

CR 88-83

CERTIFICATE

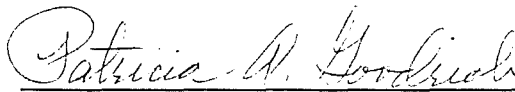
STATE OF WISCONSIN)
) SS
DEPARTMENT OF HEALTH AND SOCIAL SERVICES)

I, Patricia A. Goodrich, Secretary of the Department of Health and Social Services and custodian of the official records of the Department, do hereby certify that the annexed rules relating to the control of communicable diseases were duly approved and adopted by this Department on December 19, 1988.

I further certify that this copy has been compared by me with the original on file in the Department and that this copy is a true copy of the original, and of the whole of the original.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the Department at the State Office Building, 1 W. Wilson Street, in the city of Madison, this 19th day of December, 1988.

SEAL:



Patricia A. Goodrich, Secretary
Department of Health and Social Services

RECEIVED

DEC 19 1988
10:30 am G.P.
Revisor of Statutes
Bureau

12-7-88

ORDER OF THE
DEPARTMENT OF HEALTH AND SOCIAL SERVICES
AMENDING AND REPEALING AND RECREATING RULES

To amend HSS 145.03 (2), (11) and (11) Note, 145.04(1),(2)(a) to (c) and (3)(a) and (b), 145.05(2), (3) and Note, 145.06(1),(2),(3) and Note, and 145.09(1) and Note; to repeal and recreate Appendix A of HSS 145; and to create HSS 145.04(lm), relating to control of communicable diseases.

Analysis Prepared by the Department of Health and Social Services

The Department's rules for control of communicable diseases are found in ch. HSS 145, Wis. Adm. Code. This order amends those rules to cite a new edition of the standard work in this field referenced at several places in the rule, to add human immunodeficiency virus (HIV) to the list of reportable diseases or conditions in Appendix A of ch. HSS 145, and to provide that reports of HIV be made directly to the state epidemiologist.

Abram Benenson's Control of Communicable Diseases in Man is referenced in ch. HSS 145 as the source of a master list of diseases or conditions that have the potential to affect the health of other persons and of the methods to be used to control particular communicable diseases. A new 14th edition of this work was published by the American Public Health Association in 1985.

Section 146.025(7)(b), Stats., as amended by 1987 Wisconsin Act 70, requires that health care providers and blood banks report to the state epidemiologist any positive test results for the presence of an antibody to human immunodeficiency virus (HIV). HIV is the AIDS virus. Recently HIV replaced HTLV-III as the term of preference in the medical literature for the AIDS virus, and for this reason 1987 Wisconsin Act 70 substituted HIV for HTLV-III throughout s. 146.025, Stats., and HIV is therefore the term used for the reportable condition in the amended Appendix A of ch. HSS 145.

The Department's authority to amend and to repeal and recreate these rules is found in ss. 143.02(4), 143.05(1), 143.06(4), 143.07(1) and (1m), 143.12(6) and 990.01(5g), Stats. The rules interpret ss. 143.01 to 143.14 and 146.025(7)(b), Stats.

SECTION 1. HSS 145.03(2),(11) and (11))Note are amended to read:

HSS 145.03(2) "Communicable disease" means a disease or condition listed in Appendix A of this chapter.

(11) "Other disease or condition having the potential to affect the health of other persons" means a disease that can be transmitted from one

person to another but that is not reportable under this chapter and therefore is not listed in Appendix A of this chapter, although it is listed in Control of Communicable Diseases in Man, ~~13th edition (1981)~~ 14th edition (1985), edited by Abram S. Benenson, and published by the American Public Health Association.

Note: The handbook, Control of Communicable Diseases in Man, ~~13th edition (1981)~~ 14th edition (1985), edited by Abram S. Benenson, is on file in the department's bureau of community health and prevention, the revisor of statutes' office, and the secretary of state's office and is available for purchase from the American Public Health Association, 1015 Fifteenth St., NW, Washington, D.C. 20005.

SECTION 2. HSS 145.04(1) is amended to read:

HSS 145.04(1) RESPONSIBILITY FOR REPORTING. (a) Any person licensed under ch. 441 or 448, Stats., knowing of or in attendance on a case or suspected case shall notify the local health officer or, if required under Appendix A of this chapter, the state epidemiologist, in the manner prescribed in this section.

(b) Each laboratory shall report the identification or suspected identification of a disease-causing organism or laboratory findings indicating the presence of a communicable disease to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist.

(c) Each health care facility shall ensure that reports are made to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist, in the manner specified in sub. (3). When a case is identified or suspected in a health care facility having an organized program of infection control, the person in charge of the infection control program shall ensure that the case or suspected case is reported to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist, minimizing unnecessary duplication.

(d) Any teacher, principal or nurse serving a school or day care center knowing of a case or suspected case in the school or center shall notify the local health officer or, if required under Appendix A of this chapter, the state epidemiologist, in the manner prescribed in this section.

(e) Any person who knows or suspects that a person has a communicable disease shall report the facts to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist.

