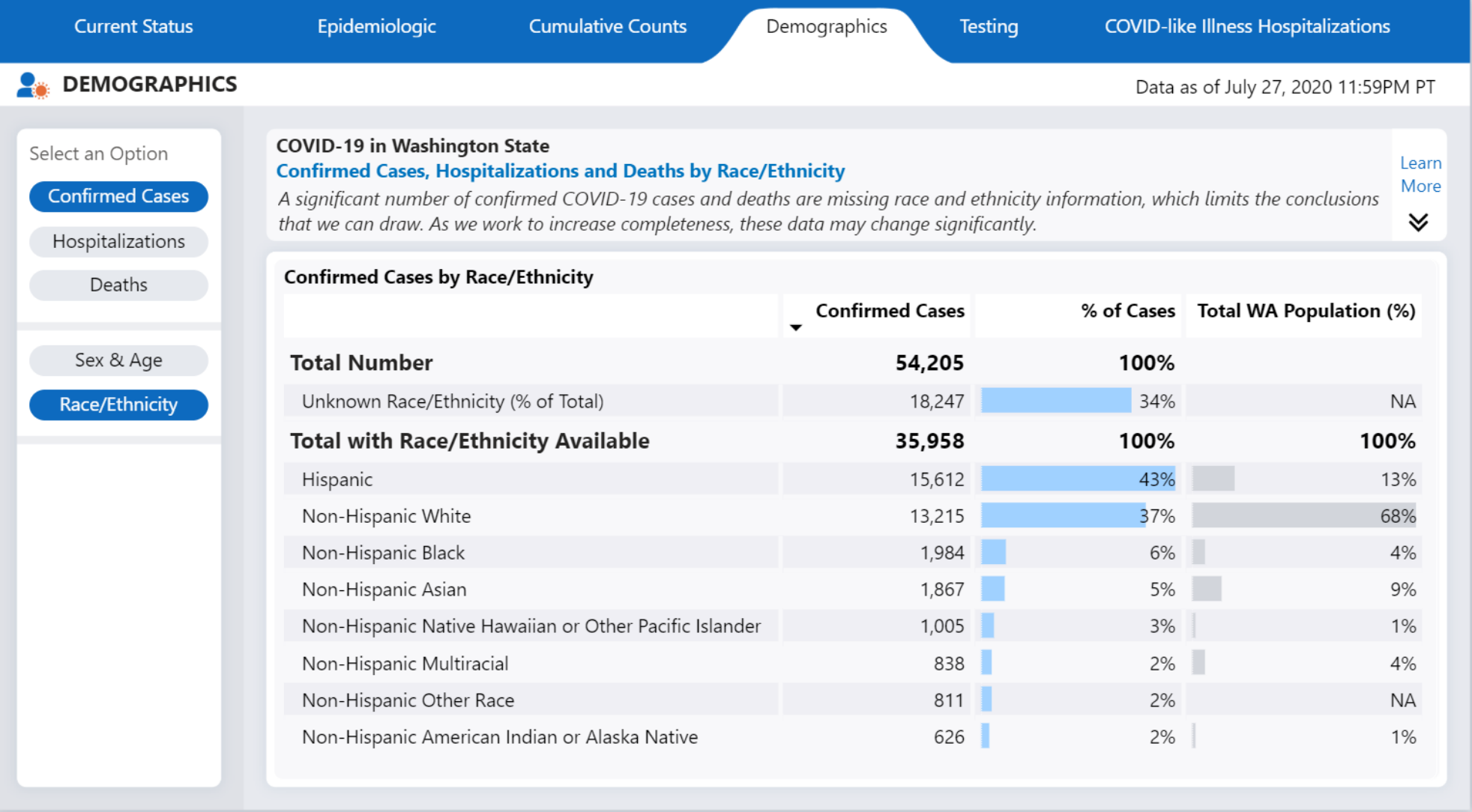
Data Components That Should Be Collected

- Patient name*
 - Patient street address**
 - Patient phone number
 - Patient date of birth**
 - Ordering provider address**
 - Ordering provider phone number*
- Answers to the following “ask on order entry” questions:
 - First test? (Y/N/U)
 - Employed in health care? (Y/N/U)
 - Symptomatic as defined by CDC? (Y/N/U); If yes, then date of symptom onset (MM/DD/YY)
 - Hospitalized? (Y/N/U)
 - ICU? (Y/N/U)
 - Resident in a congregate care setting? (Y/N/U)
 - Pregnant? (Y/N/U)

