

(Effective until January 1, 2023)

WAC 246-101-010 Definitions within the notifiable conditions regulations. The following definitions apply in the interpretation and enforcement of this chapter:

(1) "Associated death" means a death resulting directly or indirectly from the confirmed condition of influenza or varicella. There should be no period of complete recovery between the illness and death.

(2) "Blood lead level" means a measurement of lead content in whole blood.

(3) "Board" means the Washington state board of health.

(4) "Carrier" means a person harboring a specific infectious agent and serving as a potential source of infection to others.

(5) "Case" means a person, alive or dead, diagnosed with a particular disease or condition by a health care provider with diagnosis based on clinical or laboratory criteria or both.

(6) "Child day care facility" means an agency regularly providing care for a group of children for less than twenty-four hours a day and subject to licensing under chapter 74.15 RCW.

(7) "Condition notifiable within three business days" means a notifiable condition that must be reported to the local health officer or the department within three business days following date of diagnosis. For example, if a condition notifiable within three business days is diagnosed on a Friday afternoon, the report must be submitted by the following Wednesday.

(8) "Communicable disease" means a disease caused by an infectious agent that can be transmitted from one person, animal, or object to another person by direct or indirect means including transmission through an intermediate host or vector, food, water, or air.

(9) "Contact" means a person exposed to an infected person, animal, or contaminated environment that may lead to infection.

(10) "Department" means the Washington state department of health.

(11) "Disease of suspected bioterrorism origin" means a disease caused by viruses, bacteria, fungi, or toxins from living organisms that are used to produce death or disease in humans, animals, or plants. Many of these diseases may have nonspecific presenting symptoms. The following situations could represent a possible bioterrorism event and should be reported immediately to the local health department:

(a) A single diagnosed or strongly suspected case of disease caused by an uncommon agent or a potential agent of bioterrorism occurring in a patient with no known risk factors;

(b) A cluster of patients presenting with a similar syndrome that includes unusual disease characteristics or unusually high morbidity or mortality without obvious etiology; or

(c) Unexplained increase in a common syndrome above seasonally expected levels.

(12) "Elevated blood lead level" means blood lead levels equal to or greater than 10 micrograms per deciliter for persons aged fifteen years or older, or equal to or greater than 5 micrograms per deciliter in children less than fifteen years of age.

(13) "Emerging condition with outbreak potential" means a newly identified condition with potential for person-to-person transmission.

(14) "Food service establishment" means a place, location, operation, site, or facility where food is manufactured, prepared, pro-

cessed, packaged, dispensed, distributed, sold, served, or offered to the consumer regardless of whether or not compensation for food occurs.

(15) "Health care-associated infection" means an infection acquired in a health care facility.

(16) "Health care facility" means:

(a) Any assisted living facility licensed under chapter 18.20 RCW; birthing center licensed under chapter 18.46 RCW; nursing home licensed under chapter 18.51 RCW; hospital licensed under chapter 70.41 RCW; adult family home licensed under chapter 70.128 RCW; ambulatory surgical facility licensed under chapter 70.230 RCW; or private establishment licensed under chapter 71.12 RCW;

(b) Clinics, or other settings where one or more health care providers practice; and

(c) In reference to a sexually transmitted disease, other settings as defined in chapter 70.24 RCW.

(17) "Health care provider" means any person having direct or supervisory responsibility for the delivery of health care who is:

(a) Licensed or certified in this state under Title 18 RCW; or

(b) Military personnel providing health care within the state regardless of licensure.

(18) "Health care services to the patient" means treatment, consultation, or intervention for patient care.

(19) "Health carrier" means a disability insurer regulated under chapter 48.20 or 48.21 RCW, a health care service contractor as defined in RCW 48.44.010, or a health maintenance organization as defined in RCW 48.46.020.

