

Valerie Nurr'araaluk Davidson  
Lieutenant Governor  
State Capitol  
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**OFFICE OF THE LIEUTENANT GOVERNOR  
ALASKA**

**MEMORANDUM**

**TO:** Triptaa Surve  
Department of Health and Social Services

**FROM:** April Simpson, Office of the Lieutenant Governor *AS*  
465.4081

**DATE:** October 31, 2018

**RE:** Filed Permanent Regulations: Department of Health and Social Services  
Department of Health and Social Services update to reportable conditions regulations (7 AAC 27.005(b); 7 AAC 27.007(b); 7 AAC 27.012; 7 AAC 27.014)

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Attorney General File:	2017200866
Regulation Filed:	10/31/2018
Effective Date:	11/30/2018
Print:	228, January 2019

cc with enclosures: Linda Miller, Department of Law  
Judy Herndon, LexisNexis

ORDER ADOPTING CHANGES TO REGULATIONS  
OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The attached 10 pages of regulations, dealing with Reportable Conditions Update (7 AAC 27. Preventive Medical Services- 7 AAC 27.005, .007, .012, .014), are adopted and certified to be a correct copy of the regulation changes that the Department of Health and Social Services adopts under the authority of AS 18.05.010, AS 18.05.030, AS 18.05.040, AS 18.15.355, AS 18.15.362, AS 18.15.370, AS 47.05.012, and after compliance with the Administrative Procedure Act (AS 44.62), specifically including notice under AS 44.62.190 and 44.62.200 and opportunity for public comment under AS 44.62.210.

This action is not expected to require an increased appropriation.

In considering public comments, the Department of Health & Social Services paid special attention to the cost to private persons of the regulatory action being taken.

The regulation changes adopted under this order take effect on the 30th day after they have been filed by the lieutenant governor, as provided in AS 44.62.180.

Date: 10-23-18

  
\_\_\_\_\_  
Jon Sherwood  
Deputy Commissioner  
Department of Health & Social Services

*Claire Richardson for* FILING CERTIFICATION

I, Valerie "Nurr'araaluk" Davidson, Lieutenant Governor for the State of Alaska, certify that<sup>1</sup> on Oct. 31, 2018, at 1:13 p.m., I filed the attached regulations according to the provisions of AS 44.62.040 - 44.62.120.

  
\_\_\_\_\_  
Valerie "Nurr'araaluk" Davidson  
Lieutenant Governor

Effective: November 30, 2018.

Register: 228, January 2019.

**FOR DELEGATION OF THE LIEUTENANT GOVERNOR'S AUTHORITY**

**I, VALERIE NURR'ARAALUK DAVIDSON, LIEUTENANT GOVERNOR OF THE STATE OF ALASKA, designate the following state employees to perform the Administrative Procedures Act filing functions of the Office of the Lieutenant Governor:**

**Claire Richardson  
Scott Meriwether  
April Simpson  
Kady Levale**

**IN TESTIMONY WHEREOF, I have signed and affixed the Seal of the State of Alaska, in Anchorage, on October 24, 2018.**



  
.....  
**VALERIE NURR'ARAALUK DAVIDSON  
LIEUTENANT GOVERNOR**

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The introductory language of 7 AAC 27.005(b) is amended to read:

(b) In addition to the immediate reporting requirements [REQUIREMENT] of (a) of this section, a health care provider shall submit a report to the department orally, electronically, or on a department-provided form not later than two [FIVE] working days after first discovering or suspecting the existence of the following diseases or conditions:

...

(Eff. 8/21/74, Register 51; am 9/20/75, Register 55; am 3/28/84, Register 89; am 1/19/96, Register 137; am 2/10/99, Register 149; am 5/30/2003, Register 166; am 8/22/2003, Register 167; am 12/29/2006, Register 180; am 5/3/2007, Register 182; am 12/29/2013, Register 208; am 11/30/2014, Register 228)

**Authority:** AS 18.05.010            AS 18.15.355            AS 18.15.370  
                 AS 18.05.040            AS 18.15.362

The introductory language of 7 AAC 27.007(b) is amended to read:

(b) In addition to the immediate reporting requirements of (a) of this section, a public, private, military, hospital, or other laboratory performing serologic, immunologic, microscopic, biochemical, or cultural examinations or tests in this state or on samples obtained within this state shall report evidence of human infection caused by the following agents to the department not later than two [FIVE] working days after the examination or test is performed:

...

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7 AAC 27.007(b)(20) is amended to read:

(20) human immunodeficiency virus (HIV); tests that shall be reported include

(A) all reactive HIV screening tests and associated confirmatory test results, both positive and negative, for [CONFIRMING] human immunodeficiency virus infection;

(B) tests used to establish the presence of human immunodeficiency virus, including serologic, virologic, nucleic acid (DNA or RNA), or other viral load detection test results, both detectable and undetectable; [AND]

(C) genotype results and associated HIV nucleotide sequence data;  
and

(D) CD4+ (T4) lymphocyte counts and CD4+ (T4) percent of total lymphocytes results of any value;

(Eff. 8/21/74, Register 51; am 9/20/75, Register 55; am 3/28/84, Register 89; am 1/19/96, Register 137; am 2/10/99, Register 149; am 5/30/2003, Register 166; am 8/22/2003, Register 167; am 12/29/2006, Register 180; am 5/3/2007, Register 182; am 12/29/2013, Register 208; am 11 / 30 / 2018, Register 228 )

**Authority:** AS 18.05.040      AS 18.15.362      AS 18.15.370  
AS 18.15.355

7 AAC 27.012 is repealed and readopted to read:

**7 AAC 27.012. Birth defects registry.** (a) A hospital, health care facility, private or public health insurance organization, laboratory, or other health care provider, entity, agency, or

organization operating in this state that collects or maintains health care records, claims, or laboratory test results related to the diagnosis, screening, or treatment for a patient with a birth defect, shall report the information specified in (b) of this section to the department semi-annually.

(b) To meet the reporting requirements of (a) of this section, the following must be reported for each birth defect:

(1) all major structural defects, genetic disorders, disorders resulting from prenatal exposure to alcohol or other substances, neuromuscular defects, cardiac defects, and all other birth defects as specified in the department's *Alaska Birth Defects Registry Reporting Guide*, dated October 2018 and adopted by reference, as occurring in

(A) infants that are born alive and have the defect identified, diagnosed, or treated in utero; or

(B) children younger than three years old at the time the defect is identified, diagnosed, or treated; and

(2) the following data elements:

(A) patient information, including the patient's name (last, first, middle), date of birth, and sex, and the date of service;

(B) maternal information, including the mother's name (last, first) and date of birth;

(C) defect diagnostics coding based on the *International Classification of Disease, 10th Revision, Clinical Modification (ICD-10-CM)*, as amended from time to time, and adopted by reference; and

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(D) reporting agency information, including the name of the billing provider and the reporting agency's National Provider Identifier (NPI) number under 45 C.F.R. 162.402 - 162.414.

(c) A hospital, health care facility, or other health care provider operating in this state that collects or maintains health care records related to the diagnosis, screening, or treatment for a patient with a birth defect shall provide the department, not later than 30 days after the date of a department request, access to medical records for confirmation of diagnosis. (Eff. 1/19/96, Register 137; am 11/8/98, Register 148; am 2/10/99, Register 149; readopt 12/24/2004, Register 172; am 12/24/2006, Register 180; readopt 12/29/2006, Register 180; am 11 /30 /2018, Register 228 )

**Authority:** AS 18.05.030            AS 18.15.370            AS 47.05.012  
AS 18.05.040

**Editor's note:** Effective 12/29/2006, Register 180, the Department of Health and Social Services readopted 7 AAC 27.012 without change, to affirm the validity of that section under current statutory authority.

The *International Classification of Diseases - 10th [9TH] Revision, Clinical Modification* [, 2007] (**ICD-10-CM** [ICD-9-CM]), **adopted by reference in 7 AAC 27.012**, may be **ordered from** [OBTAINED BY WRITING TO] the American Medical Association, **P.O. Box 74008935** [ORDER DEPARTMENT, 515 N. STATE STREET,] Chicago, IL **60674-8935; telephone (800) 621-8335 (non-members) or (800) 262-3211 (members); facsimile (312) 464-5600; Internet address: [www.amastore.com](http://www.amastore.com) or <https://commerce.ama-assn.org/store/>** [60610]. The manual

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is also available for inspection at the Department of Health and Social Services, **3601 C Street, Suite 902** [DIVISION OF PUBLIC HEALTH, SECTION OF WOMEN'S, CHILDREN AND FAMILY HEALTH, 4701 BUSINESS PARK BLVD. SUITE 20 BLDG. J], Anchorage, AK **99503** [99503-7123].

