

Wyoming Administrative Rules

Health, Department of

Preventive Health & Safety Division

Chapter 1: Reportable Diseases & Conditions - Pharmacist Reporting

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RULES AND REGULATIONS FOR REPORTABLE DISEASES AND CONDITIONS

CHAPTER 1

Section 1. Statutory Authority. Pursuant to W.S. 35-1-240, W.S. 35-4-107, and W.S. 35-4-108, the Wyoming Department of Health is authorized to make rules and regulations pertaining to a list of reportable diseases and conditions. The Wyoming Department of Health is generally authorized pursuant to W.S. 35-1-229 to adopt rules as necessary to enforce reportable disease and condition reporting.

Section 2. Definitions. These rules and regulations shall use the following terms as defined within this section:

(a) “Acquired Immune Deficiency Syndrome” (AIDS) is the end result of HIV infection supported by documented opportunistic infections, malignancies, or selected systemic diseases in association with HIV seropositivity.

(b) “Body Fluid” includes any fluids that have been identified by the Center for Disease Control as potentially infectious and capable of facilitating the transmission of reportable diseases and conditions, including HIV/AIDS.

(c) “Confidential” means the restriction of information and records relating to a known or suspected case of a reportable disease or condition which has been reported, acquired, and maintained under W.S. 35-4-107 and 35-4-108, unless otherwise required by law.

(d) “Contagious” is the transmission of a disease by direct or indirect contact.

(e) “Designee” is an individual appointed by the Health Officer and conducting official business for and on behalf of the Wyoming Department of Health, a county, city or district health office.

(f) “Health Care Employee” is a general term used to identify an individual (employee) of a health care facility involved in the supervision, care and treatment of patients commensurate with the employee’s qualifications and training.

(g) “Health Care Facility” is a public or private hospital, dispensary, or other facility or institution offering and/or providing medical services.

(h) “Health Care Professional” shall include licensed physicians, nurses, physician’s assistants, nurse practitioners, dentists, dental hygienists, and dental assistants.

(i) “Health Care Provider” is a general term used to identify a health care facility and/or medical professional (e.g., physician, nurse, physician’s assistant) providing, directing, supervising or recommending a schedule of medical services to or on behalf of an individual.

(j) “Health Care Worker” includes all personnel involved in the care of a patient including first responders, such as law enforcement, rescue personnel and those individuals acting as good Samaritans.

(k) “Health Officer” is the physician or authorized designee selected by the appointing authority for a specific jurisdiction: state, county, and/or city.

(l) “Hospital” is a facility with an organized medical staff with a capacity to conduct patient health care needs on a continuous and/or extended basis.

(m) “Infectious” is the capacity to rapidly spread infection to other individuals.

(n) “Isolate” is the restriction of an individual’s freedom which is necessary to ensure individual and/or public health and welfare.

(i) A person may be advised by the Health Officer and/or authorized designee to voluntarily restrict his or her freedom of movement so as to limit contact with other persons.

(ii) Action may be taken by the Health Officer and/or authorized designee for the protection of public health and welfare to legally and formally restrict a person’s freedom of movement or performance of an activity.

(o) “Laboratory” is a facility involved in the collecting, processing, analyzing, storing or passing of patient specimens to reference laboratory facilities for the purpose of identifying infectious, microbiological, serological, chemical, hematological, biophysical, cytological or pathological specimens from the human body.

(p) “Life Threatening” means the potential for loss of life due to the known or suspected presence of medical condition(s) that may result in or lead to imminent death.

(q) “Penal Institution” is any public or private facility authorized by law to incarcerate individuals as ordered by the court.

(r) “Positive Test Result” is a test that concludes a person is infected with a reportable disease or condition.

(i) Positive test results for reportable diseases and conditions may include but not be limited to the following test methods:

- [A] Culture
- [B] Serology
- [C] Direct Slide
- [D] EIA (Enzyme Immunoassay)
- [E] DNA Probe (Deoxyribonucleic Acid)
- [F] Other FDA Technology

(s) “Prisoner” is an individual confined or imprisoned in any state penal institution, county or city jail or any community correctional facility.

(t) “Reportable Disease” is a disease and/or condition designated as nationally notifiable by the Centers for Disease Control and Prevention, as well as additional diseases and conditions considered notifiable by the Wyoming Medical and Public Health Community.

(u) “Treatment” is the actual passing or prescribing of medications or a schedule of health care procedures established by current medical standards to effect a cure for a disease or in the case of incurable reportable diseases or conditions, enhance and/or sustain the patient’s life expectancy.

Section 3. Confidentiality of Information.

(a) All records pertaining to reportable diseases and conditions are confidential and except as otherwise required by law shall not be disclosed unless the disclosure:

(i) Is for statistical purposes and the information is released in a manner that does not reveal personal identifiers; or

(ii) Is necessary for the exclusive administration and enforcement of these rules and regulations and/or Wyoming state statutes; or

(iii) Is preceded by the written consent of the infected individual specifying where the information shall be sent; or

(iv) Is for notification of health care employees as necessary to protect life and health.

(v) Is pursuant to a civil action for negligent or intentional infection of or exposure to a listed reportable disease or condition.

(vi) Is pursuant to a criminal prosecution for the criminal infection of or exposure to a listed reportable disease or condition.

(b) Regardless of patient consent, the Health Officer and/or authorized designee shall have access to medical records and other information pertaining to individuals covered by this Act.

Section 4. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Section 5. Reporting Required.

