



STATE OF DELAWARE  
**STATE COUNCIL FOR PERSONS WITH DISABILITIES**  
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The Honorable John Carney  
Governor

John McNeal  
SCPD Director

**MEMORANDUM**

DATE: November 30, 2020

TO: Ms. Alanna Mozeik, DPH  
Planning & Policy Development Unit

FROM: Terri Hancharick – Chairperson *TH*  
State Council for Persons with Disabilities

RE: 24 DE Reg. 434 [DPH Emergency Regulation Regarding Communicable Diseases  
(November 1, 2020)]

The State Council for Persons with Disabilities (SCPD) has reviewed the Division of Public Health's (DPHs) Emergency Regulation regarding communicable diseases. Effective October 1, 2020, the Department of Health and Social Services (DHSS) issued an emergency regulation implementing the emergency order dated March 10, 2020, requiring all laboratories and providers to immediately report all SARS-CoV-2/COVID-19 tests and results to the Division of Public Health. The emergency regulation was published as 24 DE Reg. 434 in the November 1, 2020 issue of the Register of Regulations. SCPD has the following observations.

While the existing Control of Communicable and Other Disease Conditions regulation, 14 Del. Admin. C. § 4202, specifies that Severe Acute Respiratory Syndrome (SARS) is a notifiable disease/condition, under which SARS-CoV-2/COVID-19 falls, this Emergency Order clarifies that all novel coronavirus causing severe acute respiratory disease, including the 2019 novel coronavirus disease COVID-19, are considered notifiable and are required to be reported to the Division of Public Health. This regulation simply modifies an existing regulation by striking "Severe Acute Respiratory Syndrome (SARS)" and replacing it with "Coronavirus, novel (novel coronavirus causing severe acute respiratory disease including the 2019 novel coronavirus disease [COVID-19], severe acute respiratory syndrome-associated coronavirus disease [SARS-

CoV], and Middle East Respiratory Syndrome [MERS-CoV]).” It continues to be a “report by rapid means” category. This change is a technical clarification to address the pandemic.

SCPD endorses DPH’s action in clarifying that COVID-19 and other similar novel coronaviruses are rapid report notifiable diseases/conditions, since quick response to testing and follow-up contact tracing are such essential components to the State’s COVID response.

Thank you for your consideration and please contact the SCPD if you have any questions regarding our observations or recommendations on the proposed regulation.

cc: Karyl Rattay, MD – DPH  
Laura Waterland, Esq.  
Governor’s Advisory Council for Exceptional Citizens  
Developmental Disabilities Council

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