

Proposed Text of Regulation

TITLE 17. PUBLIC HEALTH DIVISION 4. OFFICE OF ENVIRONMENTAL HEALTH HAZARD ASSESSMENT CHAPTER 2. PESTICIDE PROGRAM SUBCHAPTER 1. PESTICIDE-RELATED ILLNESS AND INJURY ARTICLE 1. REPORTING

The provisions of this article are adopted pursuant to California Health and Safety Code, section 105200, which gives the Office of Environmental Health Hazard Assessment (OEHHA) the authority to prescribe the form for local health officers to report known or suspected pesticide poisonings to the OEHHA, the Department of Pesticide Regulation (DPR), and for work-related cases, to the Department of Industrial Relations (DIR). The purpose of this regulation is to define the information pertaining to pesticide-related illness or injury that local health officers shall report to the state, which will improve the consistency and standardization in reporting and enhance the exchange of data among local and state agencies. More efficient data exchange will improve the timeliness of pesticide illness and injury investigations, thereby positively impacting public health.

§96100. Local Health Officers' Report of Known or Suspected Pesticide-Related Illness

(a) Upon receipt of a report of a known or suspected pesticide-related illness or injury from a licensed physician or other health care provider, as defined in Title 17, California Code of Regulations, section 2500(a)(14), the local health officer or designee shall report the following information to the Director of the Office of Environmental Health Hazard Assessment, the Director of Pesticide Regulation, and, for work-related illness or injury, the Director of Industrial Relations:

- (1) Patient demographic information, including:
 - (A) First and last name.
 - (B) Social security number, if available.
 - (C) Birth date.
 - (D) Residence address, including street address, city, county, state, and zip code.
 - (E) Contact telephone number, including residential, work, or cellular telephone.
 - (F) Gender.
 - (G) Ethnicity, if known.
 - (H) Race, if known.
- (2) Patient health and medical information, including:
 - (A) Date of onset of illness or symptoms.
 - (B) Date of initial examination by health care provider.
 - (C) Symptoms reported by patient and observations noted by health care provider.
 - (D) Laboratory or diagnostic tests conducted and results.
 - (E) Treatment rendered, if any.
 - (F) Medical diagnosis.
- (3) Pesticide exposure information, including:
 - (A) Date of exposure.
 - (B) Name of pesticide or active ingredient, if known.

- (C) Description of the location where exposure occurred, including county.
 - (D) Description of how the exposure occurred, e.g., pesticide drift, direct spray, accidental ingestion.
 - (E) Determination of whether the exposure occurred at work.
 - (F) Determination of whether others were exposed during the incident.
 - (G) Description of the patient's activity at time of exposure, e.g., field work, pesticide application, equipment repair.
- (4) Health care provider information, including:
- (A) First and last name of health care provider.
 - (B) Name of facility where the patient was examined or treated.
 - (C) Address of facility where patient was examined or treated, including street address, city, county, state, and zip code.
 - (D) Contact telephone number of health care provider.
 - (E) Name of person who submitted the report, if different from the health care provider.
- (5) Reporting agency information, including:
- (A) Agency name.
 - (B) Agency address, including street address, city, and county.
 - (C) Agency contact telephone number.
 - (D) Facsimile number.
- (b) The unavailability of any of the information required by section 96100(a) shall not prevent the health officer from providing a report of the pesticide illness or injury to the required state agencies with the information that is available.
- (c) Reports of known or suspected pesticide-related illness can be transmitted by the local health officer, or his or her designee, via either of the following:
- (1) Mail or facsimile of paper form available through OEHHA (www.oehha.ca.gov/pesticides).
 - (2) Electronic media, where available.
- (d) The information required by section 96100(a) shall be transmitted to the state in a secure manner consistent with state and federal medical record transfer laws and regulations (Civil Code section 1798 et seq., Government Code sections 6250-6270; Public Law 104-191; 45 CFR parts 160, 162, and 164).

NOTE: Authority cited: Health and Safety Code, Section 105200. Reference: Health and Safety Code Section 105200.