Effective 12/24/2004, Register 172, the Department of Health and Social Services readopted 7 AAC 27.012 without change, to affirm the validity of that section under current statutory authority.

**The Alaska Birth Defects Registry Reporting Guide, adopted by reference in 7 AAC 27.012, may be reviewed at the Department of Health and Social Services, Division of Public Health, Section of Women's, Children's, and Family Health, 3601 C Street, Suite 322, Anchorage, AK 99503. The Alaska Birth Defects Registry Reporting Guide can be downloaded at <http://dhss.alaska.gov/dph/wcfh/Pages/mchept/abdr/default.aspx>.**

[AS OF REGISTER 183 (OCTOBER 2007), THE REGULATIONS ATTORNEY MADE TECHNICAL REVISIONS UNDER AS 44.62.125(b)(6), TO 7 AAC 27.012(b).

ON OCTOBER 2, 2007, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2007: THE 2008 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540,



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ON OCTOBER 10, 2008, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2008: THE 2009 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON OCTOBER 3, 2009, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2009: THE 2010 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON OCTOBER 5, 2010, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN

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EFFECT ON OCTOBER 1, 2010: THE 2011 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON OCTOBER 4, 2011, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2011: THE 2012 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON OCTOBER 12, 2012, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2012: THE 2013 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION

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OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540,  
ANCHORAGE, ALASKA.

ON SEPTEMBER 19, 2013, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2013: THE 2014 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 9TH REVISION, CLINICAL MODIFICATION, (ICD-9-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON JANUARY 29, 2016, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON OCTOBER 1, 2015: THE 2016 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 10TH REVISION, CLINICAL MODIFICATION, (ICD-10-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH, SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON MARCH 1, 2017, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF

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MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON JANUARY 1, 2017: THE 2017 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 10TH REVISION, CLINICAL MODIFICATION, (ICD-10-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, DIVISION OF PUBLIC HEALTH SECTION OF EPIDEMIOLOGY, 3601 "C" STREET, SUITE 540, ANCHORAGE, ALASKA.

ON MARCH 11, 2018, AS REQUIRED BY AS 44.62.245 AND AS 47.05.012, THE DEPARTMENT GAVE NOTICE THAT THE FOLLOWING AMENDED VERSION OF MATERIAL, PREVIOUSLY ADOPTED BY REFERENCE IN 7 AAC 27.012, WOULD BE IN EFFECT ON JANUARY 1, 2018: THE 2018 VERSION OF THE AMERICAN MEDICAL ASSOCIATION'S INTERNATIONAL CLASSIFICATION OF DISEASES - 10TH REVISION, CLINICAL MODIFICATION, (ICD-10-CM). THE AMENDED VERSION MAY BE REVIEWED AT THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES, 3601 C STREET, SUITE 902, ANCHORAGE, ALASKA 99503.]

7 AAC 27.014 is repealed and readopted to read:

**7 AAC 27.014. Reporting of blood lead test results.** (a) Not later than one week after receiving the results of a blood lead test that exceeds five micrograms per deciliter, a health care provider shall report to the department

(1) the name and address of the health care provider that requested or performed the test; and

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(2) the following information about the person tested:

(A) name;

(B) date of birth;

(C) sex;

(D) race;

(E) ethnicity;

(F) community of residence; and

(G) test results in micrograms per deciliter, including the date of the test and the type of test (venous or capillary).

(b) A public, private, military, hospital, other laboratory, or health care provider performing any blood lead analyses in this state or on samples obtained in this state shall report, not later than four weeks after performing the test,

(1) the name, date of birth, sex, race, ethnicity, and community of residence of the person tested;

(2) the test result in micrograms per deciliter, including the date of the test and the type of test (venous or capillary); and

(3) the name and address of the health care provider that ordered the test. (Eff. 1/19/96, Register 137; am 2/10/99, Register 149; readopt 12/24/2004, Register 172; readopt 12/29/2006, Register 180; am 12/29/2013, Register 208; 11/30/2018, Register 228)

**Authority:** AS 18.05.030      AS 18.05.040      AS 18.15.370

# MEMORANDUM

## State of Alaska Department of Law

**To:** The Honorable Valerie Nurr'araaluk Davidson  
Lieutenant Governor

**Date:** October 30, 2018

**File No.:** 2017200866

**Thru:** Susan R. Pollard *SPP*  
Chief Assistant Attorney General  
and Regulations Attorney  
Legislation and Regulations Section

