



# Washington State Board of Health

## Update – Notifiable Conditions – WAC 246-101

November 9, 2020



# Overview

- Background
  - Rulemaking Timeline
  - Proposed Rule
  - Public Comments Received, Direction to Staff
- Staff Work Since August
  - Feasibility Considerations
  - Cost/Benefit Analysis
  - Engaging Community Partners
- Staff Recommendation, Estimated Timeline



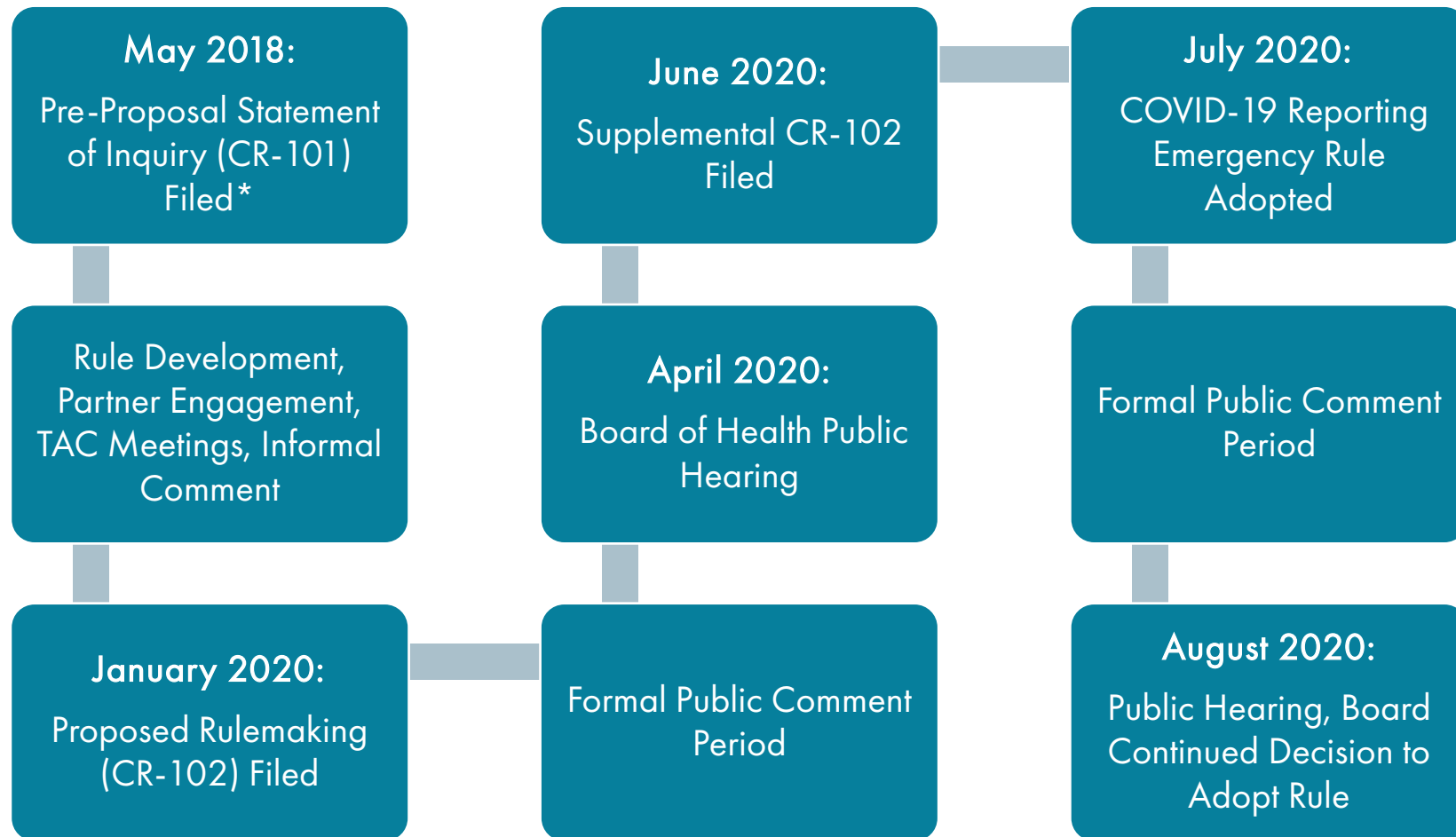


# Background

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# Rulemaking Timeline



\*Original CR-101 filed in April 2017; the new CR-101 was filed in May 2018 after internal work with subject matter experts.



