

CHAPTER 56
HEALTH CARE FACILITY
INFECTION REPORTING

Authority

N.J.S.A. 26:2H-1 et seq., particularly 26:2H-12.45.

Source and Effective Date

R.2008 d.345, effective November 17, 2008.
See: 40 N.J.R. 1958(a), 40 N.J.R. 6612(a).

Chapter Expiration Date

Chapter 56, Health Care Facility Infection Reporting, expires on November 17, 2013.

Chapter Historical Note

Chapter 56, Health Care Facility Infection Reporting, was adopted as new rules by R.2008 d.345, effective November 17, 2008. See: Source and Effective Date.

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SUBCHAPTER 1. GENERAL PROVISIONS

8:56-1.1 Purpose and scope

(a) The purpose of this chapter is to:

1. Implement N.J.S.A. 26:2H-12.39 through 12.45 (P.L. 2007, c. 196), the Health Care Facility-Associated Infection Reporting and Prevention Act;
2. Set forth standards for maintaining the confidentiality of CDC HAI data required for reporting;
3. Identify the HAI data required for reporting; and
4. Designate the system for uniform reporting of HAI data.

(b) This chapter applies to the Department and all health care facilities, administrators, and authorized users.

(c) This chapter covers:

1. Procedures concerning enrollment and training in NHSN;
2. The process for HAI data collection and reporting;
3. The Department's use of HAI data; and
4. Enforcement.

8:56-1.2 Definitions

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

“Act” means the Health Care Facility-Associated Infection Reporting and Prevention Act at N.J.S.A. 26:2H-12.39 through 12.45 (P.L. 2007, c. 196).

“Administrator” means the person at a health care facility assigned to have all rights to the health care facility's data for reporting to the NHSN; the ability to create authorized users and confer rights to them in the NHSN; the ability to nominate groups with which the health care facility wants to share some or all of its data reported in NHSN; and the responsibility for accepting official documents regarding the NHSN and this chapter.

“Authorized user” means any person the administrator designates through NHSN to submit information to, receive information from, or access or review information contained in NHSN, on behalf of his or her health care facility.

“CDC” means the Centers for Disease Control and Prevention within the United States Department of Health and Human Services.

“CMS” means the Centers for Medicare and Medicaid Services within the United States Department of Health and Human Services.

“Commissioner” means the Commissioner of the Department of Health and Senior Services, or his or her designee.

“Department” means the New Jersey Department of Health and Senior Services.

“Health care facility” means any medical facility that the Department licenses as a general hospital pursuant to N.J.S.A. 26:2H-1 et seq., and in accordance with the definition of hospital and classification of general hospital set forth in the Department's Hospital Licensing Standards at N.J.A.C. 8:43G-1.2 and 1.3(b).

“Healthcare-associated infection” or “HAI” means a localized or systemic condition resulting from an adverse reaction

to the associated presence of an infectious agent(s) or its toxin(s) that meets classification criteria defined by the CDC in the NHSN Manual.

“HAI data” means both CDC HAI data and CMS HAI data as described below:

1. “CDC HAI data” means information and data elements relating to the major site categories, as specified in the Department’s notification to health care facilities, that each health care facility shall report as set forth at N.J.A.C. 8:56-2.6(a); and

2. “CMS HAI data” means information relating to the process quality measures associated with prevention of HAI that each health care facility shall report as set forth at N.J.A.C. 8:56-2.6(b).

“Identifying information” means the following NHSN patient identity fields: name, social security number, identification number, gender and date of birth.

“Major site category” means the site associated with the development of a HAI, and includes, but is not limited to, the following categories: device-associated, procedure-associated and medications-associated, containing subcategories, such as, central-line associated bloodstream infections, surgical site infections, ventilator-associated pneumonia, and other categories identified by the CDC.

“NHSN” means the National Healthcare Safety Network, which is a secure, internet-based surveillance system that integrates patient and healthcare personnel safety surveillance systems managed by the Division of Healthcare Quality Promotion at the CDC, or its derivative or successor system.

“NHSN manual” means the National Healthcare Safety Network (NHSN) Manual: Patient Safety Component Protocol, Updated January 2008, incorporated herein by reference, as amended and supplemented, written and published by the CDC.

1. The NHSN Manual is available electronically at the following website for the “NHSN Document Library,” http://www.cdc.gov/ncidod/dhqp/nhsn_documents.html#.

“Process quality measure” means a specific quantitative indicator used to identify whether the care provided by a health care facility conforms to nationally accepted treatment goals and care processes for specific clinical presentations.

“QIAC” means the Quality Improvement Advisory Committee established by the Department pursuant to N.J.A.C. 8:43G-27.6 as an advisory group regarding the development of a health care facility performance measurement and assessment system.

“Surgical site infection” means an incisional or organ/space infection that is associated with an operative procedure performed on the patient.

1. Surgical site infection shall be further defined according to CDC surgical site infection classification criteria and operative procedure categories established in the NHSN Manual.

8:56-1.3 Enforcement

The Department may impose enforcement remedies against any health care facility that fails to comply with the requirements set forth in the Act and this chapter in accordance with N.J.A.C. 8:43E.

SUBCHAPTER 2. REPORTING

8:56-2.1 Designation of reporting system for CDC HAI data

(a) The Department designates NHSN as the internet-based surveillance system to which each health care facility shall report CDC HAI data as set forth in N.J.A.C. 8:56-2.6(a).

1. Information about NHSN is available through the following methods:

- i. Electronically at the CDC’s website entitled National Healthcare Safety Network (NHSN) at <http://www.cdc.gov/ncidod/dhqp/nhsn.html>;
- ii. By telephone to the NHSN number at (800) 893-0485, option 1; or
- iii. By email to the NHSN email address at nhsn@cdc.gov.

8:56-2.2 Confidentiality regarding CDC HAI data

(a) Each health care facility shall authorize the Department to access only CDC HAI data from NHSN that does not contain patient identifying information.

(b) The CDC HAI data that the Department retrieves from NHSN on each health care facility consists of information relating to de-identified “medical . . . history, diagnosis, treatment or evaluation,” within the meaning of Executive Order 26, §4(b)1 (McGreevey, August 13, 2002) and shall not be considered “government records” subject to public access or inspection pursuant to N.J.S.A. 47:1A-1 et seq. and 26:2H-12.8(g)1.

8:56-2.3 Enrollment and training requirements for NHSN

(a) Each health care facility shall comply with all NHSN requirements that are necessary to maintain enrollment in NHSN.

(b) Each health care facility shall enroll in NHSN as a separately licensed New Jersey facility.