



Date: January 29, 2021
To: Interested Parties
From: Zintars Beldavs, Section Manager
Acute & Communicable Disease Prevention Section
Subject: Notice of Temporary and Proposed Permanent Rulemaking:
OAR chapter 333, division 18 – Disease Reporting

The Oregon Health Authority (OHA), Public Health Division, has temporarily amended OAR 333-018-0005 relating to reporting of diseases in out-of-state residents; and amended OAR 333-018-0016 relating to reporting of COVID-19 specifically. The amended rules require reporters to report out-of-state cases to the jurisdictional public health authority of the patient's residence, rather than to OHA. The amendments remove language rendered obsolete by electronic laboratory reporting. They also require reporting of positive and negative COVID-19 laboratory reports by those testing outside of traditional laboratories—i.e., those conducting “waived” laboratory tests in accordance with the federal Clinical Laboratory Improvement Amendments of 1988 (CLIA).

These temporary rules are effective January 7, 2021 through March 29, 2021. The full text of the temporary rules can be viewed at:

<https://www.oregon.gov/oha/PH/DISEASES/CONDITIONS/COMMUNICABLEDISEASE/REPORTINGCOMMUNICABLEDISEASE/Pages/rules.aspx>

If the local public health authority cannot be reached, please report to the Oregon Health Authority (phone 971-673-1111).

Clinicians requesting COVID-19 testing from the Oregon State Public Health Laboratory should fill out the on-line form available at:

<http://healthoregon.org/onlinemorbiditiform>

OHA has filed a Notice of Proposed Rulemaking to make the temporary rule changes referenced above permanent and to make minor housekeeping changes to OAR 333-018-0015. You are being invited to review the proposed rules and comment on them. **If you wish to provide oral testimony on the proposed rules, a public hearing will be held on Wednesday, February 17, 2021 at 1:00 p.m. via conference call. To present oral testimony during the hearing, please call 1-877-848-7030 Access Code: 2030826#.**

You may also file written comments before 5:00 p.m. on February 28, 2021 to the Public Health Division Rules Coordinator at the following address:

OHA, Public Health Division
Brittany Hall, Administrative Rules Coordinator
800 NE Oregon Street, Suite 930
Portland, Oregon 97232

E-mail comments to: publichealth.rules@state.or.us or you may also send comments by fax to: (971) 673-1299.

Final rules will be filed after consideration of all comments.

For more details, please see the Notice of Proposed Rulemaking, including the Statement of Need and Fiscal Impact and the full text of the proposed rules at the following website:

<https://www.oregon.gov/oha/PH/DISEASES/CONDITIONS/COMMUNICABLEDISEASE/REPORTINGCOMMUNICABLEDISEASE/Documents/rules/2021/COVID-19/333-018-Notice-ProposedRulemaking-Jan29-2021.pdf>

If you have any questions or would prefer to be sent a hard copy of the Temporary Administrative Order or the Notice of Proposed Rulemaking, please send an email to publichealth.rules@state.or.us