

Washington State Tuberculosis Services and Standards Manual

Chapter 17: Statutes and Regulations



DOH 343-246 May 2024



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Acknowledgements

In addition to the multiple resources and references in the TB Services and Standards Manual chapters, the Washington State TB Program would like to thank the [Curry International TB Center](#) and the [Alaska State TB Program](#); this manual was adapted from these two resources. The TB Program Team was involved in the initial writing and editing of this manual between 2021 and 2023.

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About the Washington State Tuberculosis Services and Standards Manual

Purpose

In Washington State, tuberculosis (TB) care and prevention is governed by state law and rule. The purpose of the TB Services and Standards manual is to provide information and guidance to aid local health jurisdictions (LHJs) in fulfilling the requirements detailed in the Revised Code of Washington ([RCW 70.28.005](#)) and the Washington Administrative Code ([WAC 246-170](#)). This manual includes information and links to CDC guidelines and TB Centers of Excellence materials with key steps and information needed to fulfill these required TB care and prevention tasks.

Audience

The most likely readers of this manual are TB providers, primarily those working in Local Health Jurisdictions (LHJs) and Tribal Public Health. As a result, the TB Services and Standards Manual has a special focus on the roles, responsibilities and care given by local public health partners. These TB providers may include, but are not limited to nurses, physicians, Health Officers, Regional Medical Officers, epidemiologists, disease intervention specialists and outreach workers from local and state TB programs, clinics, and hospitals.

Eliminating Stigmatizing Language

Judgmental terms and negative connotations of words such as ‘defaulter’ and ‘suspect’ may be perceived to place blame for the disease and responsibility for adverse treatment outcomes on the patient. To assist in implementing a change in the use of stigmatizing language the Heartland TB Center of Excellence, the International Union Against TB and Lung Disease, the National Society of TB Clinicians, the global TB community and the Treatment Action Group developed the [Stop the Stigma: Eliminating Stigmatizing Language](#) reference tool to aid in identifying suggested replacement language as a reminder of how our words may affect others.

Use This....	Not that....	Use This....	Not that....
Adherence / Non-adherence	Compliance / Non-compliance	Undocumented	Illegal; Illegal alien
Person lost to follow up	Defaulter	Person with TB disease	TB case
TB Prevention and Care	TB Control	Treatment failed	Treatment failure
Person to be evaluated for TB	TB Suspect	Missed doses/ Non-adherent	Delinquent
HIV-Positive	HIV-infected	Contact Analysis; Contact Elicitation; Contact Identification	Investigation; Investigate
Immigrant	Alien	Exposed to TB	TB Contact
Lack of housing; Under-housed; People experiencing homelessness	Homeless/ Homelessness	Tuberculosis	Consumption; White Plague

Adapted from: https://www.heartlandntbc.org/wp-content/uploads/2021/12/FactSheet_Final_5_19_16.pdf

More information can be found at [Case Management Tools/Health Equity](#) in the TB Program SharePoint page which includes additional resources to encourage positive change, sensitize, promote appropriate language, end the stigmatization, and empower people affected by TB.

How to Use This Manual

Icons

Throughout the manual, these icons quickly cue you about important information and other resources:



This warns about high-consequence information you must understand when performing the task.



This signals when you should call to report or to consult on the task.



This highlights special considerations for pediatric patients.



This suggests another relevant area in the manual or another resource that you may want to review.



This alerts you that a form is available for the task.

CHAPTER 17: Statutes and Regulations

Introduction

Purpose

Use this section to access Washington State statutes and regulations that pertain to the treatment and prevention of tuberculosis (TB) in Washington State.

Knowing these statutes and regulations will assist local TB programs to better understand their important responsibility to manage and prevent tuberculosis in their community and the legal powers granted by state law to ensure these duties are fulfilled.

The WA DOH TB Program supports the TB recommendations of the CDC. However, when giving guidance to facilities (e.g., occupational health providers) regarding staff and patient/client TB screening requirements LHJs should remember that facilities must fulfill their licensure requirements as stated in the WACs. It will take some time for licensing authorities to consider updating codes related to TB screening and treatment so CDC recommendations and Washington State laws may not always agree. Review the WACs below and contact the individual licensing authority to determine the TB screening requirements needed. For help determining which code or licensing authority a facility operates under, please refer to this [reference guide \(PDF\)](#) or contact the TB Program for assistance()

Washington Administrative Code (WAC)

Regulations of executive branch agencies are issued by authority of statutes. Like legislation and the Constitution, regulations are a source of primary law in Washington State. The WAC codifies the regulations and arranges them by subject or agency.