SECTION 3. HSS 145.04(1m) is created to read:

HSS 145.04(1m) QUALIFICATION OF REPORTING RESPONSIBILITY. Nothing in sub. (1) lessens the requirement for confidentiality of test results under s. 146.025, Stats.

SECTION 4. HSS 145.04(2)(a) to (c) and (3)(a) and (b) are amended to read:

HSS 145.04(2) CONTENT OF REPORT (a) Each report under sub. (1)(a) to (d) of a case or suspected case of a communicable disease to the local health officer or the state epidemiologist shall include the name and address of the person reporting and of the attending physician, if any, the diagnosed or suspected disease, the name of the ill or affected individual, that individual's address and telephone number, age or date of birth, race and ethnicity, sex, county of residence, date of onset of the disease, name of parent or guardian if a minor, and other facts the department or local health officer requires for the purposes of surveillance, control and prevention of communicable disease.

(b) Reports may be written or verbal. Written reports shall be on the individual case reports form provided by the department and distributed by the local health officer or on a form containing the information required under par. (a). Reports shall be submitted to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist.

(c) Reports by laboratories of the identification or suspected identification of a disease-causing organism or laboratory findings indicating the presence of a communicable disease shall be made to the local health officer or, if required under Appendix A of this chapter, to the state epidemiologist. ~~The report~~ These reports shall include the name of the individual affected or ill, the individual's address, telephone number, county of residence, age or date of birth, the name of the attending physician and the identity or suspected identity of the organism or the laboratory findings.

(3) URGENCY OF REPORTS. (a) A person, laboratory or health care facility required to report under sub. (1) shall report communicable diseases ~~classified as being~~ of urgent public health importance as listed in category I of Appendix A of this chapter by telephone to the local health officer immediately upon identification of a case or suspected case. If the local health officer is unavailable, ~~reports~~ the report shall be made immediately to the state epidemiologist.

(b) A person, laboratory or health care facility required to report under sub. (1) shall report communicable diseases of less urgent public health importance as listed in categories II and III of Appendix A of this chapter to the local health officer or, if required under Appendix A, to the state epidemiologist, by individual case report form or by telephone within 72 hours of the identification of a case or suspected case.

SECTION 5. HSS 145.05(2), (3) and Note are amended to read:

HSS 145.05(2) Local health officers shall follow the methods of control set out in section 9 under each communicable disease listed in the ~~13th edition (1981)~~ 14th edition (1985) of Control of Communicable Diseases in Man, edited by Abram S. Benenson, published by the American Public Health Association, unless specified otherwise by the state epidemiologist. Specific medical treatment shall be prescribed by a physician.

(3) Any person licensed under ch. 441 or 448, Stats., attending a person with a communicable disease shall instruct the person in the applicable methods of control contained in Control of Communicable Diseases in Man, ~~13th~~ edition ~~(1981)~~ 14th edition (1985), edited by Abram S. Benenson, published by the American Public Health Association, unless specified otherwise by the state epidemiologist, and shall cooperate with the local health officer and the department in their investigation and control procedures.

Note: The handbook, Control of Communicable Diseases in Man, ~~13th~~ edition ~~(1981)~~ 14th edition (1985), edited by Abram S. Benenson, is on file in the department's bureau of community health and prevention, the revisor of statute's office and the secretary of state's office, and is available for purchase from the American Public Health Association, 1015 Fifteenth St., N.W. Washington, D.C. 20005.

SECTION 6. HSS 145.06(1)(2), (3) and Note are amended to read:

HSS 145.06 SPECIAL DISEASE CONTROL MEASURES. (1) SCHOOLS. Any teacher, principal or nurse serving the school may send home, for the purpose of diagnosis and treatment, any pupil suspected of having a communicable disease or of having any other disease or condition having the potential to affect the health of other students and staff including but not limited to pediculosis and scabies. The teacher or principal authorizing the action shall ensure that the parents of the child and nurse serving the school are informed of the action.

HSS 145.06 (2) PERSONAL CARE. Home health agency personnel providing personal care in the home and persons providing personal care in health care facilities, day care centers and other comparable facilities shall refrain from providing care while they are able to transmit a communicable disease through the provision of that care, in accord with the methods of communicable disease control contained in Control of Communicable Diseases in Man, ~~13th~~ edition ~~(1981)~~ 14th edition (1985), edited by Abram S. Benenson, and published by the American Public Health Association, unless specified otherwise by the state epidemiologist.

(3) FOOD HANDLERS. Food handlers shall refrain from handling food while they have a disease in a form that is communicable by food handling, in accord with the methods of communicable disease control contained in Control of Communicable Diseases in Man, ~~13th~~ edition ~~(1981)~~ 14th edition (1985), edited by Abram S. Benenson, and published by the American Public Health Association, unless specified otherwise by the state epidemiologist.

Note: The handbook, Control of Communicable Diseases in Man, ~~13th~~ edition ~~(1981)~~ 14th edition (1985), edited by Abram S. Benenson, is on file in the department's bureau of community health and prevention, the revisor of statutes' office and the secretary of state's office, and is available for purchase from the American Public Health Association, 1015 Fifteenth St., NW, Washington, D.C. 20005.