# Proposed Rule

- Adds new conditions and notification requirements
- Changes notification requirements for existing conditions
- Revises current reporting requirements for veterinarians and the Washington State Department of Agriculture
- Administrative changes for usability, clarity





# Proposed Rule: Supplemental CR-102

- Race and ethnicity reporting
- Adding Silicosis (clerical error)
- Additional administrative changes (e.g., SARS-CoV-2)





# Direction from the Board

At its August meeting, the Board directed staff to explore the feasibility of including additional demographic reporting requirements in the Notifiable Conditions rules.

This was in response to public comment received that requested the Board include the following data components:

- Race
- Ethnicity
- Primary Language
- Gender Identity
- Sexual Orientation
- Disability Status





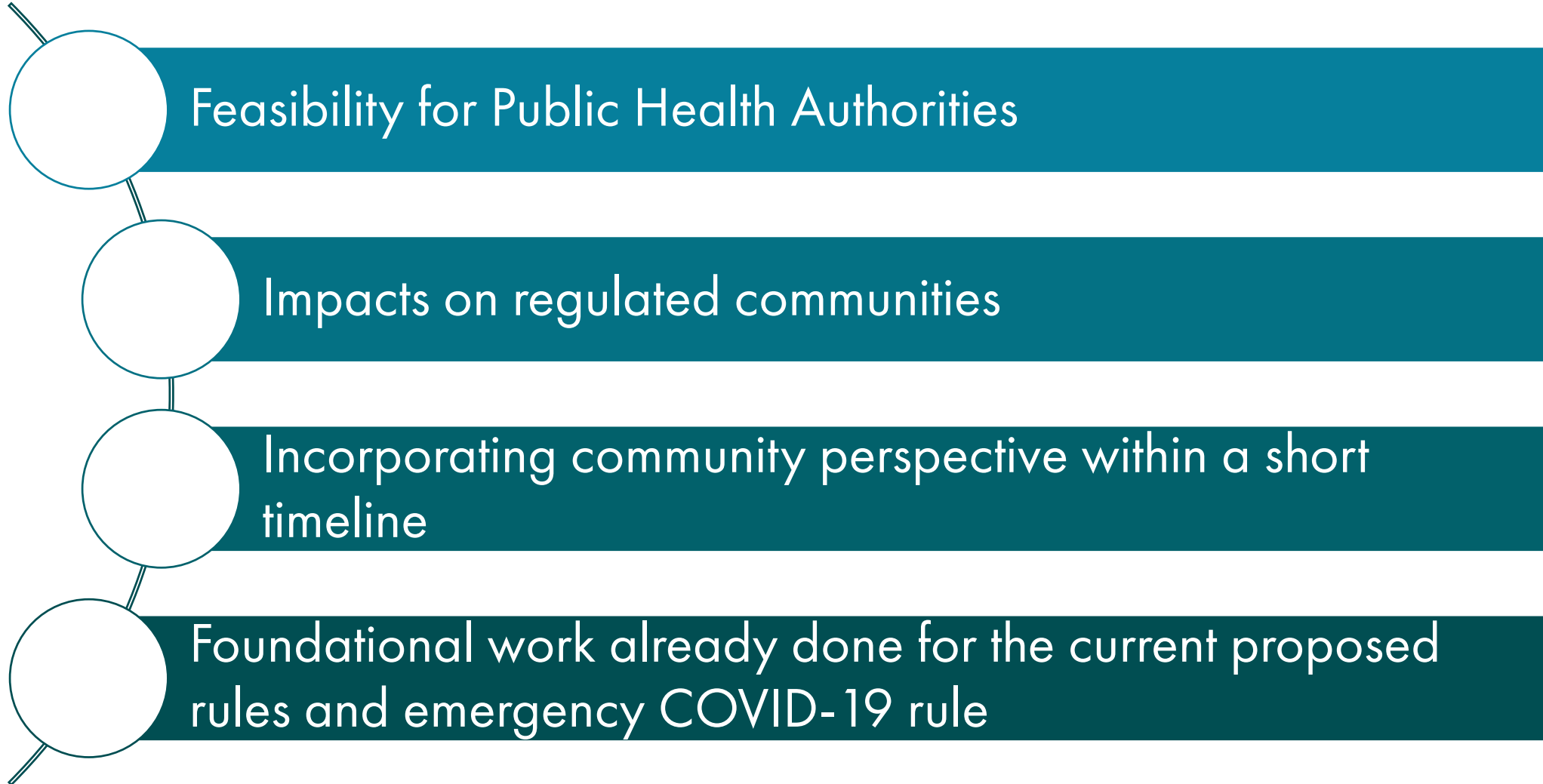


# Staff Work Since August Board Meeting

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# Feasibility Considerations





# Consideration of Additional Demographic Data

## Key Rulemaking Values

- Centering Equity
- Being Responsive to Community
- Benefit to Community

- Race
- Ethnicity
- Language

- Gender Identity
- Sexual Orientation