Revised Code of Washington (RCW)

The Revised Code of Washington (RCW) is **the compilation of all permanent laws now in force.** It is a collection of Session Laws (enacted by the Legislature, and signed by the Governor, or enacted via the initiative process), arranged by topic, with amendments added and repealed laws removed.



Call the WA DOH TB Program for consultation regarding state Statutes and Regulations at: 206 418-5500 or email: tbservices@doh.wa.gov.

WACs and RCWs Pertaining to TB Treatment and Prevention

STATE GOVERNMENT-EXECUTIVE

RCW / WAC	TITLE
RCW 43.70	DEPARTMENT OF HEALTH
43.70.080	Transfer of powers and duties from the department of social and health services.
43.70.515	Foundational public health services—Funding.
43.70.575	Definitions.

PUBLIC HEALTH AND SAFETY

RCW / WAC	TITLE
RCW 70.28	CONTROL OF TUBERCULOSIS
70.28.005	Health officials, broad powers to protect public health.
70.28.008	Definitions.
70.28.010	Health care providers required to report cases.
70.28.020	Record of reports.
70.28.025	Secretary's administrative responsibility—Scope.
70.28.031	Powers and duties of health officers.
70.28.032	Due process standards for testing, treating, detaining—Reporting requirements—Training and scope for skin test administration.
70.28.033	Treatment, isolation, or examination order of health officer—Violation—Penalty.
70.28.035	Order of health officer—Refusal to obey—Application for superior court order.
70.28.037	Superior court order for confinement of individuals having active tuberculosis.
RCW 70.30	TUBERCULOSIS HOSPITALS, FACILITIES, AND FUNDING
70.30.015	Definitions.
70.30.045	Expenditures for tuberculosis control directed—Standards—Payment for treatment.
70.30.055	County budget for tuberculosis facilities.
70.30.061	Admissions to facility.
70.30.081	Annual inspections.
RCW 70.40	HOSPITAL AND MEDICAL FACILITIES SURVEY AND CONSTRUCTION
70.40.020	Definitions.

BUSINESSES AND PROFESSIONS

RCW / WAC	Title
RCW 18.20	ASSISTED LIVING FACILITIES
18.20.350	Preadmission assessment—Initial resident service plan—Respite care.

DEPARTMENT OF HEALTH (DOH)

RCW / WAC	Title
WAC 246-170	TUBERCULOSIS—PREVENTION, TREATMENT, AND CONTROL
246-170-002	Findings and purpose.
246-170-011	Definitions.
246-170-021	Responsibility of local health officers.
246-170-031	Local health department responsibilities.
246-170-035	Tuberculin skin testing and medication administration training.
246-170-041	Inpatient services requirements.
246-170-051	Procedures for involuntary testing, treatment, and detention.
246-170-055	Due process proceedings.
246-170-061	Initiation of testing or treatment.
246-170-065	Persons already detained, confined, or committed.
WAC 256-101	NOTIFIABLE CONDITIONS
246-101-101	Notifiable conditions and the health care provider.
246-101-105	Duties of the health care provider.
246-101-110	Means of notification.
246-101-115	Content of notifications and case reports-Health care providers and health care facilities.
246-101-120	Handling of case reports and medical information.
246-101-201	Notifiable conditions and laboratories.
246-101-301	Notifiable conditions and health care facilities.
WAC 246-101	COMMUNICABLE AND CERTAIN OTHER DISEASES
246-100-040	Procedures for isolation or quarantine.
246-100-045	Conditions and principles for isolation or quarantine.
246-100-055	Relief from isolation or quarantine.
246-100-070	Enforcement of local health officer orders.
246-100-211	Tuberculosis.

WAC 246-110	CONTAGIOUS DISEASE—SCHOOL DISTRICTS AND CHILDCARE CENTERS
246-110-010	Definitions.
246-110-020	Control of contagious disease.
WAC 246-320	HOSPITAL LICENSING REGULATIONS
246-320-156	Management of human resources.
246-320-176	Infection control program.
WAC 246-322	PRIVATE PSYCHIATRIC AND ALCOHOLISM HOSPITALS
246-322-050	Staff.
246-322-190	Provisions for patients with tuberculosis.
WAC 246-324	PRIVATE ALCOHOL AND CHEMICAL DEPENDENCY HOSPITALS
246-324-050	Staff.
246-324-190	Provisions for patients with tuberculosis.
WAC 246-329	CHILDBIRTH CENTERS.
246-329-065	New construction – Major alterations.
246-329-110	Personnel policy and procedures and records.
WAC 246-330	AMBULATORY SURGICAL FACILITIES
246-330-140	Management of human resources.
WAC 246-335	IN-HOME SERVICES AGENCIES
	HOME CARE AGENCY SERVICES
246-335-425	Personnel, contractor, and volunteer policies.
	HOME HEALTH AGENCY SERVICES
246-335-525	Personnel, contractor, and volunteer policies.
	HOSPICE AGENCY SERVICES
246-335-625	Personnel, contractor, and volunteer policies.
WAC 246-337	RESIDENTIAL TREATMENT FACILITY
246-337-050	Management of human resources.
246-337-060	Infection control.
246-337-080	Resident care services.
WAC 246-845	NURSING POOL
246-845-090	Quality assurance standards.

