



City of Philadelphia

LAW DEPARTMENT
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M e m o r a n d u m

TO: Doctor Cheryl Bettigole, Health Commissioner,
Department of Public Health

FROM: Jo Rosenberger Altman, Senior Attorney

DATE: October 18, 2022

SUBJECT: Amendments to Regulations Governing the Control of Communicable and
Noncommunicable Diseases and Conditions

I have reviewed the Amendments to Regulations Governing the Control of Communicable and Noncommunicable Diseases and Conditions approved by the Board of Health, a copy of which is attached. I find the regulation to be legal and in proper form. In accordance with Section 8-407(a) of The Philadelphia Home Rule Charter, you may now forward these regulations to the Department of Records where they will be made available for public inspection.

A handwritten signature in black ink, appearing to read "Jo A".

Jo Rosenberger Altman
Senior Attorney



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

WHEREAS, Section 5-301(b) of the Philadelphia Home Rule Charter authorizes the Board of Health to issue Department of Public Health regulations for the preservation and promotion of the health of the people of Philadelphia; and

WHEREAS, the Pennsylvania Disease Control and Prevention Law of 1955, 1956, April 23, P.L. 1510, 35 P.S. § 52.1 et seq., (“the DCPL”) and Section 6-201 of The Philadelphia Code authorize the Board of Health to establish lists of reportable diseases and conditions; and

WHEREAS, Section 4 of the DCPL and Section 6-202 of the Code require health care providers and laboratories identifying these reportable diseases and conditions designated by the Board, to report the occurrence of such diseases and conditions to the Department; and

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

WHEREAS, the Regulations contain a listing of such diseases and the methods of reporting the occurrence thereof in Sections 2, 3 and 10 of said Regulations; and

WHEREAS, Acute Flaccid Myelitis (AFM) is a serious neurologic condition that affects the nervous system, specifically the area of the spinal cord called gray matter, which causes the muscles and reflexes in the body to become weak; and

WHEREAS, in a majority of cases, exact causes and triggers are currently under investigation and no preventative treatment is available; and

WHEREAS, increases in AFM cases have occurred in 2014, 2016, and 2018 in the U.S. and more than 90% have been in young children; and

WHEREAS, the Pennsylvania Department of Health has reported onset of AFM in patients from Pennsylvania including Philadelphia during the fall months with increases every other year beginning in 2014; and

WHEREAS, cases were reported in three out of four states bordering Pennsylvania in 2021; and

WHEREAS, AFM surveillance may be used to identify persons with suspected poliovirus infection in light of the recent reintroduction of poliovirus into the United States during 2022; and

WHEREAS, the Board of Health finds that AFM is a condition of public health importance, that may be associated with one or more communicable diseases, and therefore should be included on the list of reportable conditions in the Regulations; and

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:

(a) Diseases, Conditions, Etc.

* * *

(*) Acute Flaccid Myelitis (AFM)

* * *

10. REGULATIONS PERTAINING TO THE CONTROL OF THE INFECTED
INDIVIDUALS, CONTACTS, AND ENVIRONMENT FOR EACH REPORTABLE DISEASE

* * *

(*) Acute Flaccid Myelitis (AFM)

(1) Reporting. Report to the Acute Communicable Disease Control Program by telephone or other equally prompt means immediately, and not more than within 24 hours of diagnosis of a probable or confirmed case.

(2) Isolation. No isolation is required.

- (3) Concurrent disinfection. Standard, contact and droplet infection control precautions, hand hygiene, thorough cleaning of bathroom facilities and frequently touched surfaces and appropriate disposal or washing of linens and articles contaminated by body fluids. If poliovirus is suspected, only healthcare workers with evidence of immunity should care for the patient.**
- (4) Terminal disinfection. No terminal disinfection is required.**
- (5) Quarantine. No quarantine of contacts shall be required.**
- (6) Monitoring. If deemed necessary by the Department, persons who had close contact with individuals with strains of Acute Flaccid Myelitis will be monitored, either actively with phone calls or texts, or passively by the individual reporting symptoms to the Department.**