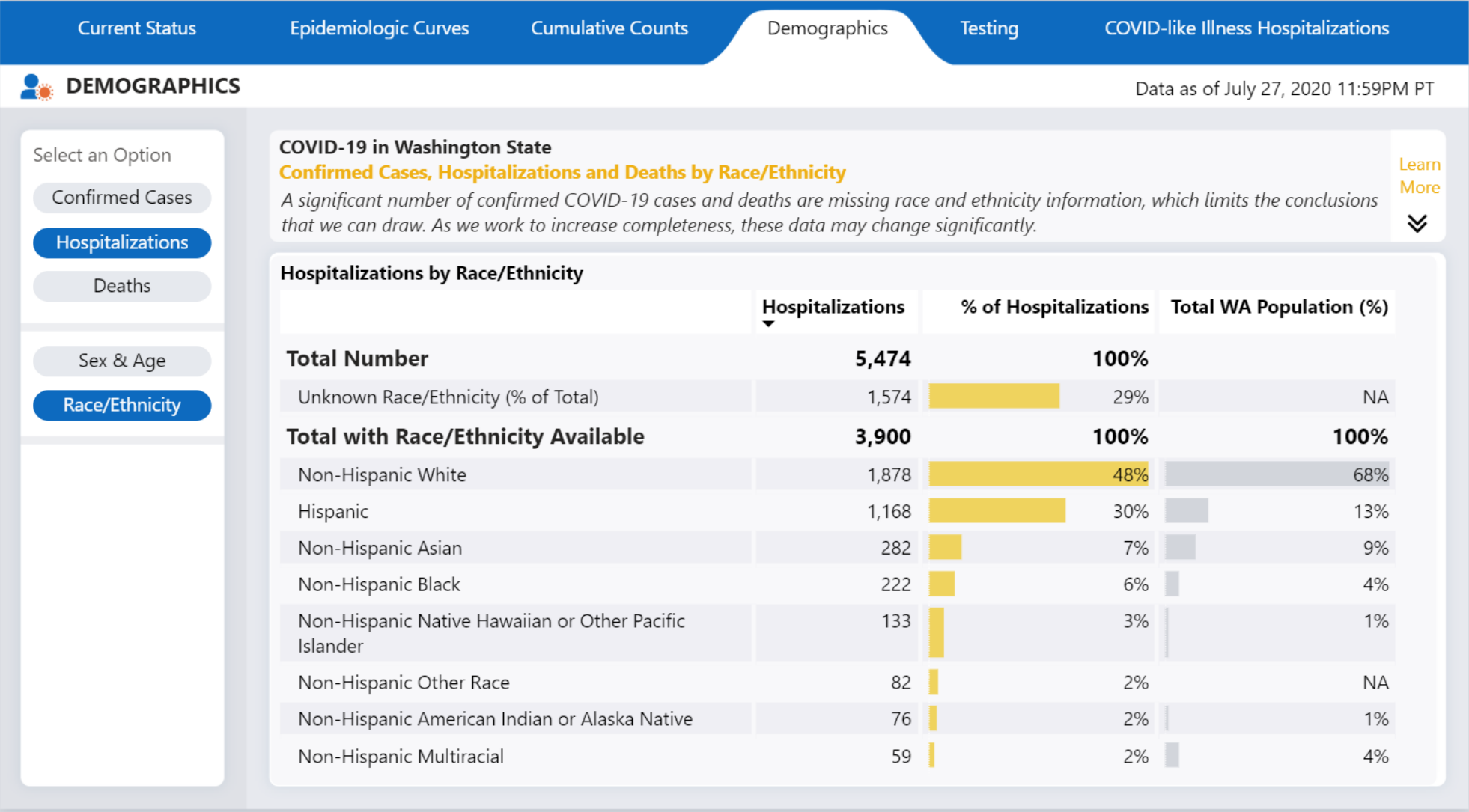
*Data components already required for laboratory reporting under chapter 246-101-225 WAC

