



Economic Impact Analysis Virginia Department of Planning and Budget

12 VAC 5-90– Disease Reporting and Control
Virginia Department of Health
August 27, 2009

Summary of the Proposed Amendments to Regulation

The State Board of Health proposes to update the regulations to conform to recent changes in the Code of Virginia, to add to or subtract diseases from the list of reportable diseases, to expand the list of conditions for which laboratories are required to submit specimens, and to clarify some of the current requirements and definitions.

Result of Analysis

The benefits likely exceed the costs for all proposed changes.

Estimated Economic Impact

The proposed changes update the regulations to conform to recent changes in the Code of Virginia pertaining to the reporting of outbreaks (§ 32.1-37), prenatal testing for HIV infection (§ 54.1-2403.01), immunization requirements (§ 32.1-46), and tuberculosis reporting and control requirements (§ 32.1-50). While these changes are substantial, no significant economic effect is expected upon promulgation as they have already been in effect under the statute.

The board also proposes 1) to remove Toxic Shock Syndrome from the list of reportable conditions, but add it to the list of reportable Group A Streptococcal infections as the number of cases reported have been minimal over the last decade averaging 1.2 cases per year, 2) to remove Kawasaki syndrome from the list of reportable conditions since it was originally added to collect information that may have helped to identify its causes and no cause has been identified as well as there is being no public health intervention to reduce the occurrence of this disease, 3) to add Lyme disease to the list of conditions reportable by laboratories since laboratory findings are essential for identification and confirmation of cases, and 4) to require the laboratories to

indicate if available whether the metal is organic or inorganic in cases of elevated levels of heavy metal exposure.

Virginia Department of Health (VDH) does not anticipate any significant economic costs from these changes because Toxic Shock Syndrome and Kawasaki diseases rarely occur, most laboratories are already submitting Lyme disease findings, and the information requested in heavy metal exposure cases is to be submitted only if it is readily available.

The proposed regulations will also expand the list of conditions for which laboratories are required to submit specimens to include two bio terrorism conditions (brucellosis and Q fever), novel influenza viruses, and vancomycin-intermediate or vancomycin-resistant *Staphylococcus aureus*. Similarly VDH does not expect significant costs as a result of these added conditions as only 24 cases reported for all four conditions combined in year. However, the benefits may be significant in terms of avoided public health costs in case of an epidemic.

Finally, the proposed regulations change the reporting requirement from “within 24 hours” to “will be reported by the most rapid means available” to clarify that immediate action is expected for high priority conditions; clarify the requirements on the list of specimens to be submitted for additional confirmation with regard to Typhoid fever, and *E. coli* O157; amend the regulation concerning isolation and quarantine to specify that if the risk of infection or transmission continues at the end of the confinement, new orders may be issued to extend the confinement; and clarify numerous definitions. All of the changes under this group are for clarification purposes and are not anticipated to create any significant economic effect.

Businesses and Entities Affected

The requirement to submit additional specimens could affect up to 50 laboratories doing business in Virginia. Insurance companies and health care providers in Virginia are expected to be affected by increased HIV testing.

Localities Particularly Affected

Regulations apply throughout the Commonwealth.

Projected Impact on Employment

No significant effect is expected on employment.

Effects on the Use and Value of Private Property

No significant effect is expected on the use and value of private property.

Small Businesses: Costs and Other Effects

No significant costs and other effects are expected on employment.

Small Businesses: Alternative Method that Minimizes Adverse Impact

No adverse effect is expected on small businesses.

Real Estate Development Costs

No adverse effect is expected on real estate development costs.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 36 (06). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.