

(Effective until January 1, 2023)

WAC 246-101-015 Provisional condition notification. This section describes how conditions can become notifiable; what period of time conditions are provisionally notifiable; what analyses must be accomplished during provisional notification status; the transition from provisionally notifiable condition to permanently notifiable condition or deletion of notification requirements. The department's goal for provisionally notifiable conditions is to collect enough information to determine whether requiring notification improves public health.

(1) The state health officer may:

(a) Request reporting of cases and suspected cases of disease and conditions in addition to those required in Tables HC-1 of WAC 246-101-101, Lab-1 of WAC 246-101-201, and HF-1 of WAC 246-101-301 on a provisional basis for a period of time less than forty-eight months when:

(i) The disease or condition is newly recognized or recently acknowledged as a public health concern;

(ii) Epidemiological investigation based on notification of cases may contribute to understanding of the disease or condition;

(iii) There is reason to expect that the information acquired through notification will assist the state and/or local health department to design or implement intervention strategies that will result in an improvement in public health; and

(iv) Written notification is provided to all local health officers regarding:

(A) Additional reporting requirements; and

(B) Rationale or justification for specifying the disease or condition as notifiable.

(b) Request laboratories to submit specimens indicative of infections in addition to those required in Table Lab-1 of WAC 246-101-201 on a provisional basis for a period of time less than forty-eight months, if:

(i) The infection is of public health concern;

(ii) The department has a plan for using data gathered from the specimens; and

(iii) Written notification is provided to all local health officers and all laboratory directors explaining:

(A) Actions required; and

(B) Reason for the addition.

(2) Within forty months of the state health officer's designation of a condition as provisionally notifiable in subsection (1)(a) of this section, or requests for laboratories to submit specimens indicative of infections in subsection (1)(b) of this section, the department will conduct an evaluation for the notification requirement that:

(a) Estimates the societal cost resulting from the provisionally notifiable condition;

(i) Determine the prevalence of the provisional notifiable condition; and

(ii) Identify the quantifiable costs resulting from the provisionally notifiable condition; and

(iii) Discuss the qualitative costs resulting from the provisionally notifiable condition.

(b) Describes how the information was used and how it will continue to be used to design and implement intervention strategies aimed at combating the provisionally notifiable condition;

(c) Verifies the effectiveness of previous intervention strategies at reducing the incidence, morbidity, or mortality of the provisional notifiable condition;

(d) Identifies the quantitative and qualitative costs of the provisional notification requirement;

(e) Compares the costs of the provisional notification requirement with the estimated cost savings resulting from the intervention based on the information provided through the provisional notification requirement;

(f) Describes the effectiveness and utility of using the notifiable conditions process as a mechanism to collect these data; and

(g) Describes that a less burdensome data collection system (example: Biennial surveys) would not provide the information needed to effectively establish and maintain the intervention strategies.

(3) Based upon the evaluation in subsection (2) of this section, the board will assess results of the evaluation after the particular condition is notifiable or the requirement for laboratories to submit specimens indicative of infections has been in place for no longer than forty months. The board will determine based upon the results of the evaluation whether the provisionally notifiable condition or the requirement for laboratories to submit specimens indicative of infections should be:

(a) Permanently notifiable in the same manner as the provisional notification requirement;

(b) Permanently notifiable in a manner that would use the evaluation results to redesign the notification requirements; or

(c) Deleted from the notifiable conditions system.

(4) The department shall have the authority to declare an emergency and institute notification requirements under the provisions of RCW 34.05.350.

[Statutory Authority: RCW 43.20.050. WSR 11-02-065, § 246-101-015, filed 1/4/11, effective 2/4/11. Statutory Authority: RCW 43.20.050, 70.24.125. WSR 05-03-055, § 246-101-015, filed 1/11/05, effective 2/11/05. Statutory Authority: RCW 43.20.050. WSR 00-23-120, § 246-101-015, filed 11/22/00, effective 12/23/00.]

(Effective January 1, 2023)

WAC 246-101-015 Requests for additional information or provisional notification and submission of specimen. (1) For notifiable conditions in this chapter, the state health officer may request additional data components to be submitted with each case report, laboratory report, specimen submittal, investigation report, outbreak report, or animal case report; submission of additional laboratory test results; and submission of additional specimens.

(2) For a condition the state health officer determines should be provisionally reported, the state health officer may request submission of case reports, laboratory reports, investigation reports, outbreak reports, and animal case reports; and submission of specimens.

(3) The state health officer may request information under subsection (1) or (2) of this section when they:

(a) Determine additional information in case reports, laboratory reports, specimen submittals, investigation reports, outbreak reports, or animal case reports, or additional submission of specimens for a

notifiable condition is needed in order to properly prevent and control the condition; or

(b) Determine that provisional submission of case reports, laboratory reports, investigation reports, outbreak reports, animal case reports, or specimens for a condition other than a notifiable condition is likely to contribute to understanding the condition, provide information necessary to prevent and control the condition, and improve public health.

(4) The state health officer shall notify the board and local health officers of their request and, as applicable, health care providers, laboratory directors, health care facilities, and the department of agriculture of the request. The notification must include the:

(a) Determination required under subsection (3) of this section including documentation supporting the determination; and

(b) As applicable, the requested:

(i) Test results;

(ii) Timeline for notification;

(iii) Public health authority to be notified;

(iv) Content of notification;

(v) Means of notification;

(vi) Specimen submission;

(vii) Timeline for specimen submission; and

(viii) Specimen submittal documentation for the condition.

(5) Within forty months of the state health officer's designation of a provisional condition or additional information for a notifiable condition, the state health officer shall:

(a) Discontinue the request made under subsection (1) or (2) of this section; or

(b) Request that the board consider revising this chapter to make the request made under subsection (1) or (2) of this section a rule requirement, and provide an estimate of the probable benefits and probable costs.

(6) If the state health officer chooses to discontinue their request, the state health officer shall notify the board and local health officers and, as applicable, health care providers, laboratory directors, health care facilities, and the department of agriculture that the applicable provisional condition or requested additions to the notifiable condition have been discontinued.

(7) If the state health officer makes a request to the board under subsection (5)(b) of this section and the board determines that it will not revise this chapter, the state health officer's request for additional information, specimen submittal, or provisional notification under subsection (4) of this section is automatically discontinued and the board or state health officer shall provide notice to local health officers and, as applicable, health care providers, laboratory directors, health care facilities, and the department of agriculture that the applicable provisional condition or requested additions to the notifiable condition has been discontinued.

[Statutory Authority: RCW 43.20.050. WSR 21-11-040 and 22-01-175, § 246-101-015, filed 5/12/21 and 12/17/21, effective 1/1/23; WSR 11-02-065, § 246-101-015, filed 1/4/11, effective 2/4/11. Statutory Authority: RCW 43.20.050, 70.24.125. WSR 05-03-055, § 246-101-015, filed 1/11/05, effective 2/11/05. Statutory Authority: RCW 43.20.050. WSR 00-23-120, § 246-101-015, filed 11/22/00, effective 12/23/00.]