

**WSR 25-08-026**  
**PREPROPOSAL STATEMENT OF INQUIRY**  
**STATE BOARD OF HEALTH**

[Filed March 25, 2025, 3:14 p.m.]

Subject of Possible Rule Making: Chapter 246-101 WAC, Notifiable conditions; adjustment of COVID-19 reporting requirements. The Washington state board of health (board) is considering amending the reporting requirements for COVID-19 in response to feedback from local health jurisdictions and changes in the national notifiable condition designation by the Council for State and Territorial Epidemiologists (CSTE). The board will not consider other changes to these rules at this time.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 43.20.050.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: Chapter 246-101 WAC provides public health authorities in Washington with essential information to prevent and control both infectious and noninfectious conditions, ultimately safeguarding public health. It establishes reporting requirements for health care providers, facilities, laboratories, and other entities to help public health officials track communicable diseases and other conditions, in accordance with RCW 43.20.050, 70.104.055, and 43.70.545.

The board will consider amending the rules to ease COVID-19 reporting requirements while retaining key data needed to protect the public's health and for ongoing disease surveillance.

Currently, health care providers, facilities, and labs must report all COVID-19 cases to local health jurisdictions immediately. Local health jurisdictions must then notify the department of health (department) within three business days. The board and department have received feedback from local health officers and regulated entities that these reporting requirements are burdensome and do not align with the shift from pandemic emergency response to regular monitoring of endemic respiratory viruses. Updating the reporting in rule will help alleviate this burden.

Each year, CSTE, with input from the United States Centers for Disease Control (CDC), reviews the list of nationally notifiable conditions. In 2024, CSTE updated its position statement on COVID-19 (24-ID-11), changing the case definition and removing COVID-19 from the nationally notifiable condition list. National case-based data no longer reflect overall infection trends and the CDC only tracks severe illness due to COVID-19 in select sites across the United States.

CSTE's position statement calls for ongoing routine surveillance of COVID-19 alongside other respiratory viruses. The board proposes adjusting the COVID-19 reporting requirements in chapter 246-101 WAC to align with CSTE's recommendations and updated CDC respiratory virus monitoring practices.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: The board has broad authority to establish rules for notifiable conditions. To develop the proposed rules, the board will work closely with the department, as they are the agency responsible for implementing chapter 246-101 WAC. The department of agriculture (DOA) also has authority to create notification requirements for veterinarians. Board staff will consult with DOA to ensure the veterinary notification requirements for COVID-19 in the state are aligned.

Process for Developing New Rule: The board will work with the department to develop the proposed rules. They will consult with members from the regulated community, associations, local health jurisdictions, and other impacted parties throughout the course of this rule making. After drafting the rules, they will gather more feedback through an informal review process before formally proposing the rules and holding a public hearing.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Molly Dinardo, P.O. Box 47990, Olympia, WA 98504-7790, phone 564-669-3455, fax 360-236-4088, TTY 711, email [molly.dinardo@sboh.wa.gov](mailto:molly.dinardo@sboh.wa.gov); or Samantha Fuller, 101 Israel Road S.E., Tumwater, WA 98501, phone 564-669-1964, TTY 711, email [Samantha.Fuller@doh.wa.gov](mailto:Samantha.Fuller@doh.wa.gov).

Additional comments: The board will work with partner agencies and may convene listening sessions for additional input. The board will keep interested parties informed of the rule making through email, the board's listserv and rule-making website, and notices in the Washington State Register. Interested parties, including those who are subject to the requirements of chapter 246-101 WAC, will have opportunities to provide comments through the rule-making process, including informal review of the draft rule, formal review and comment on the proposed rule, and at the board's public hearing.

March 25, 2025  
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