Options for COVID-19 Reporting for Long-Term Care Facilities – DHEC UPDATE

Reporting of positive and negative COVID-19 test results is consistent with South Carolina Law requiring the reporting of diseases and conditions to your state or local public health department (State Law # 44-29-10 and Regulation # 61-20). Federal HIPAA legislation allows disclosure of protected health information, without consent of the individual, to public health authorities to collect and receive such information for the purpose of preventing or controlling disease (HIPAA 45 CFR §164.512). Per the South Carolina Department of Health and Environmental Control (DHEC) 2020 List of Reportable Conditions (LORC, available at https://www.scdhec.gov/sites/default/files/Library/CR-009025.pdf), all laboratories, healthcare facilities, and providers are required to report both positive and negative test results of COVID-19 to DHEC (See S.C. Code Ann. § 44-29-15(A)). This requirement applies to laboratories located in or outside of South Carolina and who test specimens from patients who reside in the state. It also applies to testing at point-of-care or with at-home specimen collection.

On October 19, 2020, the Department of Health and Human Services updated its reporting guidance to indicate that CMS-certified long-term care facilities (LTCFs) are required to use NHSN to meet this reporting requirement. Specifically, the HHS guidance states that:

> *CMS-certified long-term care facilities shall submit point-of-care SARS-CoV-2 testing data, including antigen testing data, to CDC's National Healthcare Safety Network (NHSN). This requirement to submit data to CDC's NHSN applies only to CMS-certified long-term care facilities. Test data submitted to NHSN will be reported to appropriate state and local health departments using standard electronic laboratory messages. Other types of LTC facilities may voluntarily report testing data in NHSN for self-tracking or to fulfill state or local reporting requirements, if any.*

However, in order to use NHSN, each LTCF must have Level 3 SAMS access, as described at: https://www.cdc.gov/nhsn/ltc/covid19/sams-access.html.

Given this new CMS requirement, DHEC is providing this update to clarify and streamline reporting options for LTCFs to meet DHEC requirements.

If Your Facility Uses NHSN

Facilities that are reporting COVID-19 positive and negative point-of-care tests through the NHSN do not have to report to DHEC separately. NHSN data will be sent to DHEC automatically. However, DHEC requires those facilities to undergo a **validation period of two weeks,** during which they are required to submit positive and negative test results to NHSN and to DHEC (either by fax or via the secure reporting portal – SCIONx), before switching to only NHSN submission. After two weeks, if a facility has not been contacted by DHEC to resolve errors, the facility will only need to report via NHSN.

If Your Facility Does Not Use NHSN
All test results must be submitted to DHEC using an approved reporting method. Facilities that have access to South Carolina's secure reporting portal (SCIONx) can submit positive and negative COVID-10 results through SCIONx. To request a SCIONx account, or to discuss other reporting options, contact scionhelp@dhec.sc.gov.

References
SC HAN: https://scdhec.gov/sites/default/files/media/document/10472-DHU-08-29-2020-COVID-19.pdf

SC LORC: https://scdhec.gov/sites/default/files/Library/CR-009025.pdf