

**DFW-APIC Government Affairs Committee
Dec 2020**

APIC Public Policy and E-News Highlights (2019-2020)

<http://cqrcengage.com/apic/home>

<http://apic.org/Member-Services/Publications/E-News>

1/6/2021	The FDA issued a statement advising healthcare providers to administer COVID-19 vaccinations according to the FDA-approved dosing schedule. The agency warns that changes in vaccine administration without appropriate data supporting such a change could put public health at further risk. Read the FDA statement .
1/5/2021	The FDA is alerting patients and healthcare providers of the risk of false results, particularly false negative results, with the Curative SARS-CoV-2 test. The Curative SARS-Cov-2 Assay is a real-time RT-PCR test that is authorized for prescription-only use. The test is performed by collecting a throat swab, nasopharyngeal swab, nasal swab, or oral fluid specimen, and the specimen is then to be processed at the KorvaLabs, Inc. Read the FDA safety alert .
12/29/20	APIC joined with the Society for Healthcare Epidemiology of America (SHEA) and the Society of Infectious Diseases Pharmacists to request that CMS continue to waive HAI reporting requirements under Medicare payment programs during the COVID-19 public health emergency. The organizations also requested that any HAI data that is reported to NMSN from Q4 2019 through the end of the public health emergency not be used for Medicare payment determination in CMS value-based purchasing and HAC Reduction programs. Read the joint letter .
12/15/20	A new technical report from the National Personal Protective Technology Laboratory (NPPTL) provides improved science-based recommendations on the use of filtering facepiece respirators (FFRs) with an exhalation valve. The findings in this report show that FFRs with an exhalation valve can reduce particle emissions to levels similar to or better than those provided by surgical masks, procedure masks, or cloth face coverings. This study also shows that modifications to these respirators, such as use of an electrocardiogram pad or surgical tape secured over the valve from the inside, can further reduce particle emissions.

87th Legislative Session to start 1/12/2021

Texas Register (2019-2020)

<http://www.sos.state.tx.us/texreg/index.shtml>

Key: X Pending

Last Review

Completed: 10/31/2020

Current Search

Parameters for

Review:

25 TAC: Chapters 2,

97, 133, 135, 200

30 TAC: Chapter 330;

Subchapter Y

X	Date Filed	Action	Title/Ch./Rules/SB /HB	Topic / Comments
	12/2/19	Adopted	25 TAC §§200.1 - 200.6	Rule amendment to comply with S.B. 384. The new law alters the list of HAIs that health care facilities must report to DSHS by removing the language outlining the specific medical procedures required for HAI reporting by facility type, and replacing it with a requirement for all health care facilities to report the list of HAIs that the CMS require facilities participating in the Medicare program to report. These

				changes have the effect of aligning state reporting requirements with federal CMS reporting requirements. In reference to NHSN, the rule eliminates the wording “or its successor.”
	3/29/19	Adopted	25 TAC §133.50	Requires that a hospital provide a patient the opportunity to designate a caregiver to receive aftercare instructions on admission or before the patient is discharged or transferred to another facility. Also outlines the hospital's responsibility to document information, in the patient's medical record, regarding the designated caregiver or the patient's declination to designate a caregiver.
	1/18/19	Signed by Governor	S.B. No. 384	Effective 9/1/19. For HAIs occurring on or after 1/1/2020 Expands what HAIs must be reported by hospitals and ambulatory surgical centers to the Texas Department of State Health Services. A hospital or ambulatory surgical center must report each HAI to the Texas Department of State Health Services regardless of the facility's participation in Medicare. The legislation would also require the pathogen to be identified if the infection is laboratory confirmed. https://capitol.texas.gov/BillLookup/Text.aspx?LegSess=86R&Bill=SB384
X	2/4/19	Referred to Human Services committee (2/27/19)	HB 1360	Relating to prevention of communicable diseases in certain long-term care facilities. https://capitol.texas.gov/BillLookup/Text.aspx?LegSess=86R&Bill=HB1360
	2/14/19	Signed by Governor	HB 1848	Effective 9/1/19 Companion to HB 1360 – relating to prevention of communicable diseases in certain long-term care facilities. https://capitol.texas.gov/BillLookup/History.aspx?LegSess=86R&Bill=HB1848
X	1/10/19	Left pending in committee (4/23/19)	SB 329	Relating to requirements for and the transparency of epidemiological reports and certain immunization exemption information and reports. The dept shall prepare & submit “(1) report of outbreaks of vaccine preventable diseases in this state; and (2) de-identified immunization exemption information, including the number of persons claiming an exemption from the immunization requirements”
X	2/7/19	Referred to Public Health 2/27/19	HB 1490	Relating to claiming an exemption from required immunizations for public school students. “The department may not maintain a record of the number of affidavit forms submitted or the names of individuals who submit [request] an affidavit form under this section.”
	3/27/20	Effective 3/27/20-7/24/20	25 TAC §135.2, §135.26	The Executive Commissioner of the Texas Health and Human Services Commission (HHSC) adopts on an emergency basis in Title 25 Texas Administrative Code, Chapter 135, Ambulatory Surgical Centers (ASCs), amendments to §135.2 and §135.26, in order to expand ASCs' treatment capabilities and modify current reporting requirements to mitigate issues caused by patient surge due to COVID-19. (complete text was posted in the APIC-DFW GAC section)

	8/18/20	<i>Effective 8/19/20- 12/16/20</i>	25 TAC §417.47	The Executive Commissioner of the Texas Health and Human Services Commission (HHSC) adopts on an emergency basis in Title 25 Texas Administrative Code, Chapter 417, Agency and Facility Responsibilities, amended §417.47, concerning an emergency rule in response to COVID-19 to ensure necessary state hospital staffing levels and infection control training during the COVID-19 pandemic.
	10/9/2020	<i>Effective 9/25/20- 1/22/21</i>	25 TAC §510.48	Emergency Rule requiring general & psychiatric hospitals to continue ongoing screening of each person entering a facility. Hospitals are required to limit visitors as needed to prevent or control COVID-19-related health & safety risk.

**Prepared by 2020 APIC-DFW Governmental Affairs Committee:
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