(20) "HIV testing" means conducting a laboratory test or sequence of tests to detect the human immunodeficiency virus (HIV) or antibodies to HIV performed in accordance with requirements to WAC 246-100-207. To assure that the protection, including, but not limited to, pre- and post-test counseling, consent, and confidentiality afforded to HIV testing as described in chapter 246-100 WAC also applies to the enumeration of CD4 + (T4) lymphocyte counts (CD4 + counts) and CD4 + (T4) percents of total lymphocytes (CD4 + percents) when used to diagnose HIV infection, CD4 + counts and CD4 + percents will be presumed HIV testing except when shown by clear and convincing evidence to be for use in the following circumstances:

(a) Monitoring previously diagnosed infection with HIV;

(b) Monitoring organ or bone marrow transplants;

(c) Monitoring chemotherapy;

(d) Medical research; or

(e) Diagnosis or monitoring of congenital immunodeficiency states or autoimmune states not related to HIV.

The burden of proving the existence of one or more of the circumstances identified in (a) through (e) of this subsection shall be on the person asserting the existence.

(21) "Immediately notifiable condition" means a notifiable condition of urgent public health importance, a case or suspected case of which must be reported to the local health officer or the department without delay at the time of diagnosis or suspected diagnosis, twenty-four hours a day, seven days a week.

(22) "Infection control measures" means the management of infected persons, or of a person suspected to be infected, and others in a manner to prevent transmission of the infectious agent.

(23) "Institutional review board" means any board, committee, or other group formally designated by an institution, or authorized under

federal or state law, to review, approve the initiation of, or conduct periodic review of research programs to assure the protection of the rights and welfare of human research subjects as defined in RCW 70.02.010.

(24) "Isolation" means the separation or restriction of activities of infected individuals, or of persons suspected to be infected, from other persons to prevent transmission of the infectious agent.

(25) "Laboratory" means any facility licensed as a medical test site under chapter 70.42 RCW and chapter 246-338 WAC.

(26) "Laboratory director" means the director or manager, by whatever title known, having the administrative responsibility in any licensed medical test site.

(27) "Local health department" means the city, town, county, or district agency providing public health services to persons within the area, established under chapters 70.05, 70.08, and 70.46 RCW.

(28) "Local health officer" means the individual having been appointed under chapter 70.05 RCW as the health officer for the local health department, or having been appointed under chapter 70.08 RCW as the director of public health of a combined city-county health department.

(29) "Member of the general public" means any person present within the boundary of the state of Washington.

(30) "Monthly notifiable condition" means a notifiable condition which must be reported to the local health officer or the department within one month of diagnosis.

(31) "Notifiable condition" means a disease or condition of public health importance, a case of which, and for certain diseases, a suspected case of which, must be brought to the attention of the local health officer or the state health officer.

(32) "Other rare diseases of public health significance" means a disease or condition, of general or international public health concern, which is occasionally or not ordinarily seen in the state of Washington including, but not limited to, spotted fever rickettsiosis, babesiosis, tick paralysis, anaplasmosis, and other tick borne diseases. This also includes public health events of international concern and communicable diseases that would be of general public concern if detected in Washington.

(33) "Outbreak" means the occurrence of cases or suspected cases of a disease or condition in any area over a given period of time in excess of the expected number of cases.

(34) "Patient" means a case, suspected case, or contact.

(35) "Pesticide poisoning" means the disturbance of function, damage to structure, or illness in humans resulting from the inhalation, absorption, ingestion of, or contact with any pesticide.

(36) "Principal health care provider" means the attending health care provider recognized as primarily responsible for diagnosis or treatment of a patient, or in the absence of such, the health care provider initiating diagnostic testing or treatment for the patient.

(37) "Public health authorities" means local health departments, the state health department, and the department of labor and industries personnel charged with administering provisions of this chapter.

(38) "Quarantine" means the separation or restriction on activities of an individual having been exposed to or infected with an infectious agent, to prevent disease transmission.

(39) "School" means a facility for programs of education as defined in RCW 28A.210.070 (preschool and kindergarten through grade twelve).