- Disability Status



# Groundwork for Race, Ethnicity, and Language

## Existing Rule Language

- Proposed permanent Notifiable Conditions rules
- Emergency COVID-19 rule

## Implementation

- Department of Health systems
- Regulated community systems



# Cost/Benefit of Delaying Rule Implementation



**Public Health Costs  
and Benefits**

**Equity Costs and  
Benefits**



# Public Health and Equity Benefits of Delaying Implementation



Responsive to  
Community  
Guidance

Identify and  
Address Health  
Inequities



# Public Health and Equity Costs of Delaying Implementation

Addition or  
modification of over  
70 conditions

Relevance of  
technical changes as  
time passes

Streamlining and  
clarification to  
improve compliance

Collection of new  
data components

Reporting of animal  
cases from the  
Department of  
Agriculture



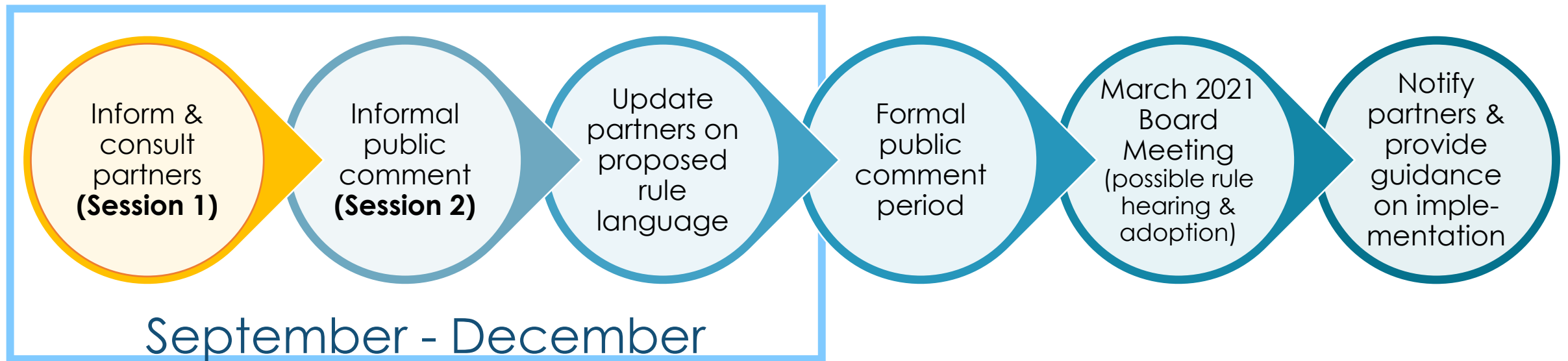


# Engaging Community Partners

Data Categories for Race, Ethnicity, Language



# Timeline for Community Partner Engagement



# Inform & Consult

## **WELCOME PACKET**

For Community Partners

Notifiable Conditions Rule

October 2020

- Project background
- Request for participation
- Drafts:
  - Community Engagement Plan
  - Glossary
  - Inclusion Criteria



