



CHAIRMAN'S MEMORANDUM

NO. 1-2002 JANUARY 3, 2002

TO: SHERIFFS, JAIL ADMINISTRATORS, COMMISSIONERS OF CORRECTION, MEDICAL COORDINATORS

RE: UPDATE: REGULATIONS OF THE NYS DEPARTMENT OF HEALTH AND THE BOARD OF NURSING REGARDING CONTINUATION OF PRESENT PPD TESTING PROCEDURES IN LOCAL CORRECTIONAL FACILITIES

You will recall that earlier this year there was some confusion regarding a directive from the State Education Department's Board of Nursing which stated that nurses would need to have an order from a physician for each patient/inmate to administer a PPD (skin test). This has created a major problem for both county health departments and local correctional facilities due to the number of patients/inmates who receive the PPD as part of TB screening programs.

Because the Centers for Disease Control (CDC) states that the incidence of tuberculosis infection and disease in correctional facilities remains high, the State Commission of Correction contacted the Office of the Professions, Board of Nursing and the NYS Department of Health, Bureau of Tuberculosis (TB) Control expressing our concerns relating to the need to continue correctional facility PPD programs without requiring patient/inmate specific orders for nurses to administer the PPD. The Bureau of TB Control issued a letter advising local health departments not to change their policies and procedures until further notice, which the Commission forwarded to you on 9/27/01 via Chairman's Memorandum No. 21-2001.

On December 5, 2001, the NYS Department of Health (DOH) sent a letter (copy attached) to all state and local health departments which makes reference to multiple regulations of the New York Codes Rules and Regulations bearing on PPD programs in New York State. Unfortunately, the lack of clarity in the regulations did not provide a sufficient mandate for the agencies involved to re-approve PPD programs that have been in existence for many years. Therefore, there was an agreement by all New York State agencies involved, "not to change current practice that appears to comply with Public Health Law and regulations while the issue is resolved." Since there may be further questions in this area, DOH has included in their letter the telephone numbers of regional TB public health representatives for questions regarding the PPD issue.

Summary: The Board of Nursing and the State Department of Health agree that the continuation of tuberculin screening is important to public safety and agree to support the present program of not requiring specific patient/inmate physician's orders for nurses to administer PDP skin tests.

The State Commission of Correction will continue to be involved in the discussion of PPD programs that have a major impact on local correctional facilities. If the regional Health Department Offices cannot answer the questions you may have, please contact the Commission at 518-485-2346 for further assistance.

Alan J. Croce, Chairman/Commissioner