

April 2004

**APIC-DFW: GAC REPORT**

I. TEXAS REGISTER ADOPTED RULES

As outlined below, on 03/26/04, there were multiple final rules ADOPTED that can affect Infection Control in various practice settings. These can be accessed at [www.sos.state.tx.us/](http://www.sos.state.tx.us/) by following the prompts to the Texas Register. Where it says 'not published again' because no changes were made from the *proposed rule*, you'll need to access the *proposed rule* (on the date published) in Texas Register to secure the full text.

- ?? TAC 25, CHAPTER 97. Communicable Diseases Subchapter B. Immunization Requirements in Texas Elementary and Secondary Schools and Institutions of Higher Education (proposed 12/5/03).
- ?? TAC 25, CHAPTER 97. Communicable Diseases Subchapter H. Tuberculosis Screening for Jails and Other Correctional Facilities (proposed 10/03/03).
- ?? TAC 25, CHAPTER 133. Hospital Licensing (proposed 11/21/03). A "must know" for anybody also directly responsible for QM and/or Safety Officer. A very large and long section involving establishment of a Patient Safety Program per "Senate Bill 162, 78<sup>th</sup> legislature (2003) which amended Health and Safety Code, Chapter 241, by adding Subchapter H, which establishes a patient safety program. The amendments to Subchapters H and I are necessary to make the rules compatible with the requirements of the federal Medicare Conditions of Participation, and will eliminate burdensome requirements concerning operable windows. This large section also had adopted rules regarding:
  - o Operational Requirements
  - o Inspection and Investigation Procedures
  - o Enforcement
  - o Fire Prevention and Safety Requirements
  - o Physical Plant and Construction Requirements
- ?? TAC 25, CHAPTER 135. Ambulatory Surgical Centers (proposed 11/21/03).

II. CDC/HICPAC – GUIDELINES FOR PREVENTING HEALTH-CARE-ASSOCIATED PNEUMONIA, 2003

The document [Guidelines for Preventing Health-Care-Associated Pneumonia, 2003](#) is available electronically:

The March 26, 2004 edition of the MMWR Recommendations and Reports is available in Adobe Acrobat format. View this *MMWR* Recommendations and Reports online, after 12:00 P.M. EST, at:

<http://www.cdc.gov/mmwr>

or

<http://www.cdc.gov/mmwr/PDF/rr/rr5303.pdf>

III. LEGISLATIVE UPDATE FROM NATIONAL APIC

**Subject:** APIC Washington Update

Dear Chapter Legislative Representative:

The APIC Public Policy Team is pleased to share this update, highlighting some of our most recent governmental affairs activities.

OSHA General Industry Respiratory Protection Standard

As you probably are aware, On December 31, OSHA announced the withdrawal of the proposed rule for preventing exposure to tuberculosis (TB), and simultaneously announced that it would apply the General Industry Respiratory Protection Standard (GIRPS) to exposure to patients with potentially infectious TB. The agency made this decision without following the normal course of action, which would have included a formal announcement of intent and public review and comment period. The GIRPS would require health care facilities to perform annual fit-testing of respirators.

In January, APIC submitted formal comment to OSHA on this issue, and in February, urged all APIC members also to send in letters to OSHA. Thanks to those of you who responded to this call. We continue to work closely with Congressman Roger Wicker (R-MS), and with the American Hospital Association, in determining our future strategy. On April 20<sup>th</sup>, we will be testifying before the House Appropriations Subcommittee on Labor, Health and Human Services, on this issue. Please be assured that we are doing all we can to attempt to overturn this decision. Please stay tuned for more information about how you can help.

Public Reporting of Infection Rates

We have received emails and phone calls from several members who are concerned about mandates (state and federal) for reporting infection rates. The CDC's Healthcare Infection Control Practices Advisory Committee (HICPAC) is currently exploring this issue, and plans to collaborate with APIC and SHEA to devise recommendations for health care facilities. We will keep you informed as these recommendations take shape.

Until such recommendations become available, the following may serve as a useful reference: APIC Surveillance Initiative Working Group. APIC Position Regarding Release of Nosocomial Infection Data. APIC News 1998;17(2):1,3. <http://www.apic.org/pdf/ppsiwg.pdf>

Annual CLR Meeting

The Annual Chapter Legislative Representatives (CLR) Meeting is scheduled for Tuesday, June 8th from 12:15-2:15 pm, during the APIC Annual Conference in Phoenix. Please plan to bring your lunch to this meeting. Unfortunately, we will not be able to provide refreshments, due to our limited budget. These meetings are usually very lively and full of good information and sharing. If you cannot attend yourself, please try to have someone from your Chapter attend in your stead. Please check the program for room location. We will also send this information to you as the time draws near.

As always, you are welcome to contact me at [jthomas@apic.org](mailto:jthomas@apic.org) any time you have a question, or wish to receive an issues update prior to your Chapter meetings. Thanks to all for your continued help with the OSHA issue.

Sincerely,  
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2004 APIC-DFW  
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