DEPARTMENT OF CHILDREN, YOUTH AND FAMILIES (DCYF)

RCW / WAC	Title
WAC 110-145	LICENSING REQUIREMENTS FOR GROUP CARE FACILITIES
	LICENSING PROCESS
110-145-1335	What additional steps must I complete prior to licensing?
	MANAGING RECORDS AND REPORTING
110-145-1510	What personnel records must I keep at my facility?
	ENVIRONMENT, SPACE AND EQUIPMENT
110-145-1635	What are the requirements for the prevention of the spread of infections and communicable disease?
WAC 110-147	LICENSING REQUIREMENTS FOR CHILD PLACING AGENCY AND ADOPTION SERVICES
	LICENSING PROCESS
110-147-1335	What additional steps must I complete prior to licensing?
	MANAGING RECORDS AND REPORTING
110-147-1520	What personnel records must I keep at my agency?
	ENVIRONMENT, SPACE AND EQUIPMENT
110-147-1560	What are the requirements for the prevention of the spread of infections and communicable disease?
WAC 110-148	LICENSING REQUIREMENTS FOR CHILD FOSTER HOMES
	LICENSING PROCESS
110-148-1320	When will the department grant me a foster family license?
	HEALTH AND SAFETY
110-148-1505	What must I do to prevent the spread of infections and communicable diseases?
WAC 110-300	FOUNDATIONAL QUALITY STANDARDS FOR EARLY LEARNING PROGRAMS
	ENVIRONMENT
110-300-0105	Preservice requirements.

HEALTH CARE AUTHORITY (HCA)

RCW / WAC	Title
WAC 182-530	PRESCRIPTION DRUGS (OUTPATIENT)
182-530-7400	Reimbursement—Compliance packaging services.
WAC 182-538C	CRISIS AND NONCRISIS BEHAVIORAL HEALTH SERVICES
182-538C-230	Covered substance use disorder detoxification services.
WAC 182-552	RESPIRATORY CARE
	CPAP/BI-LEVEL RAD
182-552-0500	Respiratory care—Covered—Bi-level respiratory assist devices and supplies.

LABOR AND INDUSTRY(L&I)

RCW / WAC	Title
WAC 296-840	RESPIRABLE CRYSTALLINE SILICA
296-840-145	Medical surveillance.
WAC 296-305	SAFETY STANDARDS FOR FIREFIGHTERS
296-305-02501	Emergency medical protection.
WAC 296-27	RECORDKEEPING AND REPORTING
296-27-01101	Recording criteria.
296-27-01103	Determination of work-relatedness.
296-27-01115	Recording criteria for work-related tuberculosis cases.
296-27-01119	Forms.
WAC 296-305	SAFETY STANDARDS FOR FIREFIGHTERS
296-305-02501	Emergency medical protection.
WAC 296-307	SAFETY STANDARDS FOR AGRICULTURE
296-307-60205	Select and provide appropriate respirators.
296-307-62005	Use this medical questionnaire for medical evaluations.
WAC 296-842	RESPIRATORS
296-842-22005	Use this medical questionnaire for medical evaluations.
WAC 363-116	PILOTAGE RULES
363-116-120	Job description—Physical examination—Health requirements.

DEPARTMENT OF SOCIAL AND HEALTH SERVICES (DSHS)

RCW / WAC	Title
WAC 388-71	HOME AND COMMUNITY SERVICES AND PROGRAMS
	ADULT DAY SERVICES
388-71-0750	What are the adult day center's personnel policies and procedures requirements?
388-71-0760	What are the adult day centers' employee file requirements?
WAC 388-76	ADULT FAMILY HOME MINIMUM LICENSING REQUIREMENTS
	QUALIFICATIONS OF INDIVIDUALS PROVIDING CARE AND SERVICES
388-76-10130	Qualifications—Provider, entity representative and resident manager.
388-76-10135	Qualifications—Caregiver.
388-76-10140	Qualifications—Students—Volunteers.

