

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PROPOSED REPEALER

- 1) Heading of the Part: Rules Governing the Reporting of Reye's Syndrome
- 2) Code Citation: 77 Ill. Adm. Code 663
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
663.5	Repeal
663.10	Repeal
663.20	Repeal
663.30	Repeal
663.40	Repeal
663.50	Repeal
663.60	Repeal
663.70	Repeal
663.80	Repeal
663.90	Repeal
663.100	Repeal
- 4) Statutory Authority: Reye's Syndrome Reporting Act [410 ILCS 245]
- 5) A Complete Description of the Subjects and Issues Involved: The Reye's syndrome Reporting Act became effective in 1981 and was revised in 1982 to mandate guidelines for the study, research, control and prevention of Reye's Syndrome in Illinois. Statutory references in the rules are outdated and are not concordant with the Department's data release guidelines and protocols. At the time that the Act became effective, Reye's Syndrome was a commonly diagnosed condition in Illinois. However, effective efforts to educate medical providers have significantly reduced the incidence and prevalence of this condition in Illinois. The most recent Illinois case was diagnosed in 1997. Because of the extremely low incidence, the Reye's Syndrome reporting rules will be repealed and Reye's Syndrome reporting will be added to Section 690.295 of the Control of Communicable Diseases Code (77 Ill. Adm. Code 690).

The economic effect on this proposed rulemaking is unknown. Therefore, the Department requests any information that would assist in calculating this effect.

The Department anticipates adoption of this rulemaking approximately six to nine months after publication of the Notice in the *Illinois Register*.

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- 6) Published studies or reports, and sources of underlying data used to compose this rulemaking: Illinois National Electronic Disease Surveillance System
- 7) Will this rulemaking replace any emergency rulemaking currently in effect? No.
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other proposed rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objectives: This rulemaking does not impose a State Mandate on units of local government or not-for-profit corporations.
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

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- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not for profit corporations affected: Local health departments
 - B) Reporting, bookkeeping or other procedures required for compliance: Case records of Reye's Syndrome will be entered into and maintained in the Illinois National Electronic Disease Surveillance System (I-NEDSS).
 - C) Types of professional skills necessary for compliance: Data entry skills
- 14) Regulatory Agenda on which this rulemaking was summarized: January 2015

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The full text of the Proposed Repealer begins on the next page:

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TITLE 77: PUBLIC HEALTH

CHAPTER I: DEPARTMENT OF PUBLIC HEALTH

SUBCHAPTER i: MATERNAL AND CHILD HEALTH

PART 663

RULES GOVERNING THE REPORTING OF REYE'S SYNDROME (REPEALED)

Section

663.5	Authority
663.10	General Considerations
663.20	When to Report
663.30	Reporting
663.40	Report Form
663.50	Forwarding Report
663.60	CDC Reye Syndrome Case Investigation Report
663.70	Confidentiality
663.80	Available Information
663.90	Conditions for Obtaining Information Concerning Patient Identifications
663.100	Results of Research Project

AUTHORITY: Implementing and authorized by Sections 4 and 6 of the Reye's Syndrome Reporting Act (Ill. Rev. Stat. 1981, ch. 111½, par. 5701 et. seq.).

SOURCE: Adopted and codified at 6 Ill. Reg. 9673, effective July 27, 1982; repealed at 38 Ill. Reg. _____, effective _____.

Section 663.5 Authority

The Director of Public Health is mandated under Ill. Rev. Stat. 1981, ch. 111½, par. 5706, to "Promulgate rules to implement this Act which foster the study, research, diminution, and control of Reye's Syndrome in this State."

Section 663.10 General Considerations

To foster the study and control of Reye's syndrome, the Department of Public Health now promulgates rules to set forth the requirements for providing information necessary to accomplish the purpose of the mandate.

Section 663.20 When to Report

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A case of Reye's syndrome shall be reportable under these rules when a patient's attending physician, or a consultant whose services are requested by the attending physician, diagnoses or confirms the presence of the disease.

Section 663.30 Reporting

The attending and consulting physician, nurses, hospital administrator, emergency room supervisor, laboratory director and medical record supervisor shall be responsible to ensure that any case of Reye's syndrome is reported as required by these rules within 1 week following the date of diagnosis or confirmation, whichever is later. When a patient is admitted to a hospital, the report shall be made to the infection control practitioner, who shall be responsible for the subsequent reporting of the case to public health authorities. Reports shall be made to the local health authority in whose jurisdiction the reporting health professional practices, or to the Illinois Department of Public Health.

Section 663.40 Report Form

The form "Report of a Communicable Disease", furnished by the Illinois Department of Public Health shall be used to report each case. The report shall include: name, address, telephone number, age, sex, and race of the patient; date of onset; name and address of hospital and physician; date of report; and name of person reporting. If the patient is transferred to another hospital, the name and address of the second hospital, name of attending physician, and date of transfer shall also be reported.

Section 663.50 Forwarding Report

When a report is received by a local health authority, it shall be forwarded to the Illinois Department of Public Health.

Section 663.60 CDC Reye Syndrome Case Investigation Report

On receipt of a report of a case of Reye's syndrome, the Department of Public Health shall supply copies of the "CDC Reye Syndrome Case Investigation Report" provided by the U.S. Department of Health and Human Services. The local health authority, hospital administrator, or attending physician shall then be responsible for entering all available information requested on the "CDC Reye Syndrome Case Investigation Report".

Section 663.70 Confidentiality

All data contained in a report of Reye's syndrome shall be maintained by the Department of

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Public Health and local health authorities in a manner which protects the confidential patient-physician relationship.

Section 663.80 Available Information

Summary and statistical information without individual patient identifications may be made available to persons submitting written inquiries to the Department of Public Health.

Section 663.90 Conditions for Obtaining Information Concerning Patient Identifications

Information containing patient identifications, including any data which the Department maintains, may be released by the Department to persons requesting such information when all of the following conditions are fulfilled:

- a) The person requesting the data is trained in scientific investigation and is affiliated with a foundation or institution devoted to medical research.
- b) The protocol for a funded research project shows the need for the data requested, and has been approved by the Director of Public Health.
- c) The person requesting the information shall protect the individual identifying data from further disclosure, in accordance with Section 4 of the "Reye's Syndrome Reporting Act" and these rules.
- d) The person requesting the information has agreed to furnish the Director of the Department of Public Health, within six months after completion of the project, with a written report of the project. When the project is a long term study, annual progress reports shall be supplied to the Department of Public Health.

Section 663.100 Results of Research Project

The results of the research project for which the data are used and the publication thereof shall be the responsibility of the investigator to whom the data are provided. In any publication of the results of the project, the Department of Public Health shall be cited as a source of information.