

WSR 24-16-139

EMERGENCY RULES

DEPARTMENT OF HEALTH

[Filed August 6, 2024, 8:25 p.m., effective August 6, 2024, 8:25 p.m.]

Effective Date of Rule: Immediately upon filing.

Purpose: Washington's health care and emergency and logistics tracking hub (WA HEALTH) reporting for acute care hospitals; new WAC 246-320-700 Reporting of health system readiness data. The department of health (department) is extending this emergency rule to continue to require acute care hospitals in Washington state, licensed under chapter 70.41 RCW, to report hospital maintenance and operation data to the department through WA HEALTH in accordance with the WA HEALTH User Guide. This emergency rule continues, without change, the emergency rule originally filed on August 31, 2022, as WSR 22-18-060, and extended on December 29, 2022, as WSR 23-02-036; April 28, 2023, as WSR 23-10-047; August 25, 2023, as WSR 23-18-015; December 22, 2023, as WSR 24-02-023; and April 19, 2024, as WSR 24-10-015.

Citation of Rules Affected by this Order: New WAC 246-320-700.

Statutory Authority for Adoption: RCW 70.41.030.

Under RCW 34.05.350 the agency for good cause finds that immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.

Reasons for this Finding: WA HEALTH was created to provide decision-makers and leaders across the state with timely data and information to understand and respond to health care system impacts from coronavirus disease 2019 (COVID-19). WA HEALTH continues to be used daily for state and local public health and medical preparedness planning to inform planned patient movement, communicable respiratory hospitalizations, and disease trends such as COVID-19, influenza, and respiratory syncytial virus (RSV), and the ability of the system to absorb another health care surge.

WA HEALTH reporting data is critical to keeping good situational awareness of the system's current status and overall capacity. It also allows for coordinated preparedness planning and more timely action in the event of future man-made, natural, and public health threats. Without the WA HEALTH system, we lose critical visibility over our health care systems and the ability to prepare for these key data sets and sectors.

The adoption of this rule as an emergency rule is necessary to allow for the continuation of critical public health reporting. It continues to be essential to have state level awareness, monitoring and memorization of timely and accurate data pertaining to hospital patient volumes, capacities, and resource constraints as there continues to be a lack of surge capacity on Washington's health care system. The WA HEALTH system helps to ensure continued health system readiness, promote safe and adequate care of individuals in hospitals, and mitigate the impact of current and emerging public health threats and associated surges.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 1, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 1, Amended 0, Repealed 0.

Date Adopted: August 6, 2024.

Kristin Peterson, JD
Chief of Policy
for Umair A. Shah, MD, MPH
Secretary

OTS-3921.2

NEW SECTION

WAC 246-320-700 Reporting of health system readiness data. The purpose of this section is to outline each hospital's responsibility for reporting to the department data pertaining to the maintenance and operation of the hospital in support of health system readiness.

(1) For the purposes of this section:

"WA HEALTH User Guide" means the written instructions issued by the department for reporting to the department hospital maintenance and operation data pertaining to health system readiness.

(2) Hospitals must report data to the department in accordance with the WA HEALTH User Guide, including any amended versions thereof issued by the department. Copies of the WA HEALTH User Guide may be obtained on the department's website or by contacting the department.

(3) Any person who receives data reported under this section must maintain confidentiality of the data as required by applicable law.