**Data components already required for laboratory reporting under chapter 246-101-225 WAC, “if available”

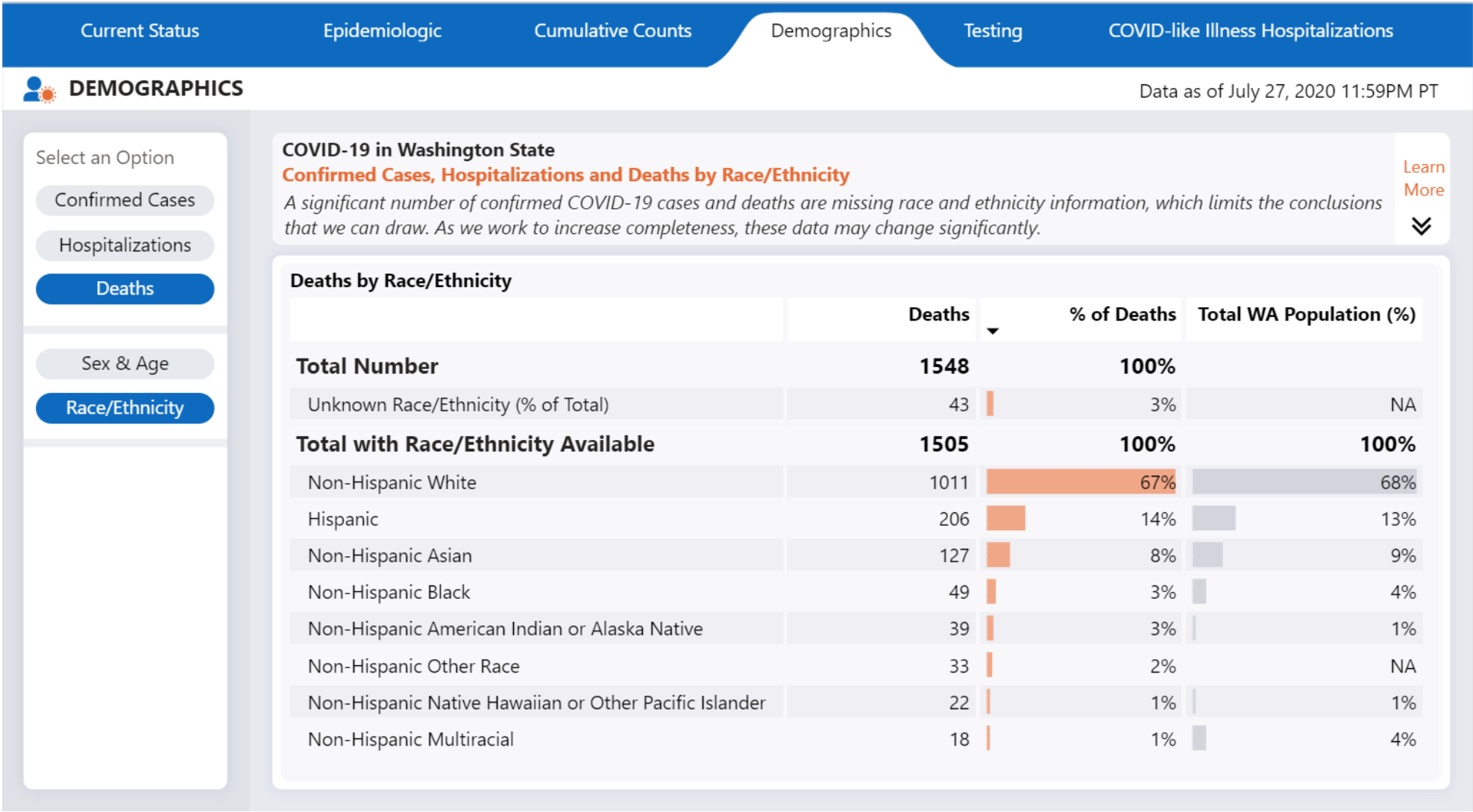
Washington's COVID-19 Racial/Ethnic Health Disparities



Washington's COVID-19 Racial/Ethnic Health Disparities



Washington's COVID-19 Racial/Ethnic Health Disparities



Proposed Emergency Rule: WAC 246-101-017



Notification of COVID-19

Explicitly designates novel coronavirus (SARS-CoV-2) as a notifiable condition under Chapter 246-101 WAC.

Required Reporting

Health care providers, health care facilities, laboratories, and local health jurisdictions are required to report race, ethnicity, and other essential data.

Demographic Data

Complete demographic data is necessary to address inequities in morbidity and mortality and inform linguistically and culturally appropriate outreach to affected communities.

CARES Act Compliance

Ensures laboratories are in compliance with the CARES Act and subsequent HHS guidance, leveraging existing state and local reporting mechanisms.

Frequently Asked Questions

How does the emergency rule compare to the HHS Guidance?

All required data elements in the HHS guidance are present in the emergency rule. However, there are key differences between the emergency rule and HHS guidance:

- HHS guidance applies to laboratories only. The requirement for health care providers and facilities to report certain data is intended to help facilitate the information flow from the laboratories through state and local health channels and up to the CDC.
- The emergency rules require some data components beyond those required in the HHS guidance. These are the data components required for all conditions in the existing notifiable conditions rule plus primary language.

How does the emergency rule compare to the current notifiable conditions rule?

Currently, novel coronavirus (SARS-CoV-2) aka COVID-19 is not an explicitly designated as a notifiable condition. The emergency rule makes this designation and requires data components to be reported by the regulated community above what is currently required in the notifiable conditions rule

Frequently Asked Questions (continued)

How does the emergency rule compare to the proposed notifiable conditions rule?

The proposed notifiable conditions rule, scheduled for a rules hearing before the Board on August 12, 2020, does designate novel coronavirus (SARS-CoV-2) as a notifiable condition. The proposed rule also requires race and ethnicity reporting for all notifiable conditions. However, the emergency rule still has additional reporting requirements above and beyond the proposed notifiable conditions rule for COVID-19 cases.

We anticipate the proposed notifiable conditions rule will go into effect in early 2021, whereas the emergency rule is effective for 120 days. The emergency rule may need to be renewed in response to the COVID-19 public health emergency. In the event the emergency rule is renewed and in effect at the same time the proposed notifiable conditions rule goes into effect, regulated entities will still need to report on data elements specified in the emergency rule.

Kaitlyn Donahoe, MPA
Health Policy Advisor
Washington State Board of Health
Kaitlyn.Donahoe@sboh.wa.gov

Sierra Rotakhina, MPH
Health Policy Advisor
Disease Control and Health Statistics
Washington State Department of Health
Sierra.Rotakhina@doh.wa.gov

| THANK YOU

To request this document in an alternate format, please contact Kelie Kahler, Washington State Board of Health Communication Manager, at 360-236-4102, or by email at kelie.kahler@sboh.wa.gov
TTY users can dial 711