	ADMINISTRATION GENERAL
388-76-10198	Adult family home—Personnel records.
	TUBERCULOSIS SCREENING
388-76-10265	Tuberculosis—Testing—Required.
388-76-10270	Tuberculosis—Testing method—Required.
388-76-10275	Tuberculosis—No testing.
388-76-10280	Tuberculosis—One test.
388-76-10285	Tuberculosis—Two step skin testing.
388-76-10290	Tuberculosis—Positive test result.
388-76-10295	Tuberculosis—Negative test result.
388-76-10300	Tuberculosis—Declining a skin test.
388-76-10305	Tuberculosis—Reporting required.
388-76-10310	Tuberculosis—Test records.
WAC 388-78A	ASSISTED LIVING FACILITY LICENSING RULES
	RESPIRE
388-78A-2206	Respite—Assessment.
	ADMINISTRATION - STAFF
388-78A-2480	Tuberculosis—Testing—Required.
388-78A-2481	Tuberculosis—Testing method—Required.
388-78A-2482	Tuberculosis—No testing.
388-78A-2483	Tuberculosis—One test.
388-78A-2484	Tuberculosis—Two step skin testing.
388-78A-2485	Tuberculosis—Positive test result.
388-78A-2486	Tuberculosis—Negative test result.
388-78A-2487	Tuberculosis—Declining a skin test.
388-78A-2488	Tuberculosis—Reporting—Required.
388-78A-2489	Tuberculosis—Test records.
WAC 388-97	NURSING HOMES
388-97-1360	Surveillance, management and early identification of individuals with active tuberculosis.
388-97-1380	Tuberculosis—Testing required.
388-97-1400	Tuberculosis—Testing method—Required.
388-97-1440	Tuberculosis—No testing.
388-97-1460	Tuberculosis—One test.
388-97-1480	Tuberculosis—Two-step skin testing.
388-97-1500	Tuberculosis—Positive test result.

388-97-1520	Tuberculosis—Negative test result.
388-97-1540	Tuberculosis—Declining a skin test.
388-97-1560	Tuberculosis—Reporting—Required.
388-97-1580	Tuberculosis—Test records.
388-97-1600	Care of residents with active tuberculosis.
388-97-1880	Short-term care, including respite services and adult day or night care.
WAC 388-101D	REQUIREMENTS FOR PROVIDERS OF RESIDENTIAL SERVICES AND SUPPORTS
388-101D-0645	What infection control practices must a group training home implement?
388-101D-0650	What must a group training home do to detect and manage tuberculosis?
388-101D-0655	What type of tuberculin test must a group training home employee complete?
388-101D-0660	When is a group training home employee not required to complete a tuberculin test?
388-101D-0665	When must a group training home employee complete a one-step tuberculin test?
388-101D-0670	When must a group training home employee complete a two-step tuberculin test?
388-101D-0675	What happens if a group training home employee receives a positive tuberculin test result?
388-101D-0685	What must a group training home do when a client or employee has tuberculosis symptoms or receives a positive chest X-ray result?
388-101D-0690	What records must a group training home maintain related to tuberculin testing?
WAC 388-107	LICENSING REQUIREMENTS FOR ENHANCED SERVICES FACILITIES
388-107-0440	Infection control system.
388-107-0450	Early identification and management of individuals with active tuberculosis (TB).
388-107-0460	Tuberculosis (TB)—Testing—Required.
388-107-0465	Tuberculosis (TB) testing method—Required.
388-107-0470	Tuberculosis—No testing.
388-107-0480	Tuberculosis (TB)—One test.
388-107-0490	Tuberculosis (TB)—Two-step skin testing.
388-107-0500	Tuberculosis (TB)—Positive test result.
388-107-0510	Tuberculosis (TB)—Negative test result.
388-107-0520	Tuberculosis (TB)—Declining a TB test.
388-107-0530	Tuberculosis (TB)—Reporting and follow-up—Required.
388-107-0540	Tuberculosis (TB)—Test records.
388-107-0542	Care of residents with tuberculosis (TB).

SUPERINTENDENT OF PUBLIC INSTRUCTION

RCW / WAC	Title
WAC 392-172A	PROVISION OF SPECIAL EDUCATION SERVICES
392-172A-01035	Child with a disability or student eligible for special education services.

INDUSTRIAL INSURANCE

RCW / WAC	Title
RCW 51.32	COMPENSATION – RIGHT TO AND AMOUNT
51.32.185	Occupational diseases—Presumption of occupational disease for firefighters and fire investigators—Limitations—Exception—Rules—Advisory committee on occupational disease presumptions.

Resources

Washington State Department of Health TB Program. **TB Laws and Guidelines**. Available at: <https://doh.wa.gov/you-and-your-family/illness-and-disease-z/tuberculosis-tb/laws-guidelines>.

Washington State Department of Health. **Revised Code of Washington (RCW)**. Available at: <https://app.leg.wa.gov/RCW/default.aspx>.

Washington State Department of Health. **Washington Administrative Code (WAC)**. Available at: <https://apps.leg.wa.gov/WAC/default.aspx>.