**Tel. No.:** 465-3600

**From:** Steven C. Weaver *SCW*  
Senior Assistant Attorney General  
and Assistant Regulations Attorney  
Legislation and Regulations Section

**Re:** Department of Health and Social Services update to reportable conditions regulations (7 AAC 27.005(b); 7 AAC 27.007(b); 7 AAC 27.012; 7 AAC 27.014)

The Department of Law has reviewed the attached regulations of the Department of Health and Social Services against the statutory standards of the Administrative Procedure Act. Based upon our review, we find no legal problems. This memorandum constitutes the written statement of approval under AS 44.62.060(b) and (c) that authorizes your office to file the attached regulations. The regulations were adopted by the Department of Health and Social Services after the close of the public comment period. The regulations update requirements related to the diseases or conditions that enumerated health care providers are to report to the department.

The March 29, 2018 public notice and the October 23, 2018 adoption order both state that this action is not expected to require an increased appropriation. Therefore, a fiscal note under AS 44.62.195 is not required.

SCW

cc w/enc: Honorable Jay Butler, M.D., Commissioner  
Department of Health and Social Services

Triptaa Surve, Regulations Contact  
Department of Health and Social Services

Jon Sherwood, Deputy Commissioner  
Department of Health and Social Services

Jared Parrish  
Division of Public Health  
Department of Health and Social Services

Leah Farzin, Assistant Attorney General  
Human Services Section

**DELEGATION OF AUTHORITY**

Under as 44.17.010, the authority and responsibility for adopting regulations of the Department of Health & Social Services under the Alaska Administrative Procedure Act are delegated to Jon Sherwood, Deputy Commissioner.

Date: Oct 19, 2018

  
\_\_\_\_\_  
Jay C. Butler, M.D.  
Commissioner,  
Department of Health & Social Services

Subscribed and sworn to before me at 31001 C Street Suite 902 on  
Anchorage, Alaska 99503

Oct 19, 2018  
\_\_\_\_\_  
[date]

  
\_\_\_\_\_  
Notary Public in and for the State of Alaska





NOTICE OF PROPOSED CHANGES ON REPORTABLE CONDITIONS IN THE REGULATIONS OF THE  
DEPARTMENT OF HEALTH & SOCIAL SERVICES

BRIEF DESCRIPTION

The Department of Health & Social Services proposes to change regulations on reporting time intervals related to health care providers, laboratories, birth defects, and blood test results, and updating reportable conditions.

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with the monitoring and control of diseases of public health importance including modifying requirements for reporting time intervals related to health care providers, laboratories, birth defects, and blood test results, and updating reportable conditions, including the following:

- 7 AAC 27.005. Reporting by health care providers, is proposed to be changed as follows: Shorten the time interval for health care providers to report routine infectious diseases and conditions to facilitate more prompt action from public health.
- 7 AAC 27.007. Reporting by laboratories, is proposed to be changed as follows:
  - Shorten the time interval for laboratories to report routine infectious diseases and conditions to facilitate more prompt action from public health.
  - Update laboratory indicators for human immunodeficiency virus.
- 7 AAC 27.014. Reporting of blood lead test results, is proposed to be changed as follows:
  - Update the level to report a blood lead testing result for health care providers to comply with national screening and action guidelines.
  - Include in-office laboratory testing methods as reportable lab tests.
- 7 AAC 27.012. Birth defects registry, is proposed to be repealed and readopted as follows:
  - Include health care providers and health care facilities that collect or maintain health care records related to screening and diagnosis.
  - Specify data elements to report based on the National Uniform Billing Committee Official Data Specifications Manual.
  - Lower reporting age at the time of service.
  - Lower reporting frequency.
  - Specify access to medical records for case confirmation.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jared Parrish, Senior Epidemiologist, State of Alaska, Department of Health & Social Services, Division of Public Health, Women's, Children's, and Family Health, 3601 C St., Suite 322, Anchorage, AK 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 754-3456 and by electronic mail at [jared.parrish@alaska.gov](mailto:jared.parrish@alaska.gov). The comments must be received not later than 5 p.m. on May 21, 2018.

