

REGULATORY ANALYSIS
for
Proposed Amendments to
Rules and Regulations Pertaining to Epidemic
and Communicable Disease Control, 6 CCR 1009-1,
Regulations 1 and 3

October 22, 2010

1. **A description of the classes of persons who will be affected by the proposed rule, including classes that will bear the costs of the proposed rule and classes that will benefit from the proposed rule.** The purpose of making healthcare-associated infections (HAIs) a reportable condition under the Rules and Regulations Pertaining to Epidemic and Communicable Disease Control is to allow the State Department of Public Health and Environment to collaborate with the Centers for Disease Control and Prevention (CDC) and a federal CDC-funded network of states with the purpose of performing applied public health projects designed to investigate the epidemiology of HAIs, including prevalence and risk factors. It is the intent of the Department that there will be no additional reporting requirements of HAIs by healthcare facilities beyond what is already required under C.R.S. § 25-3-6, but rather the proposed rule change will allow facilities that do choose to voluntarily participate in the applied public health projects on a project by project basis to collaborate with the Department by allowing the Department to access relevant medical records at participating facilities. Both the Department and the facilities choosing to voluntarily participate in these projects will benefit from this proposed rule, which will facilitate collaboration in these projects. These changes will also benefit the citizens of the state by contributing to the understanding of the epidemiology of HAIs in the community and to the development of strategies to help prevent and control HAIs, a significant public health problem.

2. **To the extent practicable, a description of the probable quantitative and qualitative impact of the proposed rule, economic or otherwise, upon affected classes of persons.** Both the Department and the facilities choosing to voluntarily participate in these projects will benefit from this proposed rule, which will facilitate collaboration in these projects. These changes will also benefit the citizens of the state by contributing to the understanding of the epidemiology of HAIs in the community and to the development of strategies to help prevent and control HAIs, a significant public health problem. The majority of the cost of these projects will be born by the Department; however, the Department is fully supported by CDC funding for the express purpose of carrying out these projects. There will be minimal costs to the facilities voluntarily participating in these projects in the form of very limited staff time. There will be no cost to facilities that choose not to voluntarily participate in a project. There will be no direct increase in costs due to the proposed rule.

3. **The probable costs to the agency and to any other agency of the implementation and enforcement of the proposed rule and any anticipated effect on state revenues.**
There are no costs of the proposed rule modifications to any agency beyond those described above. There are no anticipated effects of the rule modifications on state revenues.
4. **A comparison of the probable costs and benefits of the proposed rule to the probable costs and benefits of inaction.** The addition of reporting of HAIs will benefit citizens of the state by contributing epidemiologic information that may lead to more effective prevention and disease control strategies targeted to these conditions. Costs of inaction primarily include the missed opportunity to learn more about an emerging infectious disease problem affecting the citizens of the state. Although the cost burden of HAIs within the state of Colorado is largely unknown, in the United States, HAIs lead to \$28 to \$33 billion in excess healthcare costs each year; if costs are proportional to population size alone, estimated costs of HAIs in Colorado are between \$456,400 and \$537,900 per year. Information obtained by performing these HAI-related applied public health projects has the potential to impact prevention efforts that might decrease HAI rates and ultimately costs.
5. **A determination of whether there are less costly methods or less intrusive methods for achieving the purpose of the proposed rule.** Conducting surveillance for communicable diseases of public health significance is a standard procedure of epidemic and communicable disease control. No alternative methods are available to achieve the purposes of the authorizing statutes.
6. **A description of any alternative methods for achieving the purpose of the proposed rule that were seriously considered by the agency and the reasons why they were rejected in favor of the proposed rule.** No alternative methods for achieving the purpose of the proposed rules were considered because the rules utilize the widely accepted, proven public health methodology of surveillance, investigation, and data-driven disease control.
7. **To the extent practicable, a quantification of the data used in the analysis; the analysis must take into account both short-term and long-term consequences.** Please refer to the answer to questions #2 and #4 above.