SECTION 7. HSS 145.09(1) and Note are amended to read:

HSS 145.09(1) All individuals with infectious tuberculosis or suspected of having infectious tuberculosis, and their contacts, shall exercise all reasonable precautions to prevent the infection of others with whom they may come in contact, in accord with the method of control for tuberculosis contained in Control of Communicable Diseases in Man, ~~13th edition (1981)~~ 14th edition (1985), edited by Abram S. Benenson, published by the American Public Health Association, unless specified otherwise by the ~~department~~ state epidemiologist.

Note: The handbook, Control of Communicable Diseases in Man, ~~13th edition (1981)~~ 14th edition (1985), edited by Abram S. Benenson, is on file in the department's bureau of community health and prevention, the revisor of statute's office and the secretary of state's office, and is available for purchase from the American Public Health Association, 1015 Fifteenth St., N.W, Washington, D.C. 20005.

SECTION 8. Appendix A to HSS 145 is repealed and recreated to read:

APPENDIX A: COMMUNICABLE DISEASES

CATEGORY I:

The following diseases are of urgent public health importance and shall be reported by telephone to the local health officer immediately upon identification of a case or suspected case. See s. HSS 145.04 (3)(a).

Anthrax	Pertussis (whooping cough)
Botulism	Plague
Botulism, infant	Poliomyelitis
Cholera	Rabies (human)
Diphtheria	Rubella
Food-borne or water-borne outbreaks	Rubella (congenital syndrome)
Hepatitis, viral Type A	Tuberculosis
Measles	Yellow Fever

CATEGORY II:

The following diseases are of less urgent public health importance and shall be reported to the local health officer by individual case report form or by telephone within 72 hours of the identification of a case or suspected case. See s. HSS 145.04 (3)(b).

Acquired Immunodeficiency Syndrome (AIDS)	Sexually transmitted diseases
Amebiasis	Chancroid
Blastomycosis	Chlamydia trachomatis
Brucellosis	Genital herpes infection (first clinical episode only)
Campylobacter enteritis	Gonorrhea
Encephalitis, viral (specify etiology)	Granuloma inguinale
Giardiasis	Lymphogranuloma venereum
Hepatitis, viral	Nongonococcal cervicitis
Types B, non-A non-B, or unspecified	Nongonococcal urethritis
Histoplasmosis	Sexually transmitted pelvic inflammatory disease
Kawasaki disease	Syphilis
Legionnaires' disease	Shigellosis
Leprosy	Tetanus
Leptospirosis	Toxic-shock syndrome
Lyme disease	Toxic substance related disease
Malaria	Infant methemoglobinemia
Meningitis, aseptic (specify etiology)	Lead intoxication (specify Pb levels)
Meningitis, bacterial (specify etiology)	Other metal poisonings
Meningococcal disease	
Mumps	

Nontuberculous mycobacterial disease
(specify etiology)
Psittacosis
Q fever
Reye's syndrome
Rheumatic fever (newly diagnosed)
Rocky Mountain spotted fever
Salmonellosis

Other organic chemical poisonings
Pesticide poisoning
Toxoplasmosis
Trichinosis
Tularemia
Typhoid fever
Typhus fever
Yersiniosis

Suspected outbreaks of other acute or occupationally-related diseases
CATEGORY III:

The following disease shall be reported to the state epidemiologist by individual case report form or by telephone within 72 hours of the identification of a case or suspected case. See s. 146.025(7)(b), Stats., and s. HSS 145.04(3)(b).

Human immunodeficiency virus (HIV) infection

CATEGORY IV:

The total numbers of cases or suspected cases of the following communicable disease shall be reported to the local health officer on a weekly basis. See s. HSS 145.04(3)(c).

Chickenpox

The repeals and rules contained in this order shall take effect on the first day of the month following their publication in the Wisconsin Administrative Register, as provided in s. 227.22(2), Stats.

Wisconsin Department of Health and
Social Services

Dated: December 19, 1988

By: Patricia A. Goodrich
Patricia A. Goodrich
Secretary

SEAL:



State of Wisconsin \

DEPARTMENT OF HEALTH AND SOCIAL SERVICES
1 West Wilson Street, Madison, Wisconsin 53702

Tommy G. Thompson
Governor

Patricia A. Goodrich
Secretary

Mailing Address:
Post Office Box 7850
Madison, WI 53707

December 19, 1988

Mr. Orlan Prestegard
Revisor of Statutes
7th Floor - 30 on the Square
Madison, Wisconsin 53702

Dear Mr. Prestegard:

As provided in s. 227.20, Stats., there is hereby submitted a certified copy of HSS 145, administrative rules relating to the control of communicable diseases.

These rules are also being submitted to the Secretary of State as required by s. 227.20, Stats.

The rules will not have a significant economic impact on a substantial number of small businesses as defined in s. 227.114(1)(a), Stats. This is because the requirement to report the HIV infection is statutory and the system for reporting is already in place.

Sincerely,

A handwritten signature in cursive script that reads "Patricia A. Goodrich".

Patricia A. Goodrich
SECRETARY

Enclosure