Oral or written comments also may be submitted at a hearing to be held on April 30, 2018, at the Frontier Building, Conference Room 896, 3601 C Street, Anchorage, AK 99503. The hearing will be held from 9 a.m. to 11:00 a.m. and might be extended to accommodate those present before 10:30 a.m. who did not have an opportunity to comment. If you are unable to attend in person, but would like to comment during the oral public hearing, you can call the teleconference number at 1-800-952-6697 (toll free).

NOTICE OF PROPOSED CHANGES ON REPORTABLE CONDITIONS IN THE REGULATIONS OF THE  
DEPARTMENT OF HEALTH & SOCIAL SERVICES

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with the monitoring and control of diseases of public health importance including modifying requirements for reporting time intervals related to health care providers, laboratories, birth defects, and blood test results, and updating reportable conditions, including the following:

- 7 AAC 27.005. Reporting by health care providers, is proposed to be changed as follows: Shorten the time interval for health care providers to report routine infectious diseases and conditions to facilitate more prompt action from public health.
- 7 AAC 27.007. Reporting by laboratories, is proposed to be changed as follows:
  - Shorten the time interval for laboratories to report routine infectious diseases and conditions to facilitate more prompt action from public health.
  - Update laboratory indicators for human immunodeficiency virus.
- 7 AAC 27.014. Reporting of blood lead test results, is proposed to be changed as follows:
  - Update the level to report a blood lead testing result for health care providers to comply with national screening and action guidelines.
  - Include in-office laboratory testing methods as reportable lab tests.
- 7 AAC 27.012. Birth defects registry, is proposed to be repealed and readopted as follows:
  - Include health care providers and health care facilities that collect or maintain health care records related to screening and diagnosis.
  - Specify data elements to report based on the National Uniform Billing Committee Official Data Specifications Manual.
  - Lower reporting age at the time of service.
  - Lower reporting frequency.
  - Specify access to medical records for case confirmation.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jared Parrish, Senior Epidemiologist, State of Alaska, Department of Health & Social Services, Division of Public Health, Women's, Children's, and Family Health, 3601 C St., Suite 322, Anchorage, AK 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 754-3456 and by electronic mail at [jared.parrish@alaska.gov](mailto:jared.parrish@alaska.gov). The comments must be received not later than 5 p.m. on May 21, 2018.

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You may submit written questions relevant to the proposed action to the Jared Parrish at [jared.parrish@alaska.gov](mailto:jared.parrish@alaska.gov) or at State of Alaska, Department of Health & Social Services, Division of Public Health, Women's, Children's, and Family Health, 3601 C St., Suite 322, Anchorage, AK 99503. The questions must be received at least 10 days before the end of the public comment period. The Department of Health & Social Services will aggregate its response to substantially similar questions and make the questions and responses available on the Alaska Online Public Notice System and at the agency website at <http://dhss.alaska.gov/dph/Pages/default.aspx>.

ADDITIONAL REGULATION NOTICE INFORMATION  
(AS 44.62.190(d))<sup>1</sup>

1. Adopting agency: Department of Health & Social Services
2. General subject of regulation: Reportable Conditions Update
3. Citation of regulation (may be grouped): 7 AAC 27.005, .007, .012, .014.
4. Department of Law file number, if any: 2017200866
  
5. Reason for the proposed action:
  - ( ) Compliance with federal law or action (identify): \_\_\_\_\_
  - ( ) Compliance with new or changed state statute \_\_\_\_\_
  - ( ) Compliance with federal or state court decision (identify): \_\_\_\_\_
  - (X) Development of program standards
  - ( ) Other (identify): \_\_\_\_\_
  
6. Appropriation/Allocation: Not Applicable.
  
7. Estimated annual cost to comply with the proposed action to:
  - A private person: None
  - Another state agency: None
  - A municipality: None
  
8. Cost of implementation to the state agency and available funding (in thousands of dollars): No additional cost for implementation.

