



**TEMPORARY RULE-MAKING
FINDINGS OF NEED**
[Authority G.S. 150B-21.1]

Original 6/9/16

OAH USE ONLY
VOLUME:
ISSUE:

1. Rule-Making Agency: Commission for Public Health	
2. Rule citation & name: 10A NCAC 41A .0101 REPORTABLE DISEASES AND CONDITIONS	
3. Action: <input type="checkbox"/> Adoption <input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Repeal	
4. Was this an Emergency Rule: <input checked="" type="checkbox"/> Yes Effective date: 3/1/16 <input type="checkbox"/> No	
5. Provide dates for the following actions as applicable:	
a. Proposed Temporary Rule submitted to OAH: 2/22/16	
b. Proposed Temporary Rule published on the OAH website: 2/29/16	
c. Public Hearing date: 3/2/16	
d. Comment Period: 2/23/16 – 3/15/16	
e. Notice pursuant to G.S. 150B-21.1(a3)(2): 2/23/16	
f. Adoption by agency on: 5/10/16	
g. Proposed effective date of temporary rule [if other than effective date established by G.S. 150B- 21.1(b) and G.S. 150B-21.3]:	
h. Rule approved by RRC as a permanent rule [See G.S. 150B-21.3(b2)]:	
6. Reason for Temporary Action. Attach a copy of any cited law, regulation, or document necessary for the review.	
<input checked="" type="checkbox"/> A serious and unforeseen threat to the public health, safety or welfare. <input type="checkbox"/> The effective date of a recent act of the General Assembly or of the U.S. Congress. Cite: Effective date: <input type="checkbox"/> A recent change in federal or state budgetary policy. Effective date of change: <input type="checkbox"/> A recent federal regulation. Cite: Effective date: <input type="checkbox"/> A recent court order. Cite order: <input type="checkbox"/> State Medical Facilities Plan. <input type="checkbox"/> Other:	
<p>Explain: It is imperative that public health authorities be rapidly notified when this infection is suspected so that appropriate education can be provided and control measures can be implemented to mitigate the risk of local transmission.</p> <p>Zika virus is an emerging arboviral infection that first spread into the western hemisphere in 2015. Four out of five infected persons remain asymptomatic following infection. The remainder of infected persons experience mild clinical illness (fever, rash, joint pain, or conjunctivitis) that lasts up to one week. There is no treatment or vaccine for this infection.</p> <p>During the current Zika virus outbreak in Brazil, a marked increase has been reported in the number of infants born with a birth defect known as microcephaly. Other poor pregnancy outcomes, including fetal loss, have also been reported in babies of mothers who were infected with Zika virus while pregnant. However, additional studies are needed to further characterize the relationship of the virus to these outcomes.</p>	

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 OFFICE OF ADMIN HEARINGS

7. Why is adherence to notice and hearing requirements contrary to the public interest and the immediate adoption of the rule is required?

An abbreviated public comment period is required to enable the emergency rule to be replaced by a temporary rule without a lapse in reporting while a permanent rule is being pursued. The agency has provided ongoing regular notices, guidance, and updates to the healthcare community regarding these emerging diseases; temporary orders to report were issued, a pending emergency rule notice was sent prior to its adoptions, and abbreviated notice of temporary rulemaking has been issued.

8. Rule establishes or increases a fee? (See G.S. 12-3.1)

Yes

Agency submitted request for consultation on:
Consultation not required. Cite authority:

No

9. Rule-making Coordinator: Chris Hoke, JD

Phone: 919 707-5006

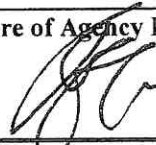
E-Mail: chris.hoke@dhhs.nc.gov

Agency contact, if any: Bob Martin

Phone: 919 707-5179

E-Mail: bob.martin@dhhs.nc.gov

10. Signature of Agency Head*:



* If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Ronald May, MD

Title: Vice Chair, Commission for Public Health

E-Mail: rmay@carolinaeasthealth.com

RULES REVIEW COMMISSION USE ONLY

Action taken:

Submitted for RRC Review:

Date returned to agency: