

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the Healthiest State in the Nation

April 10, 2020

HAND DELIVERY

Mr. Ernest L. Reddick
Administrative Code and Register Section
The Capitol – Room 701
Tallahassee, Florida 32399

RE: DOH Emergency Rule No. 64DER20-26 (64D-3.029)

Dear Mr. Reddick:

Enclosed is the certification package for the above-referenced emergency rule. I am the attorney handling this rule and may be contacted at (850) 245-4027, amanda.bush@flhealth.gov, or at the mailing address below. If you have any questions or require additional information, please contact me directly.

Thank you for your assistance.

Sincerely,

Amanda G. Bush
Chief Legal Counsel

Enclosures

FILED
2020 APR 10 PM 3:00

CERTIFICATION OF THE DEPARTMENT OF HEALTH

EMERGENCY RULE FILED WITH THE DEPARTMENT OF STATE

I hereby certify that an immediate danger to the public health, safety or welfare requires emergency action and that the attached rule is necessitated by the immediate danger. I further certify that the procedures used in the promulgation of this emergency rule were fair under the circumstances and that the rule otherwise complies with Section 120.54(4), F.S. The adoption of this rule was authorized by the head of the agency and this rule is hereby adopted upon its filing with the Department of State.

Rule No. 64DER20-26

Under the provision of Section 120.54(4)(d), F.S., this rule takes effect upon filing unless a later time and date less than 20 days from filing, is set out below:

Effective Date: _____
(month) (day) (year)



Scott A. Rivkees, MD

State Surgeon General, Department of Health
Title

17
Number of Pages Certified

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64DER20-26 (64D-3.029) Diseases or Conditions to be Reported.

(1) through (2) No change

(3) *“Table of Reportable Diseases or Conditions to Be Reported”*

Practitioner Reporting				Laboratory Reporting			
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes		
	Suspect Immediately	Immediately	Next Business Day		Submit isolates or specimens for confirmation *1	Suspect Immediately	Next Business Day
Any case, cluster of cases, outbreak, or exposure to an infectious or non-infectious disease, condition, or agent found in the general community or any defined setting such as a hospital, school or other institution, not listed in this rule that is of urgent public health significance. This includes human cases, clusters, or outbreaks spread person-to-person, by animals or vectors or from an environmental, food or waterborne source of exposure; those that result from a deliberate act of terrorism; and unexplained deaths possibly due to unidentified infectious or chemical causes.	X	X		Detection in one or more specimens of etiological agents of a disease or condition not listed in this Rule that is of urgent public health significance. This includes the identification of etiological agents that are suspected to be the cause of clusters, or outbreaks spread person-to-person, by animals or vectors or from an environmental, food, or waterborne source of exposure; those that result from a deliberate act of	X	X	

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Practitioner Reporting				Laboratory Reporting						
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	confirmation *1	Timeframes				
	Suspect Immediately	Immediately	Next Business Day			Other	Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day
				terrorism; and unexplained deaths due to unidentified infectious or chemical causes.						
Acquired Immune Deficiency Syndrome (AIDS)			2 weeks	Acquired Immune Deficiency Syndrome (AIDS)	Laboratory Reporting Not Applicable					
Amebic Encephalitis		X		<i>Naegleria fowleri</i> , <i>Balamuthia mandrillaris</i> , or <i>Acanthamoeba</i> species			X			
Anthrax	X	X		<i>Bacillus anthracis</i>	X	X	X			

Practitioner Reporting				Laboratory Reporting			
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes		
	Suspect Immediately	Next Business Day Immediately	Other		Submit isolates or specimens for confirmation *1	Suspect Immediately	Next Business Day
Antimicrobial resistance surveillance			Practitioner Reporting Not Applicable	Antimicrobial resistance surveillance (for organisms not otherwise listed in this table), <i>Acinetobacter baumannii</i> , <i>Citrobacter</i> species, <i>Enterococcus</i> species, <i>Enterobacter</i> species, <i>Escherichia coli</i> species, <i>Klebsiella</i> species, <i>Pseudomonas aeruginosa</i> , <i>Serratia</i> species, isolated from a normally sterile site *3			X
Arsenic Poisoning *4a		X		Laboratory results as specified in the surveillance case definition *4a			X

Practitioner Reporting				Laboratory Reporting						
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes					
	Suspect Immediately	Immediately	Next Business Day		Other	Submit isolates or specimens for confirmation *1	Suspect Immediately	Immediately	Next Business Day	Other
Arboviral infections, not otherwise listed in this table (disease due to) *5	X				Including but not limited to: Flaviviridae, Togaviridae (e.g. chikungunya, Western equine encephalitis), Bunyaviridae (e.g. Heartland, Rift Valley Fever) *5	X	X			
Babesiosis			X		Babesia spp.	X			X	
Botulism, foodborne, other (includes wound and unspecified)	X	X			<i>Clostridium botulinum</i> or botulinum toxin	X	X	X		
Botulism, infant			X		<i>Clostridium botulinum</i> or botulinum toxin	X			X	
Brucellosis	X	X			<i>Brucella</i> species	X	X	X		
California serogroup viruses-(disease due to)			X		California serogroup viruses such as Jamestown Canyon, Keystone, and Lacrosse	X			X	
Campylobacteriosis *4b			X		<i>Campylobacter</i> species *4b				X	

Practitioner Reporting				Laboratory Reporting					
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes				
	Suspect Immediately	Next Business Day Immediately	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day
Cancer (except non-melanoma skin cancer, and including benign and borderline intracranial and CNS tumors) *6			6 months	Pathological or tissue diagnosis of cancer (except non-melanoma skin cancer and including benign and borderline intracranial and CNS tumors)					6 months
Carbon monoxide poisoning		X		A volume fraction ≥ 0.09 (9%) of carboxyhemoglobin in blood				X	
CD-4 absolute count and percentage of total lymphocytes	Practitioner Reporting Not Applicable			CD-4 absolute count and percentage of total lymphocytes *7					3 days
Chancroid		X		<i>Haemophilus ducreyi</i>				X	
Chlamydia *8		X		<i>Chlamydia trachomatis</i>				X	
Cholera	X	X		<i>Vibrio cholerae</i>	X	X	X		
Ciguatera fish poisoning		X		Ciguatera fish poisoning	Laboratory Reporting Not Applicable				
Congenital anomalies *9			6 months	Congenital anomalies	Laboratory tests as specified in Rule 64D-3.035, F.A.C.				

Practitioner Reporting				Laboratory Reporting					
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	confirmation *1	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other			Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day
Conjunctivitis in neonates < 14 days old		X		Conjunctivitis in neonates < 14 days old	Laboratory Reporting Not Applicable				
<u>Coronavirus (COVID-19) *23</u>	X			<u>Coronavirus (COVID-19) *23</u>		X			
Creutzfeld-Jakob disease (CJD) *10		X		14-3-3 or tau protein detection in CSF or immunohistochemical test or any brain pathology suggestive of CJD *10			X		
Cryptosporidiosis *4b		X		<i>Cryptosporidium</i> species *4b			X		
Cyclosporiasis		X		<i>Cyclospora cayetanensis</i>	X		X		
Dengue *5	X			Dengue virus *5	X	X			
Diphtheria	X	X		<i>Corynebacterium diphtheriae</i>	X	X	X		
Eastern equine encephalitis		X		Eastern equine encephalitis virus	X		X		
Ehrlichiosis/Anaplasmosis		X		<i>Anaplasma</i> species or <i>Ehrlichia</i> species	X		X		

Practitioner Reporting				Laboratory Reporting					
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes				
	Suspect Immediately	Next Business Day Immediately	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Next Business Day	Other
<i>Escherichia coli</i> Shiga toxin-producing (disease due to) *4b		X		<i>Escherichia coli</i> Shiga toxin-producing *4b	X			X	
Giardiasis (acute) *4b		X		<i>Giardia</i> species *4b				X	
Glanders	X	X		<i>Burkholderia mallei</i>	X	X	X		
Gonorrhea *8		X		<i>Neisseria gonorrhoeae</i>				X	
Granuloma inguinale		X		<i>Calymmatobacterium granulomatis</i>				X	
<i>Haemophilus influenzae</i> , meningitis and invasive disease, in children < 5 years old	X	X		<i>Haemophilus influenzae</i> , all ages, isolated from a normally sterile site *11	X	X	X		
Hansen disease (Leprosy)		X		<i>Mycobacterium leprae</i>				X	
Hantavirus infection		X		<i>Hantavirus</i>	X			X	
Hemolytic uremic syndrome		X		Not Applicable					
Hepatitis A *4b, 12		X		Hepatitis A*4b, 12				X	
Hepatitis B, C, D, E and G *12		X		Hepatitis B, C, D, E and G Virus *12				X	
Hepatitis B surface antigen (HBsAg)-positive in a pregnant woman or a child up to 24 months old		X		Hepatitis B surface antigen (HBsAg)				X	

Practitioner Reporting				Laboratory Reporting					
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes				
	Suspect Immediately	Next Business Day Immediately	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day
Herpes B virus, possible exposure		X		Herpes B virus, possible exposure	Laboratory Reporting Not Applicable				
Herpes simplex virus (HSV) in infants up to 60 days old with disseminated infection with involvement of liver, encephalitis and infections limited to skin, eyes and mouth *13			X	HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture *13				X	
HSV – anogenital in children < 12 years of age *8, 13			X	HSV 1 or HSV 2 by direct FA, PCR, DNA or Culture *13				X	

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Next Business Day
Human immunodeficiency virus (HIV) infection			2 weeks	Repeatedly reactive enzyme immunoassay, followed by a positive confirmatory tests, (e.g. Western Blot, IFA): Positive result on any HIV virologic test (e.g. p24 AG, Nucleic Acid Test (NAT/NAAT) or viral culture). All viral load (detectable and undetectable) test results.*14, 15				3 days
Human immunodeficiency virus (HIV) Exposed Newborn – infant < 18 months of age born to a HIV infected woman		X		All HIV test results (e.g., positive or negative immunoassay, positive or negative virologic tests) for those < 18 months of age				3 days

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other		Submit isolates or specimens for confirmation *1	Suspect Immediately	Next Business Day	Other
Human papillomavirus (HPV) associated laryngeal papillomas or recurrent respiratory papillomatosis in children < 6 years of age *8		X		HPV DNA			X	
Human papillomavirus (HPV) – anogenital papillomas in children < 12 years of age *8		X		HPV DNA			X	
Human papillomavirus (HPV)	Practitioner Reporting Not Applicable			HPV DNA *3			X	
Influenza due to novel or pandemic strains	X	X		Isolation of influenza virus from humans of a novel or pandemic strain	X	X	X	
Influenza-associated pediatric mortality in persons aged < 18 years		X		Influenza virus – associated pediatric mortality in persons aged < 18 years (if known)	X		X	
Influenza	Practitioner Reporting Not Applicable			Influenza virus, all test results (positive and negative) *3			X	

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other		Submit isolates or specimens for confirmation *1	Suspect Immediately	Next Business Day	Other
Lead poisoning *4, 16		X		All blood lead test results (positive and negative) *3, 4, 16			X	
Legionellosis		X		<i>Legionella</i> species			X	
Leptospirosis		X		<i>Leptospira</i> species			X	
Listeriosis		X		<i>Listeria monocytogenes</i>	X	X		
Lyme disease		X		<i>Borrelia burgdorferi</i>			X	
Lymphogranuloma Venereum (LGV)		X		<i>Chlamydia trachomatis</i>			X	
Malaria		X		<i>Plasmodium</i> species	X		X	
Measles (Rubeola)	X	X		Measles virus *16	X	X	X	
Melioidosis	X	X		<i>Burkholderia pseudomallei</i>	X	X	X	
Meningitis, bacterial or mycotic			X	Isolation or demonstration of any bacterial or fungal species in cerebrospinal fluid			X	
Meningococcal disease	X	X		<i>Neisseria meningitidis</i>	X		X	

Practitioner Reporting				Laboratory Reporting						
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes					
	Suspect Immediately	Immediately	Next Business Day		Other	confirmation *1	Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day
Mercury poisoning *4a			X		Laboratory results as specified in the surveillance case definition *4a				X	
Mumps			X		Mumps virus				X	
Neonatal Abstinence Syndrome *18				6 months	Neonatal Abstinence Syndrome	Laboratory Reporting Not Applicable				
Neurotoxic shellfish poisoning		X			Laboratory results as specified in the surveillance case definition *4a			X		
Pertussis		X			<i>Bordetella pertussis</i>			X		
Pesticide-related illness and injury *4			X		Laboratory results as specified in the surveillance case definition *4				X	
Plague	X	X			<i>Yersinia pestis</i>	X	X	X		
Poliomyelitis	X	X			Poliovirus	X	X	X		
Psittacosis (Ornithosis)			X		<i>Chlamydophila psittaci</i>	X			X	

Practitioner Reporting					Laboratory Reporting						
Reportable Diseases or Conditions	Timeframes				Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes					
	Suspect Immediately	Immediately	Next Business Day	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Immediately	Next Business Day	Other
Q Fever			X		<i>Coxiella burnetii</i>	X			X		
Rabies, animal or human		X			Rabies virus		X	X			
Rabies, possible exposure *19	X	X			Rabies, possible exposure	Laboratory Reporting Not Applicable					
Respiratory syncytial virus	Practitioner Reporting Not Applicable				Respiratory syncytial virus, all test results (positive and negative) *3				X		
Ricin toxicity	X	X			Ricinine (from <i>Ricinus communis</i> castor beans)	X	X	X			
Rocky Mountain spotted fever and other Spotted Fever Rickettsioses			X		<i>Rickettsia rickettsii</i> and other Spotted Fever <i>Rickettsia</i> species	X			X		
Rubella, including congenital	X	X			Rubella virus *17	X	X	X			
St. Louis encephalitis (SLE)			X		St. Louis encephalitis virus	X			X		
Salmonellosis *4b			X		<i>Salmonella</i> species *4b	X			X		
Saxitoxin poisoning including Paralytic shellfish poisoning (PSP)			X		Saxitoxin				X		
Severe acute respiratory disease syndrome-associated with a Coronavirus infection	X	X			Coronavirus associated with severe acute respiratory disease	X	X	X			

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other		confirmation *1	Submit isolates or specimens for	Suspect Immediately	Next Business Day
Shigellosis *4b		X		<i>Shigella</i> species *4b				X
Smallpox	X	X		Variola virus (orthopox virus)	X	X	X	
<i>Staphylococcus aureus</i> isolated from a normally sterile site	Practitioner Reporting Not Applicable			<i>Staphylococcus aureus</i> isolated from a normally sterile site *3				X
<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA)		X		<i>Staphylococcus aureus</i> with intermediate or full resistance to vancomycin (VISA, VRSA); Laboratory results as specified in the surveillance case definition *4	X		X	
Staphylococcus enterotoxin B		X		Staphylococcus enterotoxin B	X		X	
<i>Streptococcus pneumoniae</i> , invasive disease in children < 6 years, drug sensitive and resistant			X	<i>Streptococcus pneumoniae</i> , all ages, isolated from a normally sterile site *20				X
Syphilis			X	<i>Treponema pallidum</i>				X

Practitioner Reporting				Laboratory Reporting				
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	Timeframes			
	Suspect Immediately	Next Business Day Immediately	Other		Submit isolates or specimens for confirmation *1	Suspect Immediately	Next Business Day	Other
Syphilis in pregnant women and neonates		X		<i>Treponema pallidum</i>			X	
Tetanus			X	<i>Clostridium tetani</i>				X
Trichinellosis (Trichinosis)			X	<i>Trichinella spiralis</i>				X
Tuberculosis (TB) *21			X	<i>Mycobacterium tuberculosis</i> complex *21	X			X
Tularemia	X	X		<i>Francisella tularensis</i>	X	X	X	
Typhoid fever and paratyphoid fever *4b			X	<i>Salmonella enterica</i> serotype Typhi and <i>Salmonella enterica</i> serotypes Paratyphi A, Paratyphi B, and Paratyphi C *4b	X		X	
Typhus fever (epidemic)	X	X		<i>Rickettsia prowazekii</i>	X	X	X	
Vaccinia disease	X	X		Vaccinia virus	X	X	X	
Varicella (Chickenpox) *22			X	Varicella virus				X
Varicella mortality			X	Varicella virus				X
Venezuelan equine encephalitis	X	X		Venezuelan equine encephalitis virus	X	X	X	

Practitioner Reporting				Laboratory Reporting					
Reportable Diseases or Conditions	Timeframes			Evidence of current or recent infection with etiological agents and all associated testing results performed should be reported (e.g. species, serogroup, serotype, and antimicrobial susceptibility *2 results)	confirmation *1	Timeframes			
	Suspect Immediately	Immediately	Next Business Day			Other	Submit isolates or specimens for	Suspect Immediately	Immediately
Vibriosis (infections by <i>Vibrio</i> species and closely related organisms, other than Cholera)			X	All non-cholera <i>Vibrio</i> species <i>Photobacterium damsela</i> , (formerly <i>V. damsela</i>); <i>Grimontia hollisae</i> (formerly <i>V. hollisae</i>)	X			X	
Viral hemorrhagic fevers	X	X		Ebola, Marburg, Lassa, Machupo Lujo, new world Arena, or Congo-Crimean hemorrhagic fever viruses	X	X	X		
West Nile virus (disease due to)			X	West Nile virus	X			X	
Yellow fever	X	X		Yellow fever virus	X		X		
Zika fever *5	X			Zika fever virus *5	X	X			

*1 through *22 No change.

*23– Special reporting requirements for COVID-19: Results should be reported and accompanied by any testing conducted (positive and negative results). For laboratories performing electronic laboratory reporting as described in subsection 64D-3.031(5), F.A.C., all test results (positive and negative) are to be submitted, including screening test results (positive and negative).

Rulemaking Authority 381.0011(2), 381.003(2), 381.0031(8), 384.33, 392.53(2), 392.66 FS. Law Implemented 381.0011(3), (4), 381.003(1), 381.0031(2), (4), (5), (6), (8), 383.06, 384.25, 385.202, 392.53 FS. History—New 11-20-06, Amended 11-24-08, 6-4-14, 10-20-16,_____.

**DESIGNATION OF RULE THE VIOLATION OF WHICH IS A MINOR VIOLATION
CERTIFICATION**

Pursuant to Section 120.695(2)(c)3, Florida Statutes, I certify as agency head, as defined by section 20.05(1)(b), Florida Statutes, that:

All rules covered by this certification are not rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.

The following parts of the rules covered by this certification have been designated as rules the violation of which would be a minor violation pursuant to Section 120.695, F.S.:

Rule No(s).

Rules covered by this certification:

Rule No.: 64DER20-26



Scott A. Rivkees, MD

State Surgeon General, Department of Health
Title

2020 APR 10 PM 3:00

Department of Health, Emergency Rule 64DER20-26

Diseases or Conditions to be Reported.

STATEMENT OF FACTS AND REASONS FOR FINDING IMMEDIATE DANGER

Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza. COVID-19 is a communicable disease with significant morbidity and mortality and presents a severe danger to public health. The World Health Organization has declared COVID-19 as a Public Health Emergency of International Concern. On March 1, 2020, a Public Health Emergency was declared by the Surgeon General to exist statewide in accordance with Executive Order 20-51. On March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring that a state of emergency exists in the State of Florida. Therefore, there is an immediate need to adopt rules setting forth the procedures to control the spread of COVID-19 to protect the health, safety and welfare of Florida's citizens.

STATEMENT OF AGENCY REASONS THAT PROCEDURE IS FAIR UNDER THE CIRCUMSTANCES

COVID-19 presents a public health threat to the state of Florida. The Surgeon General has declared a statewide Public Health Emergency due to the spread of COVID-19. There is an immediate need to set forth procedures for the control of this communicable disease in the State of Florida.

2020 APR 10 PM 3:00
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