

July 7, 2006



Karla Schmidt, PhD, MPH, ARNP
Chief, Bureau of STD Prevention and Control
Florida Department of Health
2585 Merchant's Row Blvd, Suite 220
Tallahassee, FL 32399-1717

Dear Dr. Schmidt:

On behalf of the members of the American Clinical Laboratory Association (ACLA), I am submitting the following comments to the proposed rule, Control of Communicable Diseases and Conditions Which May Significantly Affect Public Health. ACLA is an organization of national, regional and local clinical laboratories; our members provide laboratory services to residents of Florida and, therefore, would be affected by the proposed rule.

We very much appreciated the opportunities for consultation and feedback that the Department offered to laboratories in advance of the publication of the proposed rule and find that most of our concerns have been addressed. However, we do have the following comments:

1. Clarification to 64D-3.029(3) "Table of Notifiable Disease or Conditions to be Reported" to be consistent with the other listings in the Laboratory Reporting section. The evidence of current or recent infection with etiological agents for neurotoxic shellfish poisoning needs to be expanded to – "Laboratory results as specified in the surveillance case definition for neurotoxic shellfish poisoning".
2. 64D-3.031(2) regarding reporting of lab test orders for "suspect immediately" diseases or conditions. ACLA notes that this is a request for preliminary patient orders for biosurveillance purposes.
3. 64D-3.031(3)(a) should be amended to require the laboratory to furnish patient demographic information when provided by the ordering practitioner.
4. 64D-3.031(3)(a)(9) regarding the furnishing of the patient's Social Security number. Many of our members have determined they will no longer provide Social Security numbers on hard copy documents. Many states have enacted or considered legislation limiting the use of Social Security numbers. In addition, patients have raised concerns about the use and presentation of their Social Security numbers.

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5. 64D-3.031(3)(a)(10) regarding providing third party payer information. Why would the Department need this information to perform surveillance?
6. 64D-3.031(7) regarding the requirement to report annually on or before April 1st the test volume for each notifiable disease or condition and patient demographic information. ACLA finds this provision onerous and duplicative. Laboratories have already reported this information to the Department as a notifiable disease or condition. We believe that since the Department already has the information, it should be able to aggregate the reported test results for the purpose of studying disease incidence.

We appreciate the opportunity to comment on the proposed rule. If you have any questions or I can provide additional information, please contact me.

Sincerely,

JoAnne Glisson
Senior Vice President