

Economic Impact Statement

LSA Document #15-39

[IC 4-22-2.1-5](#) Statement Concerning Rules Affecting Small Businesses**Description of Rule**

The Indiana State Department of Health is authorized by [IC 16-41-2](#) to define and classify communicable diseases and to establish surveillance systems for communicable diseases. The Disease Reporting and Control Rule (currently in [410 IAC 1-2.3](#)) defines and classifies communicable diseases that must be reported and establishes the necessary surveillance systems and recommended control measures. The current rule, promulgated in 2008, is outdated regarding best practices, disease control and prevention, definition and inclusion of emerging diseases, and description of current control measures.

The proposed rule (added as [410 IAC 1-2.5](#)) does the following:

- Adds new definitions and updates existing definitions.
- Revises the list of reportable communicable diseases.
- Updates control measures for communicable diseases.
- Updates documents incorporated by reference.

The proposed rule also clarifies language and modifies reporting requirements and control measures based on best practices outlined by the Centers for Disease Control and Prevention (CDC), American Public Health Association (APHA), and the American Academy of Pediatrics.

At the national level, the Council of State and Territorial Epidemiologists (CSTE) recommends reportable diseases to be added to the Nationally Notifiable Infectious Diseases (NNID) list. The diseases CSTE places under surveillance are novel pathogens or those with severe manifestations whose transmission is amenable to control by public measures. States are encouraged to establish parallel reporting requirements.

These proposed changes to the rule are intended to streamline governmental reporting processes and promote public health. The number of businesses affected by this proposed rule change is unknown but since this change has the potential to affect all Hoosiers who engage in the health care system, it may be assumed that businesses will be affected. That effect may, in practice, be only peripheral in nature.

Economic Impact on Small Businesses**1. Estimate of the number of small businesses, classified by industry sector, that will be subject to the proposed rule.**

The Indiana State Department of Health (ISDH) is unable to provide a precise estimate of the number of small businesses affected by this rule as the state of Indiana is not a business licensing state. Medical providers, health care facilities, and laboratories will be subject to the proposed rule. The ISDH estimates over 10,000 medical providers, health care facilities, and laboratories may be affected due to the number of entities reporting communicable diseases. This rule will not have a significant economic impact on the medical providers, health care facilities, or laboratories that meet the definition of small business as the communicable disease reporting requirements and reporting mechanisms are well established and have been practiced by these small businesses for many years.

2. Estimate the average annual reporting, record keeping, and other administrative costs that small businesses will incur to comply with the proposed rule.

The proposed rule does not add any additional annual reporting, recording keeping, or other administrative costs for small businesses to comply with the proposed rule.

3. Estimate of the total annual economic impact that compliance with the proposed rule will have on small businesses subject to the rule.

The proposed rule does not increase the economic impact on small businesses for complying with the proposed rule.

4. Statement justifying any requirement or cost that is imposed on small businesses by the rule; and not expressly required by the statute authorizing the agency to adopt the rule; or any other state or federal law.

The proposed rule does not impose any new requirements or costs on small businesses. The proposed rule provides updated definitions, reference information, language, reporting requirements, and control measures to incorporate emerging infectious diseases and best practices as set forth by the CDC, APHA, and the American Academy of Pediatrics.

5. Regulatory Flexibility Analysis

Other factors considered:

A. Establishment of less stringent compliance or reporting requirements for small businesses.

The proposed rule provides updated definitions, reference information, language, reporting requirements, and control measures to incorporate emerging infectious diseases and best practices. Less stringent requirements could have devastating effects, resulting in unnecessary disease transmission and burden of disease.

B. Establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses.

The proposed rule has reporting time frames as recommended by the CDC, APHA, and the American Academy of Pediatrics.

C. Consolidation or simplification of compliance or reporting requirements for small businesses.

The proposed rule does not consolidate or simplify reporting requirements for small businesses.

D. Establishment of performance standards for small businesses instead of design or operational standards imposed on other regulated entities by the rule.

The proposed rule does not establish different performance standards for small businesses. The proposed rule provides updated definitions, reference information, language, reporting requirements, and control measures to incorporate emerging infectious diseases and best practices.

E. Exemption of small businesses from part or all of the requirements or costs imposed by the rule.

The proposed rule does not exempt small businesses from part or all of the requirements imposed by the rule. Exposure to communicable diseases is a risk for everyone.

Conclusion

The proposed rule provides updated requirements based on best practices as set forth by the CDC, APHA, and the American Academy of Pediatrics. Less stringent requirements could result in increased disease transmission, increased health care costs, costs associated with lost productivity due to illness, and possibly death.

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