	Initial Year FY _____	Subsequent Years
Operating Cost	\$ _____	\$ _____
Capital Cost	\$ _____	\$ _____
1002 Federal receipts	\$ _____	\$ _____
1003 General fund match	\$ _____	\$ _____
1004 General fund	\$ _____	\$ _____
1005 General fund/ program	\$ _____	\$ _____
Other (identify)	\$ _____	\$ _____

9. The name of the contact person for the regulation:
  - Name: Jared Parrish, Ph.D.
  - Title: Maternal & Child Health Senior Epidemiologist

Address: 3601 C St, Suite 358 Anchorage, AK, 99503

Telephone: (907) 269-8068

E-mail address: jared.parrish@alaska.gov

10. The origin of the proposed action:

Staff of state agency

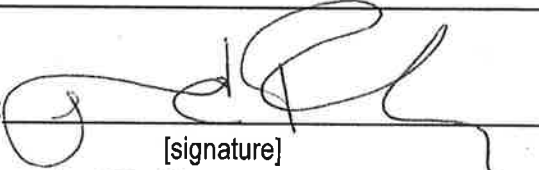
Federal government

General public

Petition for regulation change

Other (identify): \_\_\_\_\_

11. Date: 3/23/2018

Prepared by:  \_\_\_\_\_  
[signature]

Name (printed): Jared Parrish

Title (printed): MCH Senior Epidemiologist

Telephone: (907) 269-8068

# ANCHORAGE DAILY NEWS

## AFFIDAVIT OF PUBLICATION

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STATE OF ALASKA  
THIRD JUDICIAL DISTRICT

Joleesa Stepetin

being first duly sworn on oath deposes and says that he/she is a representative of the Anchorage Daily News, a daily newspaper. That said newspaper has been approved by the Third Judicial Court, Anchorage, Alaska, and it now and has been published in the English language continually as a daily newspaper in Anchorage, Alaska, and it is now and during all said time was printed in an office maintained at the aforesaid place of publication of said newspaper. That the annexed is a copy of an advertisement as it was published in regular issues (and not in supplemental form) of said newspaper on

March 29, 2018

and that such newspaper was regularly distributed to its subscribers during all of said period. That the full amount of the fee charged for the foregoing publication is not in excess of the rate charged private individuals.

Signed Joleesa Stepetin  
Joleesa Stepetin

Subscribed and sworn to before me  
this 30th day of March, 2018

Britney Thompson  
Notary Public in and for  
The State of Alaska.  
Third Division  
Anchorage, Alaska

MY COMMISSION EXPIRES

6/10/2019

Notary Public  
BRITNEY L. THOMPSON  
State of Alaska  
My Commission Expires Feb 23, 2019

NOTICE OF PROPOSED CHANGES ON REPORTABLE CONDITIONS IN THE REGULATIONS OF THE DEPARTMENT OF HEALTH & SOCIAL SERVICES

The Department of Health & Social Services proposes to adopt regulation changes in Title 7 of the Alaska Administrative Code, dealing with the monitoring and control of diseases of public health importance including modifying requirements for reporting time intervals related to health care providers, laboratories, birth defects, and blood test results, and updating reportable conditions, including the following:

- 7 AAC 27.005. Reporting by health care providers, is proposed to be changed as follows: Shorten the time interval for health care providers to report routine infectious diseases and conditions to facilitate more prompt action from public health.
- 7 AAC 27.007. Reporting by laboratories, is proposed to be changed as follows:
  - o Shorten the time interval for laboratories to report routine infectious diseases and conditions to facilitate more prompt action from public health.
  - o Update laboratory indicators for human immunodeficiency virus.
- 7 AAC 27.014. Reporting of blood lead test results, is proposed to be changed as follows:
  - o Update the level to report a blood lead testing result for health care providers to comply with national screening and action guidelines.
  - o Include in-office laboratory testing methods as reportable lab tests.
- 7 AAC 27.012. Birth defects registry, is proposed to be repealed and readopted as follows:
  - o Include health care providers and health care facilities that collect or maintain health care records related to screening and diagnosis.
  - o Specify data elements to report based on the National Uniform Billing Committee Official Data Specifications Manual.
  - o Lower reporting age at the time of service.
  - o Lower reporting frequency.
  - o Specify access to medical records for case confirmation.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Jared Parrish, Senior Epidemiologist, State of Alaska, Department of Health & Social Services, Division of Public Health, Women's, Children's, and Family Health, 3601 C St., Suite 322, Anchorage, AK 99503. Additionally, the Department of Health & Social Services will accept comments by facsimile at (907) 754-3456 and by electronic mail at [jared.parrish@alaska.gov](mailto:jared.parrish@alaska.gov). The comments must be received by the Department of Health & Social Services on or before May 21, 2018.

