



# PROPOSED RULE MAKING

## CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

**Agency:** Department of Health

- Preproposal Statement of Inquiry was filed as WSR 14-02-027 ; or
- Expedited Rule Making--Proposed notice was filed as WSR \_ ; or
- Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

- Original Notice
- Supplemental Notice to WSR
- Continuance of WSR

**Title of rule and other identifying information:** (Describe Subject)  
Chapter 246-440 WAC. Creating a new chapter for healthcare associated infections reporting.

**Hearing location(s):** Department of Health  
Town Center 2 Room 158  
101 Israel Road SE  
Tumwater, WA 98501

Date: May 27, 2014 Time: 9:00 am

**Submit written comments to:**

Name: Jason Lempp  
Address: Healthcare Associated Infections Program  
Department of Health  
PO Box 47811  
Olympia WA 98504-7811  
e-mail: <http://www3.doh.wa.gov/policyreview/>  
fax (360) 236-4245 by (date) 05/27/14

**Assistance for persons with disabilities:** Contact

Jason Lempp by 05/19/14

TTY (800) 833-6388 or () 711

**Date of intended adoption:** 06/27/2014

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

The proposed rule establishes a new healthcare associated infections reporting requirement for acute-care hospitals. Acute-care hospitals licensed by the state would be required to report healthcare-associated Clostridium difficile (C. difficile) infections via the Centers for Disease Control and Prevention (CDC) National Healthcare Safety Network (NHSN) LabID event method. This will align state and federal requirements.

**Reasons supporting proposal:**

House Bill 1471 (chapter 319, 2013 Laws PV) requires the Department of Health to determine if necessary to delete, add, or modify in rules reporting of healthcare associated infections to align state reporting with the reporting categories of the Centers for Medicare and Medicaid Services. C. difficile infections are widespread and a growing problem in hospitals across the nation. They are steadily increasing in Washington State.

**Statutory authority for adoption:**

RCW 43.70.056

**Statute being implemented:**

RCW 43.70.056

**Is rule necessary because of a:**

- Federal Law?  Yes  No
  - Federal Court Decision?  Yes  No
  - State Court Decision?  Yes  No
- If yes, CITATION:

**DATE** 04/22/2014

**NAME** (type or print)

Jessica Todorovich for John Wiesman, DrPH, MPH

**SIGNATURE**

for John Wiesman, DrPH, MPH

**TITLE**

Deputy Secretary for Secretary of Health

**CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

**DATE: April 22, 2014**

**TIME: 3:15 PM**

**WSR 14-09-101**

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

No additional comment or recommendation.

**Name of proponent:** (person or organization) Department of Health

- Private  
 Public  
 Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... David Birnbaum	101 Israel Road, SE, Tumwater WA 98501	(360) 236-4153
Implementation.... Marisa D'Angeli	1610 NE 150th Street, Shoreline, WA 98155-7224	(206) 418-5595
Enforcement..... Marisa D'Angeli	1610 NE 150th Street, Shoreline, WA 98155-7224	(206) 418-5595

**Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?**

Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name: Ala Mofidi

Address: 101 Israel Road SE  
Tumwater, WA

phone (360) 236-4055

fax (360) 586-7424

e-mail [alaeddin.mofidi@doh.wa.gov](mailto:alaeddin.mofidi@doh.wa.gov)

No. Explain why no statement was prepared.

A small business economic impact statement was not prepared. The proposed rule would not impose more than minor costs on businesses in an industry.

**Is a cost-benefit analysis required under RCW 34.05.328?**

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Jason Lempp

Address: 101 Israel Road SE  
Tumwater, WA 98501

phone (360) 236-4249

fax (360) 236-4245

e-mail [Jason.Lempp@doh.wa.gov](mailto:Jason.Lempp@doh.wa.gov)

No: Please explain:

**Chapter 246-440 WAC**  
**HEALTH CARE-ASSOCIATED INFECTIONS REPORTING**

NEW SECTION

**WAC 246-440-010 Definitions.** The definitions in this section apply throughout the chapter unless the context clearly requires otherwise.

(1) "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 hospital.

(2) "Hospital" means a health care facility licensed under chapter 70.41 RCW.

NEW SECTION

**WAC 246-440-100 Hospital reporting requirements for health care-associated infections.** The purpose of this section is to provide access to data on hospital-specific rates of certain types of health care-associated infection. This type of data provides evidence-based information measures to reduce hospital-acquired infections.

(1) A hospital shall collect data related to health care-associated infections in compliance with RCW 43.70.056. Data must be collected and reported in accordance with the Centers for Disease Control and Prevention National Healthcare Safety Network on:

(a) Central line-associated bloodstream infection in all hospital inpatient areas where patients normally reside at least twenty-four hours;

(b) Surgical site infection for:

(i) Deep sternal wound for cardiac surgery, including coronary artery bypass graft;

(ii) Total hip and knee replacement surgery; and

(iii) Colon and abdominal hysterectomy procedures.

(2) A hospital shall also collect and report data for *Clostridium difficile* (*C. difficile*) infections by the Centers for Disease Control and Prevention National Healthcare Safety Network LabID Event method.