



STATE OF DELAWARE
STATE COUNCIL FOR PERSONS WITH DISABILITIES
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MEMORANDUM

DATE: May 29, 2014

TO: Ms. Deborah Harvey
Division of Public Health

FROM: Daniese McMullin-Powell, Chairperson
State Council for Persons with Disabilities

RE: 17 DE Reg. 1035 [DPH Proposed Cancer Registry Regulation]

The State Council for Persons with Disabilities (SCPD) has reviewed the Department of Health and Social Services/Division of Public Health's (DPH's) proposal to amend the State of Delaware Cancer Registry regulations. Specifically, the Division proposes to amend its implementing regulations to convert health care provider reporting from a "paper" system to an "electronic" system. The proposed regulation was published as 17 DE Reg. 1035 in the May 1, 2014 issue of the Register of Regulations. SCPD endorses the concept of switching to an electronic reporting system subject to consideration of the following amendments.

First, in §4.0, SCPD recommends deletion of the third sentence. It is redundant to reiterate the definition of a "non-hospital reporter" which is already defined in §2.0.

Second, in §4.0, sixth sentence, SCPD recommends substituting "it is" for "they are" since the antecedent noun (provider) is singular.

Third, in §4.0, the eighth "sentence" reads as follows: "All data required by the reporting requirements of the National Cancer Data Base established by the American College of Surgeons." This is not a sentence since it lacks a predicate.

Fourth, in §4.0, ninth sentence, SCPD believes "request" should be "include".

Fifth, §§4.0 and 5.0 condense the scope of information related to patient residence and employment. This may not comport with the enabling legislation. Consider the following:

A. Title 16 Del.C. §3204(2) requires reporting of the patient's "primary residential address".

The regulation omits any reference to collection of such information.

B. Section §3204(2) requires reporting of “the location and nature of the patient’s primary past employment.” The regulation deletes the requirement of reporting the “name and address of employer” and merely contemplates identification of type of occupation. This is not consistent with the enabling law.

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

cc: Dr. Karyl Rattay
Mr. Brian Hartman, Esq.
Governor’s Advisory Council for Exceptional Citizens
Developmental Disabilities Council

17reg1035 dph-cancer registry 5-29-14