



# Washington State Board of Health

Emergency Rule: WAC 246-101-017, COVID-19 Reporting

November 9, 2020



# Kaitlyn Donahoe, MPA

## Policy Advisor, State Board of Health



# Overview

- CARES Act Requirements, HHS Guidance
- July 30, 2020 Emergency Rule
- Rule Implementation Limitations
- Proposed Revisions
- Next Steps

# CARES Act Requirements, HHS Guidance

- March 27, 2020: the Coronavirus Aid, Relief, and Economic Security (CARES) Act requires laboratories to report COVID-19 test results to the Secretary of Health and Human Services (HHS) through the end of the COVID-19 public health emergency
- June 4, 2020: HHS released laboratory data reporting guidance
  - Laboratory testing data, including standardized test results, relevant demographic details, and additional information must be reported through existing public health data reporting methods
  - Every reasonable effort should be made 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”



# Board's Emergency Rule: WAC 246-101-017



The Board's emergency rule, adopted July 30, 2020, went beyond HHS guidance in the following ways:

Requires reporting by health care providers, health care facilities, laboratories, and local health jurisdictions.

Includes all data components that *must* and *should* be collected per HHS guidance, including "ask on order entry" questions.

Requires reporting of the patient's complete contact information, including the phone number of the patient's emergency contact.

Requires reporting of the patient's race and ethnicity, using disaggregated reporting categories, and patient's preferred language.



# Board's Emergency Rule: WAC 246-101-017

- Complete demographic information is key to understanding which communities are impacted.
- Knowing which specific groups are being disproportionately impacted helps public health build partnerships and develop prevention strategies with community-based organizations.
- Language data helps with outreach, contact tracing and case investigation.
- Patient's emergency contact phone number can help in contact tracing if the patient's phone number is incorrect or disconnected.





# Rule Implementation Limitations

- Unforeseen staffing changes at the Department and system limitations prevented full implementation of the emergency rule requirements
- Collection of data components outside of what is federally required (HHS guidance), including detailed race, ethnicity, and language data, is not feasible at this time.
- Proposed revisions to the emergency rule are intended to reflect what can be reported and collected by Washington's public health surveillance system at this time.



# Proposed Revisions

- Align emergency rule with HHS guidance and technical specifications.
- Add animal case reporting of COVID-19 by the Department of Agriculture.
- Require race and ethnicity reporting using categories consistent with 2020 Census, not disaggregated.
- Voluntary reporting for “ask on order entry” questions, not mandatory.
- Remove patient’s preferred language and emergency contact number.
- Minor editorial changes for clarity throughout.



# Next Steps

- The current emergency rule will expire on November 28, 2020.
- If the Board elects to adopt a second emergency rule, staff will file a second CR-103E to extend WAC 246-101-017 without lapse effective November 29, 2020.
- Adoption of a second emergency rule will extend these requirements to March 29, 2021.

# | THANK YOU