(40) "Sexually transmitted disease (STD)" means a bacterial, viral, fungal, or parasitic disease or condition which is usually transmitted through sexual contact, including:

- (a) Acute pelvic inflammatory disease;
- (b) Chancroid;
- (c) *Chlamydia trachomatis* infection;
- (d) Genital and neonatal Herpes simplex;
- (e) Genital human papilloma virus infection;
- (f) Gonorrhea;
- (g) Granuloma inguinale;
- (h) Hepatitis B infection;
- (i) Human immunodeficiency virus (HIV) infection and acquired immunodeficiency syndrome (AIDS);
- (j) Lymphogranuloma venereum;
- (k) Nongonococcal urethritis (NGU); and
- (l) Syphilis.

(41) "State health officer" means the person designated by the secretary of the department to serve as statewide health officer, or, in the absence of this designation, the person having primary responsibility for public health matters in the state.

(42) "Suspected case" means a person whose diagnosis is thought likely to be a particular disease or condition with suspected diagnosis based on signs and symptoms, laboratory evidence, or both.

(43) "Third-party payor" means an insurer regulated under Title 48 RCW authorized to transact business in this state or other jurisdiction including a health care service contractor and health maintenance organization, an employee welfare benefit plan, or a state or federal health benefit program as defined in RCW 70.02.010.

(44) "Unexplained critical illness or death" means cases of illness or death with infectious hallmarks but no known etiology, in previously healthy persons one to forty-nine years of age excluding those with chronic medical conditions (e.g., malignancy, diabetes, AIDS, cirrhosis).

(45) "Veterinarian" means an individual licensed and practicing under provisions of chapter 18.92 RCW, Veterinary medicine, surgery, and dentistry.

[Statutory Authority: RCW 43.20.050. WSR 14-11-009, § 246-101-010, filed 5/8/14, effective 6/8/14; WSR 11-02-065, § 246-101-010, filed 1/4/11, effective 2/4/11; WSR 00-23-120, § 246-101-010, filed 11/22/00, effective 12/23/00.]

(Effective January 1, 2023)

WAC 246-101-010 Definitions, abbreviations, and acronyms. The definitions, abbreviations, and acronyms in this section apply throughout this chapter unless the context clearly requires otherwise:

(1) "Animal case" means an animal, alive or dead, with a diagnosis or suspected diagnosis of a notifiable condition in Table Agriculture-1 of WAC 246-101-805 made by a veterinarian licensed under chapter 18.92 RCW, veterinary medical facility licensed under chapter 18.92 RCW, or veterinary laboratory as defined under chapter 16.70 RCW based on clinical criteria, or laboratory criteria, or both.

(2) "Animal case report" means the data and other supporting information submitted by the Washington state department of agriculture

to the department under WAC 246-101-810 for an individual animal with a notifiable condition.

(3) "Associated death" means a death resulting directly or indirectly from a case of the specified condition, with no period of complete recovery between the onset of the condition and death.

(4) "Blood lead level" means a measurement of lead content in whole blood.

(5) "Board" means the Washington state board of health.

(6) "Business day" means any day that the department is open for business.

(7) "Carrier" means a person harboring a specific infectious agent without developing symptoms and serving as a potential source of infection to others.

(8) "Case" means a person, alive or dead, with a diagnosis or suspected diagnosis of a condition made by a health care provider, health care facility, or laboratory based on clinical criteria, or laboratory criteria, or both, such as the Centers for Disease Control and Prevention, National Notifiable Diseases Surveillance System, Council of State and Territorial Epidemiologists case definitions.

(9) "Case report" means the data and other supporting information submitted by a health care provider or health care facility to public health authorities under WAC 246-101-115 for an individual patient with a notifiable condition.

(10) "Communicable disease" means an infectious disease that can be transmitted from a person, animal, or object to a person by direct or indirect means including, but not limited to, transmission through an intermediate host or vector, food, water, or air.

(11) "Condition" means an infectious or noninfectious condition as these terms are defined in this chapter.

(12) "Department" or "DOH" means the Washington state department of health.

(13) "Health care-associated infection" means a localized or systemic condition that results from adverse reaction to the presence of an infectious agent or its toxins and that was not present or incubating at the time of admission to the health care facility.

