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SHEMIA FAGAN
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CHERYL MYERS
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ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

TEMPORARY ADMINISTRATIVE ORDER
INCLUDING STATEMENT OF NEED & JUSTIFICATION

PH 23-2021

CHAPTER 333
OREGON HEALTH AUTHORITY
PUBLIC HEALTH DIVISION

FILED
06/24/2021 3:26 PM
ARCHIVES DIVISION
SECRETARY OF STATE
& LEGISLATIVE COUNSEL

FILING CAPTION: Exemption from tuberculosis screening requirements at community COVID-19 testing and vaccination sites

EFFECTIVE DATE: 06/24/2021 THROUGH 12/20/2021

AGENCY APPROVED DATE: 06/24/2021

CONTACT: Heidi Behm 800 NE Oregon St.
503-358-8516 Portland, OR 97232
publichealth.rules@state.or.us

Filed By:
Brittany Hall
Rules Coordinator

NEED FOR THE RULE(S):

The Oregon Health Authority (Authority), Public Health Division, is temporarily amending OAR 333-019-0041 relating to tuberculosis screening requirements for health care workers and volunteers in order to eliminate barriers to COVID-19 testing and vaccination in community settings.

This rule change will exempt health care workers and volunteers from needing tuberculosis (TB) screening such as a TB skin test, Quantiferon test or TSPOT test when working at community COVID-19 testing and vaccination sites. The rule change will ensure there are not unnecessary barriers at COVID-19 testing and vaccination.

JUSTIFICATION OF TEMPORARY FILING:

The Authority finds that failure to act promptly will result in serious prejudice to the public interest, the Authority, and healthcare workers and volunteers providing services at COVID-19 testing and COVID-19 vaccination sites. Requiring TB screening is likely to reduce the number of individuals providing services at these sites. These rules need to be adopted promptly in order to remove barriers to COVID-19 testing and vaccination in community settings.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

None

AMEND: 333-019-0041

RULE SUMMARY: AMEND 333-019-0041, Other Disease Specific Provisions: Tuberculosis

In this amendment the Authority:

- Exempts healthcare workers and volunteers who are providing services at COVID-19 testing and COVID-19 vaccination sites from being screened for tuberculosis
- Allows this exemption only at locations that are not health care facilities under ORS 442.015, a pharmacy, or a

medical office.

CHANGES TO RULE:

333-019-0041

Other Disease Specific Provisions: Tuberculosis ¶¶

(1) As used in this rule:¶¶

(a) "Health care facility" has the meaning given that term in ORS 442.015;¶¶

(b) "Health care setting" includes the facility types described in "Guidelines for preventing the transmission of Mycobacterium tuberculosis in Health-Care Settings," published by the Centers for Disease Control and Prevention (Morbidity and Mortality Weekly Report, Vol. 54, Number RR-17: 1-141; December 30, 2005) APPENDIX A, available at: <https://www.cdc.gov/mmwr/pdf/rr/rr5417.pdf>.¶¶

(2) Each health care facility or health care setting shall formally assess the risk of tuberculosis transmission among staff (professional and volunteer) and patients at least annually and shall follow tuberculosis screening recommendations outlined in "Guidelines for preventing the transmission of Mycobacterium tuberculosis in Health-Care Settings," published by the Centers for Disease Control and Prevention (Morbidity and Mortality Weekly Report, Vol. 54, Number RR-17: 1-141; December 30, 2005), incorporated by reference and available at: <https://www.cdc.gov/mmwr/pdf/rr/rr5417.pdf> and "Tuberculosis Screening, Testing, and Treatment of U.S. Health Care Personnel: Recommendations from the National Tuberculosis Controllers Association and CDC, 2019," published by the Centers for Disease Control and Prevention (Morbidity and Mortality Weekly Report, 68(19);439-443; May 17, 2019), incorporated by reference and available at: <https://www.cdc.gov/mmwr/volumes/68/wr/mm6819a3.htm>; or other guidelines or recommendations approved by the Authority.¶¶

(3) Notwithstanding section (2) of this rule, health care workers and volunteers providing services at COVID-19 testing and COVID-19 vaccination sites that are at locations other than a health care facility, pharmacy or medical office are not required to be screened for tuberculosis.

Statutory/Other Authority: ORS 431.110, 433.001-433.035, 433.110-433.220

Statutes/Other Implemented: ORS 431.150, 431.155, 431.170, 433.001-433.035, 433.110-433.220