



Virginia  
Regulatory  
Town Hall

## Notice of Intended Regulatory Action Agency Background Document

<b>Agency Name:</b>	Department of Health (State Board of)
<b>VAC Chapter Number:</b>	12 VAC 5-90
<b>Regulation Title:</b>	Regulations for Disease Reporting and Control
<b>Action Title:</b>	Amendment
<b>Date:</b>	August 15, 2000

This information is required prior to the submission to the Registrar of Regulations of a Notice of Intended Regulatory Action (NOIRA) pursuant to the Administrative Process Act § 9-6.14:7.1 (B). Please refer to Executive Order Twenty-Five (98) and Executive Order Fifty-Eight (99) for more information.

### Purpose

*Please describe the subject matter and intent of the planned regulation. This description should include a brief explanation of the need for and the goals of the new or amended regulation.*

The Regulations for Disease Reporting and Control are to be amended to incorporate the provisions of the emergency regulation regarding the notification of patients in the cancer registry and to update disease reporting requirements in order to best protect the citizens of the Commonwealth from communicable diseases.

### Basis

*Please identify the state and/or federal source of legal authority to promulgate the contemplated regulation. The discussion of this authority should include a description of its scope and the extent to which the authority is mandatory or discretionary. The correlation between the proposed regulatory action and the legal authority identified above should be explained. Full citations of legal authority and, if available, web site addresses for locating the text of the cited authority must be provided.*

Section 32.1-12 of the Code empowers the Board of Health with the authority to make, adopt, and promulgate regulations protective of public health. Section 32.1-35 directs the Board to

promulgate regulations specifying which diseases occurring in the Commonwealth are to be reportable and the method by which they are to be reported.

### Substance

*Please detail any changes that would be implemented: this discussion should include a summary of the proposed regulatory action where a new regulation is being promulgated; where existing provisions of a regulation are being amended, the statement should explain how the existing regulation will be changed. The statement should set forth the specific reasons the agency has determined that the proposed regulatory action would be essential to protect the health, safety or welfare of citizens. In addition, a statement delineating any potential issues that may need to be addressed as the regulation is developed shall be supplied.*

This regulatory action is required to fully implement the emergency regulations regarding the notification of cancer patients about their inclusion in the statewide cancer registry. Other existing provisions will also be updated to ensure the best protection of the health of the citizens. Changes that will be made include adding a reference to bioterrorism, adding emerging diseases to the reportable disease list, adding a requirement for commercial laboratories to forward certain specimens to the state laboratory, and other enhancements designed to protect citizens from the threat of communicable diseases.

### Alternatives

*Please describe, to the extent known, the specific alternatives to the proposal that have been considered or will be considered to meet the essential purpose of the action.*

Since Virginia law requires the adoption of emergency regulations, the agency enjoys no discretion regarding whether to do so. No alternative would as clearly serve to protect the health of the citizens of the Commonwealth.

### Family Impact Statement

*Please provide a preliminary analysis of the potential impact of the proposed regulatory action on the institution of the family and family stability including to what extent the regulatory action will: 1) strengthen or erode the authority and rights of parents in the education, nurturing, and supervision of their children; 2) encourage or discourage economic self-sufficiency, self-pride, and the assumption of responsibility for oneself, one's spouse, and one's children and/or elderly parents; 3) strengthen or erode the marital commitment; and 4) increase or decrease disposable family income.*

This regulation is expected to have no impact on the education, nurturing, and supervision of children; economic self-sufficiency, pride, or responsibility; marital commitment; or family income. In promoting health, however, the regulations may have a positive impact on the institution of the family, as healthier individuals are more able to interact in a favorable manner with their families.

NOIRA template-cancer registry.doc