



March 27, 2020

Katherine Ceroalo  
New York State Department of Health  
Bureau of Program Counsel, Regulatory Affairs Unit  
Corning Tower Building, Rm. 2438  
Empire State Plaza  
Albany, New York 12237

RE: I.D. No. HLT-04-20-00002-P

Dear Ms. Ceroalo:

Thank you for the opportunity to provide comments on the proposed rule (I.D. No. HLT-04-20-00002-P) that would replace annual tuberculosis (TB) testing of health care workers with annual individual risk assessment and education, with further testing as indicated.

HCA is the statewide health care association representative of all levels and models of home care including provider-sponsored Licensed Home Care Services Agencies (LHCSAs), Certified Home Health Agencies (CHHAs), Long Term Home Health Care Programs (LTHHCPs), Fiscal Intermediaries, hospice agencies, Managed Long Term Care (MLTC) plans, waiver programs, and allied agencies and organizations. HCA providers and programs are sponsored by health systems, hospitals, nursing homes, freestanding agencies and health plans. HCA members serve over a half million home care cases, families and communities annually.

HCA's comments are based on feedback received from our member agencies that have to comply with the current TB test requirements.

HCA supports this proposed rule that would require an initial individual TB risk assessment, symptom evaluation, and TB test for personnel prior to employment and annual assessments thereafter. Annual TB assessments would include education, individual risk assessment and follow-up tests as indicated.

As indicated in the proposed rule's *Needs and Benefits* section, this change aligns with the United States Centers for Disease Control and Prevention and other associations' updated recommendations which discourage routine serial testing and instead focus on evaluating individual risk and encouraging treatment for persons with untreated latent TB infection.

This proposed rule also addresses last year's nationwide shortage of one of the products for TB skin testing and home care providers' reports of increased costs for TB tests.

HCA hopes that the state Department of Health (DOH) will work with our Association and other Association representatives to share education and individual risk assessment tools that will be necessary under the annual TB assessment requirement.

Thank you for considering HCA's comments. Please contact me at 518-810-0662 if you have any questions or need additional information.

Sincerely,

A handwritten signature in black ink that reads "Andrew Koski". The signature is written in a cursive style with a capital 'A' and 'K'.

**Andrew Koski**  
**Vice President**  
**Program Policy and Services**