(14) "Health care facility" means:

(a) Assisted living facilities licensed under chapter 18.20 RCW;

(b) Birthing centers licensed under chapter 18.46 RCW;

(c) Nursing homes licensed under chapter 18.51 RCW;

(d) Hospitals licensed under chapter 70.41 RCW;

(e) Adult family homes licensed under chapter 70.128 RCW;

(f) Ambulatory surgical facilities licensed under chapter 70.230 RCW;

(g) Private establishments licensed under chapter 71.12 RCW;

(h) Enhanced service facilities licensed under chapter 70.97 RCW;

(i) Clinics, or other settings where one or more health care providers practice; and

(j) In reference to a sexually transmitted infection, other settings as defined in chapter 70.24 RCW.

(15) "Health care provider" means any person having direct or supervisory responsibility for the delivery of health care whose scope of practice allows for diagnosis and treatment of notifiable conditions and who is:

(a) Licensed or certified in this state under Title 18 RCW; or

(b) Military personnel providing health care within the state regardless of licensure.

- (16) "Immediately" means without delay, twenty-four hours a day, seven days a week.
- (a) For health care providers and health care facilities, immediately means at the time a case is identified;
- (b) For laboratories, immediately means upon receiving a presumptive or final test result; or
- (c) For state agencies and local health jurisdictions, immediately means upon receiving notification of a case.
- (17) "Infection control measures" means the management of an infected person, or of a person suspected to be infected, and others in a manner to prevent transmission of the infectious agent. Infection control measures include, but are not limited to, isolation and quarantine.
- (18) "Infectious condition" means a disease caused by a pathogenic organism such as bacteria, virus, fungus, parasite, or infectious agent, and includes communicable disease and zoonotic disease.
- (19) "Influenza, novel" or "influenza virus, novel" means a human infection with an influenza A virus subtype that is different from currently circulating human influenza subtypes. Novel subtypes include, but are not limited to, H2, H5, H7, and H9 subtypes.
- (20) "Institutional review board" has the same meaning as defined in RCW 70.02.010.
- (21) "Investigation report" means the data and other supporting information submitted by a local health jurisdiction to the department under WAC 246-101-513(2) for an individual patient with a notifiable condition.
- (22) "Isolation" means the separation of infected or contaminated persons or animals from others to prevent or limit the transmission of the infectious agent or contaminant from those infected or contaminated to those who are susceptible to disease or who may spread the infectious agent or contaminant to others.
- (23) "Laboratory" means any facility licensed as a test site or medical test site under chapter 70.42 RCW and chapter 246-338 WAC, including any laboratory that is granted a Clinical Laboratory Improvement Amendment (CLIA)-Waiver.
- (24) "Laboratory director" means the person, or person's designee, by whatever title known, having the administrative responsibility for a laboratory.
- (25) "Laboratory report" means the data and other supporting information submitted by a laboratory director to public health authorities under WAC 246-101-225 for an individual patient with a notifiable condition.
- (26) "Local health jurisdiction" or "LHJ" means a county health department under chapter 70.05 RCW, city-county health department under chapter 70.08 RCW, or health district under chapter 70.46 RCW.
- (27) "Local health officer" means the legally qualified physician who has been appointed as the health officer for the local health jurisdiction under chapter 70.05 RCW, or their designee.
- (28) "MERS" means Middle East respiratory syndrome.
- (29) "Noninfectious condition" means a disease or health concern that may lead to disease caused by nonpathogenic factors.
- (30) "Notifiable condition" means a condition identified in Table HC-1 of WAC 246-101-101, Table Lab-1 of WAC 246-101-201, or Table Agriculture-1 of WAC 246-101-805, a case of which requires notification to public health authorities under this chapter; or a condition designated by the local health officer as notifiable within their jurisdiction.

tion under WAC 246-101-505 (4)(d). Notifiable condition does not include provisional conditions as defined under WAC 246-101-015.

(31) "Outbreak" means the occurrence of a condition in an area over a given period of time in excess of the expected number of occurrences including, but not limited to, foodborne disease, waterborne disease, and health care-associated infection.