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AFFIDAVIT OF NOTICE OF PROPOSED REGULATION  
AND FURNISHING OF ADDITIONAL INFORMATION

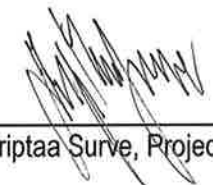
I, Triptaa Surve, Project Coordinator, of the Department of Health & Social Services, being sworn, state the following:

As required by AS 44.62.190, notice of the proposed adoption of changes to the *Reportable Conditions Update (7 AAC 27. Preventive Medical Services)*, has been given by being

- (1) published in a newspaper or trade publication;
- (2) furnished to interested persons;
- (3) furnished to appropriate state officials;
- (4) furnished to the Department of Law, along with a copy of the proposed regulation;
- (5) furnished electronically to incumbent State of Alaska legislators;
- (6) furnished to the Legislative Affairs Agency, Division of Legal and Research Services;
- (7) posted on the Alaska Online Public Notice System as required by AS 44.62.175(a)(1) and (b) and 44.62.190(a)(1);
- (8) furnished electronically, along with a copy of the proposed regulation, to the Legislative Affairs Agency, the chair of the Health & Social Services and Finance Committees of the Alaska Senate and House of Representatives, the Administrative Regulation Review Committee, and the legislative council.

As required by AS 44.62.190, additional regulation notice information regarding the proposed adoption of the regulation changes described above has been furnished to interested persons and those in (5) and (6) of the list above. The additional regulation notice information also has been posted on the Alaska Online Public Notice System.

Date: July 13, 2018 4

  
\_\_\_\_\_  
Triptaa Surve, Project Coordinator

Subscribed and sworn to before me at Anchorage, AK 99503 on July 13, 2018  
(date) <sup>13</sup> <sub>CP</sub>



Cheryl Patterson  
\_\_\_\_\_  
Notary Public in and for the State of Alaska

AFFIDAVIT OF ORAL HEARING

I, Jared William Parrish, Public Health Scientist of the Department of Health and Social Services being sworn, state the following:

On April 30, 2018, at 9:00 a.m. (9 a.m. -10 a.m.) in Room 896, 3601 C Street, Anchorage, AK 99503, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to Reportable Conditions Update (7 AAC 27. Preventive Medical Services).

Date: July 18, 2018 <sup>4</sup>

  
\_\_\_\_\_  
Jared William Parrish, Public Health Scientist

Subscribed and sworn to before me at Anchorage Alaska on  
July 18, 2018  
(date)

  
\_\_\_\_\_  
Notary Public in and for the State of Alaska



AFFIDAVIT OF ORAL HEARING

I, Louisa Castrodale, Veterinary Epidemiologist, of the Department of Health and Social Services being sworn, state the following:

On April 30, 2018, at 10:00 a.m. (10 a.m. – 11:00 a.m.), in Room 896, 3601 C Street, Anchorage, AK 99503, I presided over a public hearing held under AS 44.62.210 for the purpose of taking testimony in connection with the adoption of changes to Reportable Conditions Update (7 AAC 27. Preventive Medical Services).

Date: July 17, 2018 <sup>4</sup>



\_\_\_\_\_  
Louisa Castrodale, Veterinary Epidemiologist

Subscribed and sworn to before me at Anchorage Alaska on

July 17, 2018  
(date)

Cheryl Patterson  
Notary Public in and for the State of Alaska



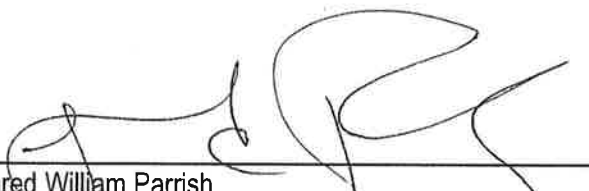


AFFIDAVIT OF AGENCY RECORD OF PUBLIC COMMENT

I, Jared William Parrish, Public Health Scientist, for the Department of Health and Social Services, being duly sworn, state the following:

In compliance with AS 44.62.215, the Department of Health and Social Services has kept a record of its use or rejection of factual or other substantive information that was submitted in writing and orally as public comment and that was relevant to the accuracy, coverage, or other aspect of the Department of Health and Social Services regulation on Reportable Conditions Update (7 AAC 27).

Date: July 18, 2018

  
\_\_\_\_\_  
Jared William Parrish  
Public Health Scientist

Subscribed and sworn to before me at Anchorage, Alaska on

July 18, 2018  
(date)



  
\_\_\_\_\_  
Notary Public in and for the State of Alaska