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## NOTICES OF RULEMAKING DOCKET OPENING

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This section of the *Arizona Administrative Register* contains Notices of Rulemaking Docket Opening.

A docket opening is the first part of the administrative rulemaking process. It is an “announcement” that the agency intends to work on its rules.

When an agency opens a rulemaking docket to consider rulemaking, the Administrative Procedure Act (APA) requires the publication of the Notice of Rulemaking Docket Opening.

Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process. Many times an agency may file the Notice of Rulemaking Docket Opening with the Notice of Proposed Rulemaking.

The Office of the Secretary of State is the filing office and publisher of these notices. Questions about the interpretation of this information should be directed to the agency contact person listed in item #4 of this notice.

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### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF HEALTH SERVICES COMMUNICABLE DISEASES

[R16-116]

- 1. Title and its heading:** 9, Health Services
- Chapter and its heading:** 6, Department of Health Services - Communicable Diseases
- Articles and their headings:** 1, General  
2, Communicable Disease and Infestation Reporting  
3, Control Measures for Communicable Diseases and Infestations
- Section numbers:** R9-6-101, R9-6-201, R9-6-202, Table 1, R9-6-203, Table 2, R9-6-204, Table 4, R9-6-205, R9-6-206, Table 4, R9-6-207, R9-6-301 through R9-6-329, R9-6-331 through R9-6-342, R9-6-344 through R9-6-362, R9-6-364 through R9-6-383, and R9-6-385 through R9-6-393 (*The Department may add, delete, or modify other Sections, as necessary.*)
- 2. The subject matter of the proposed rules:**  
Arizona Revised Statutes (A.R.S.) § 36-136(H)(1) requires the Arizona Department of Health Services (Department) to make rules defining and prescribing “reasonably necessary measures for detecting, reporting, preventing, and controlling communicable and preventable diseases.” The Department has adopted rules to implement this statute in Arizona Administrative Code (A.A.C.) Title 9, Chapter 6. The rules specifying reporting requirements for communicable diseases are in 9 A.A.C. 6, Article 2. The rules covering control measures for communicable diseases are in 9 A.A.C. 6, Article 3. The rules in 9 A.A.C. 6, Articles 2 and 3 contain requirements for the reporting of several conditions that no longer need to be included as reportable conditions and do not contain reporting requirements for other conditions that should be reportable to protect public health. The rules need to be revised to update reportable conditions and their control measures, ensure more accurate tracking and better reporting, and improve the effectiveness of the rules in preventing a significant threat to public health. After receiving an exception from the Governor’s rulemaking moratorium established by Executive Order 2016-03, the Department is revising the rules to address these concerns, account for changes in laboratory methodologies, allow for electronic reporting, and reduce the regulatory burden of the rules. The proposed amendments will conform to rulemaking format and style requirements of the Governor’s Regulatory Review Council and the Office of the Secretary of State. The Department may add, delete, or modify other Sections, as necessary.
- 3. A citation to all published notices relating to the proceeding:**  
None
- 4. The name and address of agency personnel with whom persons may communicate regarding the rules:**  
Name: Ken Komatsu, State Epidemiologist  
Address: Department of Health Services  
Bureau of Epidemiology and Disease Control  
150 N. 18th Ave., Suite 100  
Phoenix, AZ 85007-3248  
Telephone: (602) 364-3587  
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E-mail: Ken.Komatsu@azdhs.gov  
or  
Name: Robert Lane, Manager  
Address: Department of Health Services  
Office of Administrative Counsel and Rules  
150 N. 18th Ave., Suite 200  
Phoenix, AZ 85007  
Telephone: (602) 542-1020  
Fax: (602) 364-1150  
E-mail: Robert.Lane@azdhs.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

Written comments will be accepted at the addresses listed in item #4 until the close of record, which has not yet been determined. The Department has not scheduled any oral proceedings at this time.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be announced in the Notice of Proposed Rulemaking