# Framework



## Project Glossary

- a common understanding
- express concepts in a consistent and intentional manner

## Inclusion Criteria

- framework to guide research and decisions
- subcategories to include



## Draft Data Categories

- assess the feasibility of requiring detailed categories for race, ethnicity, and language



# October 26 Session

- Commission on African American Affairs
- Commission on Asian Pacific American Affairs
- King Co. Pandemic & Racism Community Advisory Group
- Communities of Color Coalition (C3)
- Partners in Change / Equity in Education Coalition
- Community Center for Education Results
- WA State Coalition for Language Access
- Yakima Valley Community Foundation
- Accountable Communities of Health (ACHs): Greater Columbia, Better Health Together, North Sound, Southwest Washington, Cascade Pacific Action Alliance





# Partner Insight

## Disaggregated Data:

- should be the norm
- must reflect the diversity of communities
- support “targeted, tailored, effective services”
- get us closer to having the right data to make decisions

This is an important opportunity—we must seize it.





# Partner Insight (Continued)

## Context & Priorities

- Timeline
- Inclusion of sexual orientation, gender identity, and disability status
- Narratives and storytelling
- The bigger picture

## Guidance

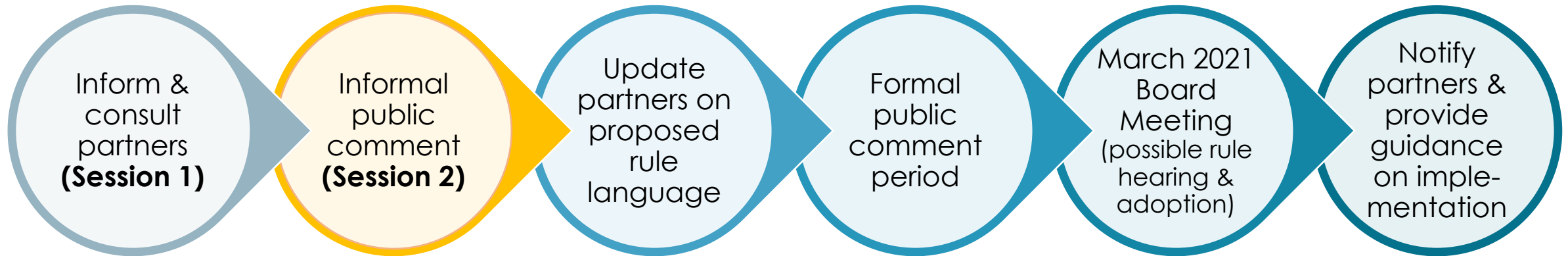
- Prioritize community knowledge
- Relate this work to existing efforts
- Be inclusive
- Do not perpetuate inequities





# Community Engagement Next Steps

- Ongoing communication
- Session 2: feedback on draft language







# Staff Recommendation

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# Staff Recommendation

- Board and Department staff recommend the Board:
  - Withdraw the current CR-102, which would expire next month if not withdrawn.
  - Continue working with subject matter and community experts, local health jurisdictions, and the regulated community to draft rule language for the Board's consideration to collect race, ethnicity, and language data for all notifiable conditions.
- Staff do not recommend delaying the rule hearing past March 2021.
  - Staff recommend prioritizing inclusion of additional data components the next time the notifiable conditions rule is opened for revision.

# Estimated Timeline

## Nov. – Dec. 2020

- Continued Partner Engagement
- Withdraw Supplemental CR-102

## January 2021

- Rule Package Revision
- Tentative Board Briefing

## February 2021

- File New CR-102
- Public Comment Period

## March 2021

- Tentative Rules Hearing

## Late 2021

- Rule Implementation



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