

OFFICE OF ADMINISTRATIVE LAW

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DEBRA M. CORNEZ
Director

December 11, 2013

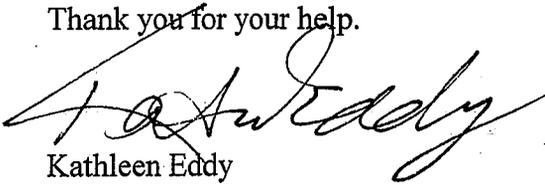
Secretary of State Archives
1500 11th Street
Sacramento, CA 95814

Re: OAL File No. 2013-1029-01FP, California Department of Public Health

On December 2, 2013, OAL filed the subject rulemaking with the Secretary of State. The Form 400 Effective Date was marked incorrectly. Attached is an amended Form 400 with the correct effective date of January 1, 2014.

Please attach this memo and the amended Form 400 to the original filing. Please call Kathleen Eddy at 916-323-7465 if you have any questions.

Thank you for your help.



Kathleen Eddy
Senior Counsel

Cc: Lesya Vorobets

ENDORSED FILED
IN THE OFFICE OF

2013 DEC 11 PM 3:29



Debra Brown
DEBRA BROWN
SECRETARY OF STATE

NOTICE PUBLICATION/REGULATIONS SUBMISSION

(See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-2013)

OAL FILE NUMBERS	NOTICE FILE NUMBER	REGULATORY ACTION NUMBER	EMERGENCY NUMBER
	Z-	2013-1029-01FP	
For use by Office of Administrative Law (OAL) only			
NOTICE		REGULATIONS	

AGENCY WITH RULEMAKING AUTHORITY
California Department of Public Health

AGENCY FILE NUMBER (if any)
DPH-12-007

A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE		TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE	
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other		4. AGENCY CONTACT PERSON		TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY	ACTION ON PROPOSED NOTICE <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn			NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Communicable Disease & Conditions: Specimen Submission		1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT
	AMEND
	2505
TITLE(S)	REPEAL

3. TYPE OF FILING

<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input checked="" type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input type="checkbox"/> Other (Specify) _____	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)

<input type="checkbox"/> Effective January 1, April 1, July 1, or October 1 (Gov. Code §11343.4(a))	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) January 1, 2014
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6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY

<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal
<input checked="" type="checkbox"/> Other (Specify) CCLHO		

7. CONTACT PERSON Lesya Vorobets	TELEPHONE NUMBER 916-440-7371	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) Lesya.Vorobets@CDPH.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

For use by Office of Administrative Law (OAL) only

SIGNATURE OF AGENCY HEAD OR DESIGNEE 	DATE 12/10/13
TYPED NAME AND TITLE OF SIGNATORY Karin S. Schwartz, Chief Counsel and Deputy Director	

PROPOSED REGULATIONS
Title 17. California Code of Regulations
Division 1. State Department of Health Services
Chapter 4. Preventative Medical Service
Subchapter 1. Reportable Diseases and Conditions
Article 1. Reporting

Amend Section 2505 to read as follows:

§ 2505. Notification by Laboratories

(a) though (e)(1) no change to text

(2) The diseases or agents specified shall be reported within one working day after the health care provider or other person authorized to receive the report has been notified. Laboratories shall transmit these reports to the local health officer by courier, mail, electronic facsimile or electronic mail. Within one year of the establishment of the state electronic reporting system, all List (e)(2) diseases shall be reported electronically to the state electronic reporting system within one working day of identification. Reporting to the state electronic reporting system substitutes reporting by courier, mail, electronic facsimile transmission or electronic mail. Laboratory findings for these diseases are those that satisfy the most recent communicable disease surveillance case definitions established by the CDC (unless otherwise specified in this Section). The diseases or agents reported pursuant to this requirement are:

- Acid fast bacillus (AFB) (see (g) for additional reporting requirements)
- Anaplasmosis/Ehrlichiosis
- Bordetella pertussis acute infection, by culture or molecular identification
- Borrelia burgdorferi infection
- Brucellosis, animal (Brucella spp. except Brucella canis)
- Campylobacteriosis (Campylobacter spp.) (detection or isolation a clinical specimen)
- Chancroid (Haemophilus ducreyi)
- Chlamydia trachomatis infections, including lymphogranuloma venereum (LGV)
- Coccidioidomycosis
- Cryptosporidiosis

Cyclosporiasis (*Cyclospora cayetanensis*)

Dengue (dengue virus)

Diphtheria

Encephalitis, arboviral

Escherichia coli: shiga toxin producing (STEC) including E. coli O157 (see (l) for additional reporting requirements)

Giardiasis (*Giardia lamblia*, *intestinalis*, or *duodenalis*)

Gonorrhea

Haemophilus influenzae (report an incident of less than 15 years of age, sterile site)

Hantavirus Infections

Hepatitis A, acute infection

Hepatitis B, acute or chronic infection (specify gender)

Hepatitis C, acute or chronic infection

Hepatitis D (Delta), acute or chronic infection

Hepatitis E, acute infection (detection of hepatitis E virus RNA from a clinical specimen or positive serology)

Legionellosis (*Legionella* spp.) (antigen or culture)

Leprosy (Hansen Disease) (*Mycobacterium leprae*)

Leptospirosis (*Leptospira* spp.)

Listeriosis (*Listeria*) (see (l) for additional reporting requirements)

Malaria (see (h) for additional reporting requirements)

Measles (Rubeola), acute infection (see (l) for additional reporting requirements)

Mumps (mumps virus), acute infection

Mycobacterium tuberculosis (see (f) for additional reporting requirements)

Neisseria meningitidis (sterile site isolate) (see (l) for additional reporting requirements)

Poliovirus

Psittacosis (Chlamydoiphila psittaci)

Q Fever (Coxiella burnetii)

Rabies, animal or human

Relapsing Fever (Borrelia spp.) (identification of Borrelia spp. spirochetes on peripheral blood smear)-

Rickettsia, any species, acute infection (detection from a clinical specimen or positive serology)

Rocky Mountain Spotted Fever (Rickettsia rickettsii)

Rubella, acute infection

Salmonellosis (Salmonella spp.) (see Section 2612 (a) for additional reporting requirements)

Shiga toxin (detected in feces) (see (l) for additional reporting requirements)

Shigellosis (Shigella spp.)

Syphilis

Trichinosis (Trichinella)

Tuberculosis

Tularemia, animal (F. tularensis)

Typhoid

Vibrio species infections

West Nile virus infection

Yellow Fever (yellow fever virus)

Yersiniosis (*Yersinia* spp., non-pestis) (isolation from a clinical specimen)

(f) though (k) no change to text

(l) A culture or a specimen as listed in this subsection shall be submitted as soon as available to the public health laboratory designated in Section 1075 for the local health jurisdiction where the health care provider is located. The following information shall be submitted with the culture or specimen: the name, address, and the date of birth of the person from whom the specimen or culture was obtained, the patient identification number, the specimen or culture accession number or other unique identifier, the date the specimen or culture was obtained from the patient, the name, address, and telephone number of the health care provider for whom such examination or test was performed, and the name, address, telephone number and the laboratory director's name of the laboratory that isolated the culture or specimen. The cultures or specimens pursuant to this requirement are:

Listeria monocytogenes isolates

Measles immunoglobulin M (IgM)-positive sera

Neisseria meningitidis isolates from sterile sites

Shiga toxin-positive fecal broths

Shiga toxin-producing *Escherichia coli* (STEC) O157 and non-O157 isolates

NOTE: Authority cited: Sections 400480, 100275, 120130, 125095, 131050, 131051, 131052, 131080 and 131200, Health and Safety Code. Reference: Sections 120125, 120130, 120140, 120175, 120575, 121365, and 125100, and 131080 Health and Safety Code; Sections 1209, 1246.5 and 1288, Business and Professions Code; Cal. Const., art. 1, Section 1; and Section 1040, Evidence Code.