



CITY OF PHILADELPHIA  
DEPARTMENT OF PUBLIC HEALTH

PASSED:

BOARD OF HEALTH:  
LAW DEPARTMENT:  
RECORDS DEPARTMENT:

**AMENDMENTS TO REGULATIONS  
GOVERNING THE CONTROL OF COMMUNICABLE  
AND NONCOMMUNICABLE DISEASES AND CONDITIONS**

**WHEREAS**, on January 10<sup>th</sup>, 2018, Pennsylvania Governor Tom Wolf declared the heroin and opioid epidemic to be a statewide disaster emergency in order to enhance state and local responses, increase access to treatment and save lives; and

**WHEREAS**, one of the initiatives of Governor Wolf’s disaster declaration is to add Neonatal Abstinence Syndrome as a reportable condition in order to improve data collection and outcomes for affected individuals; and

**WHEREAS**, the rate of Neonatal Abstinence Syndrome in live hospital births in Philadelphia more than quadrupled between 2002 and 2016; and

**WHEREAS**, the Board of Health has adopted regulations, entitled *Regulations Governing the Control of Communicable and Non-communicable Diseases and Conditions* (“Regulations”); and

**WHEREAS**, Section 6-201 of the Philadelphia Health Code authorizes the Board of Health to establish lists of reportable diseases and conditions; and

**WHEREAS**, collection of data on Neonatal Abstinence Syndrome will allow the Department to better understand and respond to Neonatal Abstinence Syndrome, and thereby the opioid epidemic; and

**WHEREAS**, receipt of identified information on Neonatal Abstinence Syndrome will allow the Department to improve public health interventions, including services to link infants to home visiting programs and early intervention education services; and

**WHEREAS**, receipt of identified information on affected mothers will allow the Department to intercede by offering harm reduction services and linkage to treatment; and

**WHEREAS**, the Board of Health finds that Neonatal Abstinence Syndrome is of public health importance, and should therefore be included on the list of reportable conditions in the Regulations;

**NOW, THEREFORE**, the Board of Health hereby amends the Regulations Governing the Control of Communicable and Non-communicable Diseases and Conditions to read as follows (additions in **Bold** and deletions in ~~Strikethrough~~):

REGULATIONS GOVERNING THE CONTROL OF COMMUNICABLE  
AND NONCOMMUNICABLE DISEASES AND CONDITIONS

\* \* \*

2. REPORTABLE DISEASES AND CONDITIONS

The Board declares the following diseases, unusual outbreaks of illness, noncommunicable diseases and conditions, poisonings and occupational diseases to be reportable:

\* \* \*

(e) Poisoning Conditions

All chemical poisoning conditions are reportable, specifically:

\* \* \*

**(3) Neonatal Abstinence Syndrome (NAS), which is a clinical diagnosis of drug or alcohol withdrawal in an infant during the neonatal period based on (i) known or suspected prenatal drug or alcohol exposure or a positive neonatal drug screen, and (ii) at least one sign in the newborn consistent with drug or alcohol withdrawal, such as hyperirritability, restlessness, hyperactive reflexes, myoclonic jerks, seizures, tremors, poor feeding, vomiting, diarrhea, fever, sweating, mottled skin, nasal flaring, apnea, inconsolability, or tachypnea.**

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**3. METHODS OF REPORTING DISEASES, THE CONTENT OF REPORTS, AND TO WHOM DISEASES ARE TO BE REPORTED**

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**(d) Poisoning Conditions**

**(1) Reports of elevated lead levels shall be made in the same manner as for communicable diseases. See Section 3(a).**

**(2) Reports of Neonatal Abstinence Syndrome shall be made by Hospitals and Birthing Facilities.**

**i. The report shall state the name of the condition, name of the newborn, name of the birth mother, date of birth of the newborn, date of diagnosis, diagnosing facility, contact information for the legal guardian of the newborn, clinical signs of Neonatal Abstinence Syndrome observed in the newborn, and the newborn's opioid exposure history, if applicable, as required by the Department.**

**ii. Reports shall be made in a manner and timeframe as specified by the Department. Such reports shall be used or disclosed by the Department exclusively for the public health purpose of preventing or controlling**

**disease, injury, or disability and for no other purpose. Such reports, including any individually identifiable information in the reports, shall not be used or disclosed by the Department or any recipient of the report to initiate or substantiate any criminal or civil charges or complaints or to conduct any investigation against any individual and may not be used in any proceedings against an individual. This restriction on the use or disclosure of the report applies to any person who obtains the report.**