

## Wyoming Administrative Rules

# Health, Department of

## Preventive Health & Safety Division

### Chapter 11: Reportable Diseases and Conditions

**Effective Date:** 10/14/2003 to Current

**Rule Type:** Current Rules & Regulations

**Reference Number:** 048.0046.11.10142003

**Rules and Regulations  
For Reportable Diseases and Conditions  
Chapter 11**

Section 1. Authority. Pursuant to W.S. 33-24-155 the Wyoming Department of Health is authorized to make rules and regulations pertaining to reports required to the State Health Officer. 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. Purpose and Applicability.

(a) This chapter shall apply to and govern Pharmacist Reporting. This Chapter shall become effective upon final filing with the Secretary of State's office.

(b) The Department may issue Manuals, Bulletins, or both, to interpret the provisions of this Chapter. Such Manuals and Bulletins shall be consistent with and reflect the policies contained in this Chapter. The provisions contained in Manuals or Bulletins shall be subordinate to the provisions of this Chapter.

(c) The incorporation by reference of any external standard is intended to be the incorporation of that standard as it is in effect on the effective date of this Chapter.

Section 3. Definitions. The following definitions shall apply in the interpretation and enforcement of these rules. Where the context in which words are used in these rules indicates that such is the intent, words in the singular number shall include the plural and vice versa. Throughout these rules gender pronouns are used interchangeably except where the context dictates otherwise. The drafters have attempted to utilize each gender pronoun in equal numbers in random distribution. Words in each gender shall include individuals of the other gender.

(a) "Public health emergency" means an occurrence or imminent threat of an illness or health condition caused by an epidemic or pandemic disease, a novel and highly fatal infectious agent or a biological toxin that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability. The governor shall declare when a public health emergency exists or has ended.

(b) "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.

(c) "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.

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

(e) "Pharmacist" means any individual licensed and registered with the State Board of Pharmacy.

(f) "Infectious" is the capacity to rapidly spread infection to other individuals.

(g) "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.

(h) "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 4. 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 pursuant to a civil action for negligent or intentional infection of or exposure to a listed reportable disease or condition; or

(v) 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 5. Severability. If any portion of these rules is found to be invalid or unenforceable, the remainder shall continue in effect.

Section 6.     Reporting Required.

(a)     Any pharmacist in Wyoming has an independent duty to report the occurrence of unusual trends that the pharmacist has reason to believe might be related to a public health emergency, including:

- (i)     pharmacy visits,
- (ii)    any type of prescription filled, or
- (iii)   nonprescription medication sales.

Section 7.     Reporting Procedures/Methods.

(a)     Within 24 hours of identification of an unusual trend, the pharmacist 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.

Section 8.     Submission of Reports. All listed reports made by the pharmacist shall be forwarded to:

Wyoming Department of Health  
Epidemiology Section  
Hathaway Building, 4th Floor  
Cheyenne, Wyoming 82002

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

Reports may also be forwarded by fax or phone to:

Fax: (307) 777-5573  
Phone: (307) 777-3593

Section 9.     Report Forms. Reporting forms may be obtained from the Wyoming Department of Health, Epidemiology Section, at (307) 777-3593.

Section 10.    Public Health Action. Upon receipt of a report or notice of an unusual pharmacy trend within a respective jurisdiction, a Health Officer may take any or all of the following actions:

(a)     Notify other health care providers in the respective jurisdiction of possible public health emergency through blast fax or other means.

(b)     If individual information is known,

(i)     May require the infected individual(s) to seek adequate medical assistance for treatment of said infection either privately or if necessary at public expense;

(ii) To the extent possible, identify, locate and refer the individual(s) with whom the infected individual may have had contact for medical evaluation and treatment if necessary.

Section 11. 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.