



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

June 11, 2020

DHDTC DAL 20-10

Re: Hospital associated
infection reporting pursuant
to Public Health Law section
2819

Dear Hospital Chief Executive Officer:

The New York State Department of Health (“Department”) has received several inquiries regarding the reporting requirements for hospital associated infections (HAIs) pursuant to Public Health Law section 2819. In general, hospitals are required to report surgical site infection rates, central-line associated infection rates, *Clostridium difficile* infection rates, and carbapenem-resistant Enterobacteriaceae infection rates to the Department using the National Healthcare Safety Network (NHSN).

However, the Department recognizes the COVID-19 emergency has created a situation in which the data is less meaningful due to variations in how hospitals across the state have been impacted by COVID-19. The Department further recognizes the many competing priorities that hospital infection preventionists are currently faced with during this pandemic. The Department notes that CMS had granted several exceptions to NHSN HAI reporting for this reason.

Accordingly, the Department will exercise its enforcement discretion by not enforcing the reporting requirements for HAI data that occur from January 1, 2020 through June 30, 2020 to align with the date in which CMS has granted reporting exceptions through. Additionally, hospital-specific HAI rates for this time period will not be included in the annual NYS HAI report. All hospitals, however, are still required to report outbreaks and/or diseases in accordance with Part 2 of the State Sanitary Code (SSC) and 10 NYCRR 405.11, which includes, but is not limited to, outbreaks or an increased incidence of any hospital-associated infections.

Sincerely,

Deirdre Astin, Director
Division of Hospitals and
Diagnostic and Treatment Centers