(32) "Outbreak report" means the data and other supporting information about an outbreak that local health jurisdictions submit to the department under WAC 246-101-513(3) following investigation of an outbreak.

(33) "PCR" means polymerase chain reaction.

(34) "Pesticide poisoning" means the disturbance of function, damage to structure, or illness in humans resulting from the inhalation, absorption, ingestion of, or contact with any pesticide.

(35) "Presumptive" means a preliminary test result that has not yet been confirmed as a definitive result.

(36) "Principal health care provider" means the attending health care provider recognized as primarily responsible for diagnosis or treatment of a patient, or in the absence of such, the health care provider initiating diagnostic testing or treatment for the patient.

(37) "Provisional condition" means a condition the department has requested be reported under WAC 246-101-015.

(38) "Public health authorities" includes local health jurisdictions, the department, the department of labor and industries, the department of agriculture, sovereign tribal nations, and tribal epidemiology centers.

(39) "Quarantine" means the limitation of freedom of movement of persons or domestic animals that have been exposed to, or are suspected to have been exposed to, an infectious agent:

(a) For a period of time not longer than the longest usual incubation period of the infectious agent; and

(b) In a way to prevent effective contact with those not exposed.

(40) "Rapid screening test" or "RST" means a U.S. Food and Drug Administration-approved or authorized test that provides same day results and is suitable for obtaining presumptive test results. RST includes point-of-care testing.

(41) "Reference laboratory" means a laboratory licensed inside or outside of Washington state that receives a specimen from another licensed laboratory and performs one or more tests on that specimen.

(42) "School" has the same meaning as in RCW 28A.210.070.

(43) "SARS" means severe acute respiratory syndrome.

(44) "Secretary" means the secretary of the Washington state department of health.

(45) "Secure electronic data transmission" means electronic communication and accounts developed and maintained to prevent unauthorized access, loss, or compromise of sensitive information including, but not limited to, secure file transfer, secure email, secure facsimile, a health information exchange authorized under RCW 41.05.039, and secure electronic disease surveillance system.

(46) "Secure electronic disease surveillance system" means the secure electronic data transmission system maintained by the department and used by local health jurisdictions to submit notifications, investigation reports, and outbreak reports under this chapter.

(47) "Sexually transmitted disease" or "sexually transmitted infection" means a bacterial, viral, fungal, or parasitic disease or condition which is usually transmitted through sexual contact, including:

- (a) Acute pelvic inflammatory disease;
- (b) Chancroid;
- (c) *Chlamydia trachomatis* infection;
- (d) Genital and neonatal Herpes simplex;
- (e) Genital human papilloma virus infection;
- (f) Gonorrhea;
- (g) Granuloma inguinale;
- (h) Hepatitis B infection;
- (i) Human immunodeficiency virus (HIV) infection;
- (j) Lymphogranuloma venereum;
- (k) Nongonococcal urethritis (NGU); and
- (l) Syphilis.

(48) "Specimen" means material associated or suspected to be associated with a notifiable condition including, but not limited to, isolates, blood, serum, stool, urine, tissue, respiratory secretions, swab, other body fluid, or an environmental sample.

(49) "State health officer" means the person appointed by the secretary under RCW 43.70.020 to serve as statewide health officer, or, in the absence of such appointment, the secretary.

(50) "Veterinarian" means an individual licensed and practicing under provisions of chapter 18.92 RCW.

(51) "Zoonotic disease" means an infectious condition of animals that can cause disease when transmitted to humans.

[Statutory Authority: RCW 43.20.050, 70.28.032, 70.104.055, 43.70.545, and 70.24.130. WSR 21-11-040 and 22-01-175, § 246-101-010, filed 5/12/21 and 12/17/21, effective 1/1/23. Statutory Authority: RCW 43.20.05. WSR 14-11-009, § 246-101-010, filed 5/8/14, effective 6/8/14; WSR 11-02-065, § 246-101-010, filed 1/4/11, effective 2/4/11; WSR 00-23-120, § 246-101-010, filed 11/22/00, effective 12/23/00.]