



Date: April 8, 2020

To: Washington State Board of Health Members

From: Stephen Kutz, BSN, MPH

Subject: Rules Hearing – Notifiable Conditions Rule Making – Chapter 246-101 WAC

Background and Summary:

The purpose of chapter 246-101 WAC, Notifiable Conditions, is to provide critical information to public health authorities to aid them in protecting and improving public health through prevention and control of infectious and noninfectious conditions as required under RCW 43.20.050, 70.104.055, and 43.70.545. The State Board of Health (Board) and Washington State Department of Health (Department) filed a CR-101 in April 2017. Initial work with stakeholders indicated a need to expand the scope of the rulemaking. The original CR-101 was withdrawn and a new CR-101 was filed on March 18, 2018. The CR-102, Proposed Rule, was filed on March 3, 2020 as WSR 20-06-061. Board staff filed a continuance on March 18, 2020 as WSR 20-07-108 for the purposes of updating meeting information.

The proposed changes include adding notification and specimen submission requirements for “new conditions” and conditions currently identified as “other rare diseases of public health significance”. The proposed rule also includes changes that update and clarify notification and specimen submission requirements for certain existing conditions, clarify and improve requirements for suspected cases, revise the reporting requirements for veterinarians and the Department of Agriculture, update statutory references in the rules, and update references to the 2006 Security and Confidentiality Guidelines developed by the Centers for Disease Control and Prevention to the most recent version.

I have invited Alexandra Montañó and Sierra Rotakhina from the Department of Health to provide a summary of the proposed changes, share the comments that were received on the proposed rule, and to provide staff recommendations on how to address the comments. Following their presentation we will hold a public hearing on the rule and discuss the proposed changes.

Recommended Board Action:

The Board may wish to consider, amend if necessary, and adopt the following motion:

The Board adopts the proposed amendments to chapter 246-101 WAC as published in WSR 20-07-108 with the revisions agreed upon at today's meeting, and directs staff to file a CR-103 and establish an effective date.

OR

The Board, based on today's discussion, will continue its decision to adopt the proposed rule and revisions agreed upon at today's meeting, to the Board's August meeting for the purposes of extending the public comment period so that interested parties including, but not limited to, laboratories, health care facilities, providers, and local health jurisdictions have more time to review and comment on the proposal. The Board directs staff to file an updated CR-102 and notify interested parties of the extended comment period.

To request this document in an alternate format or a different language, 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.

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