(a) The following is a list of individuals and facilities which have an independent duty to report the occurrence of listed reportable diseases and conditions:

(i) A physician or other health care provider diagnosing or treating a person having a listed reportable disease or condition;

(ii) The administrator of a health care facility or penal institution in which there is a listed reportable disease or condition case;

(iii) The administrator or operator of a laboratory performing a positive test for listed reportable diseases or conditions.

Section 6. Reporting Procedures/Methods.

(a) The physician must report or cause a report to be made using an official State Disease Case Report or equivalent format, a report via telephone, or a report via secured fax.

(b) The administrator of a health care facility or penal institution must report or cause a report to be made of the diagnosis or treatment of reportable diseases and conditions.

(c) The administrator or operator of a laboratory must report or cause a report to be made of test findings for reportable diseases and conditions.

(d) Any physician or other health care provider and any administrator or operator of a health care facility or laboratory or penal institution reporting a diagnosis or positive test result pursuant to W.S. 35-4-107 and W.S. 35-4-108 shall notify any health care employee and/or health care professional reasonably expected to be at risk of exposure to a dangerous or life-threatening listed reportable disease or condition.

(i) Notification shall be verbal.

(ii) Notification shall take place within 24 hours or as soon as possible.

(e) Only summary statistical reports are required to be submitted from facilities designated by the State Health Officer as anonymous HIV testing sites.

Section 7. Submission of Reports. All listed reports of reportable diseases and conditions made by the physician or other health care provider, administrator of a hospital, director or supervisor of a laboratory facility, dispensary or penal institution, or any other health care facility shall be forwarded to:

Wyoming Department of Health
Epidemiology Section
Hathaway Building, 4th Floor
Cheyenne, Wyoming 82002
Fax: (307) 777-5573
Phone: (307) 777-3593

All written reports mailed utilizing a mail carrier shall be in an envelope marked “**CONFIDENTIAL**”.

Section 8. Report Forms. Reporting forms may be obtained from the Wyoming Department of Health, Epidemiology Section.

Section 9. Penalty for Failure to Report or for False Report. Any practicing, licensed physician or other person required to report who fails to report to the state health officer or his authorized designee any case of listed reportable disease or condition in the manner provided in W.S. 35-4-107, or who willfully makes any false report regarding any case, shall be guilty of a misdemeanor, punishable by a fine of not more than one thousand dollars (\$1,000.00), or imprisonment in the county jail not more than six (6) months, or both.

Section 10. Public Health Action. Upon receipt of a report or notice of a listed reportable disease or condition case within a respective jurisdiction, a Health Officer may take any or all of the following actions:

- (a) If examination has not been performed, may provide for the examination of the infected individual(s) or the individual(s) reasonably suspected of suffering from a listed reportable disease or condition and shall report the examination results to the individual(s);
- (b) May require the infected individual(s) to seek adequate medical assistance for treatment of said infection either privately or if necessary at public expense;
- (c) To the extent possible, provide for and/or arrange for the education and counseling of the infected individual(s) and/or their partner(s) as to the medical significance of the listed reportable disease or condition;
- (d) To the extent possible, identify, locate and refer the individual(s) with whom the infected individual(s) may have had contact for medical evaluation and treatment if necessary;
- (e) Shall follow procedures (a) through (d) (Section 10) above with any individual(s) with whom the infected individual(s) may have had contact.
- (f) May isolate the individual(s) when that individual(s) fails to comply with medical recommendations pertaining to an infection with or exposure to a dangerous or life-threatening reportable disease or condition.

Section 11. Public Health Notification.

- (a) To the extent possible, the Health Officer shall make every reasonable effort to locate and notify any individual identified as having been exposed to a listed reportable disease or condition within the prescribed public health standard for critical dates of exposure.
- (b) Notification may include:
 - (i) The name of the listed reportable disease or condition to which the individual may have been exposed;
 - (ii) The approximate date of exposure;
 - (iii) The nature of the disease (method of transmission, effects of the disease or condition, etc.);
 - (iv) The available sources for education and counseling as to the medical significance of the disease or condition;
 - (v) A recommendation to the individual about seeking medical assistance to determine if he or she is infected and obtaining treatment for known or suspected infection if necessary.
- (c) The notice shall not provide any information that may be construed to identify the specific identity of the originally infected individual, unless the Health Officer has received written authorization for the release of information from the originally infected individual.

Section 12. Individuals Under Eighteen. Individuals under eighteen years of age may give legal consent for examination and treatment for any listed reportable disease or condition, without the consent of parents or guardians.

Section 13. Health Officer or Authorized Designee Action. The health officer shall take any or all of the following steps:

- (a) Determine whether a prisoner or other confined individual is at risk for a listed reportable disease or condition based on the individual's record and/or personal interview.
- (b) Isolate prisoner(s) or other confined individuals with treatable listed reportable diseases or conditions within the facility to prevent the spread of infection until the individual is cured.
- (c) Provide prisoner(s) or other confined individuals infected with a curable listed reportable disease or condition with the minimum medical care and treatment to affect a cure.
- (d) In the case of an individual(s) infected with an incurable listed reportable disease or condition, provide for the minimum care and treatment of the individual(s).

Section 14. Care and Treatment. Minimum care and treatment for incurable listed reportable diseases and conditions requires that a prisoner or other confined individual shall be afforded equal provision of services available to any other member of the confined population.

- (a) The facility shall furnish or arrange for the provision of minimum medical care and/or medication pursuant to current medical practice in response to the specific disease.

Section 15. Interference with Judiciary Action. These Rules and Regulations shall not be construed to interfere with the service of any sentence or other judicial action.