RULE-MAKING ORDER
EMERGENCY RULE ONLY

CR-103E (December 2017)
(Implements RCW 34.05.350 and 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 19, 2024
TIME: 9:09 AM

WSR 24-10-015

Agency: Department of Health

Effective date of rule:
Emergency Rules
☒ Immediately upon filing.
☐ Later (specify)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?
☐ Yes   ☒ No   If Yes, explain:

Purpose: WA HEALTH reporting for acute care hospitals. New WAC 246-320-700, Reporting of health system readiness data. The Department of Health (department) is extending this emergency rule to continue to require acute care hospitals in Washington state, licensed under chapter 70.41 RCW, to report hospital maintenance and operation data to the department through Washington's Healthcare and Emergency and Logistics Tracking Hub (WA HEALTH) in accordance with the WA HEALTH User Guide. This emergency rule continues without change the emergency rule originally filed on August 31, 2022, as WSR 22-18-060 and extended on:

- December 29, 2022, as WSR 23-02-036
- April 28, 2023, as WSR 23-10-047
- August 25, 2023, as WSR 23-18-015
- December 22, 2023, as WSR 24-02-023

Citation of rules affected by this order:
New: WAC 246-320-700
Repealed: None
Amended: None
Suspended: None

Statutory authority for adoption: RCW 70.41.030

Other authority:

EMERGENCY RULE
Under RCW 34.05.350 the agency for good cause finds:
☒ That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
☐ That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:
WA HEALTH was created to provide decision-makers and leaders across the state with timely data and information to understand and respond to healthcare system impacts from coronavirus disease 2019 (COVID-19). WA HEALTH continues to be used daily for state and local public health and medical preparedness planning to inform planned patient movement, communicable respiratory hospitalizations, and disease trends such as COVID-19, influenza, and Respiratory Syncytial Virus (RSV), and the ability of the system to absorb another healthcare surge.

WA HEALTH reporting data is critical to keeping good situational awareness of the system's current status and overall capacity. It also allows for coordinated preparedness planning and more timely action in the event of future man-made, natural, and public health threats. Without the WA Health system, we lose critical visibility over our healthcare systems and the ability to prepare for these key data sets and sectors.

The adoption of this rule as an emergency rule is necessary to allow for the continuation of critical public health reporting. It continues to be essential to have state level awareness, monitoring and memorization of timely and accurate data pertaining to hospital patient volumes, capacities, and resource constraints as there continue to be a lack of surge capacity on Washington's healthcare system. The WA Health system helps to ensure continued health system readiness, promote safe and adequate care of individuals in hospitals, and mitigate the impact of current and emerging public health threats and associated surges.

Note: If any category is left blank, it will be calculated as zero. No descriptive text.

Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	0	Amended	0	Repealed	0
Federal rules or standards:	New	0	Amended	0	Repealed	0
Recently enacted state statutes:	New	0	Amended	0	Repealed	0

The number of sections adopted at the request of a nongovernmental entity:

	New	0	Amended	0	Repealed	0

The number of sections adopted on the agency's own initiative:

	New	1	Amended	0	Repealed	0

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	0	Amended	0	Repealed	0

The number of sections adopted using:

Negotiated rule making:	New	0	Amended	0	Repealed	0
Pilot rule making:	New	0	Amended	0	Repealed	0
Other alternative rule making:	New	1	Amended	0	Repealed	0

Date Adopted: 4/19/2024

Name: Kristin Peterson, JD for Umair A. Shah, MD, MPH

Title: Chief of Policy for Secretary of Health

Signature:

WAC 246-320-700 Reporting of health system readiness data. The purpose of this section is to outline each hospital's responsibility for reporting to the department data pertaining to the maintenance and operation of the hospital in support of health system readiness.

(1) For the purposes of this section:

"WA HEALTH User Guide" means the written instructions issued by the department for reporting to the department hospital maintenance and operation data pertaining to health system readiness.

(2) Hospitals must report data to the department in accordance with the WA HEALTH User Guide, including any amended versions thereof issued by the department. Copies of the WA HEALTH User Guide may be obtained on the department's website or by contacting the department.

(3) Any person who receives data reported under this section must maintain confidentiality of the data as required by applicable law.

OTS-3921.2