



Date: November 15, 2021

DQA Memo 21-006
Replaces DQA Memo 15-004

To: Nursing Homes

From: Ann Angell, Director
Bureau of Nursing Home Resident Care

Via: Otis L. Woods, Administrator
Division of Quality Assurance

Wisconsin Administrative Code s. DHS 132.42 (3) (a)
Pre-employment Screening for Clinically Apparent Communicable Disease

The purpose of this memo is to inform licensed nursing homes that facilities may request a variance to use a registered nurse to certify new employees as having been screened for clinically apparent communicable disease, including tuberculosis.

Wisconsin Admin. Code s. DHS 132.42 (3) (a) requires that new employees “be certified in writing by a physician, physician assistant or an advanced practice nurse prescriber as having been screened for the presence of clinically apparent communicable disease that could be transmitted to residents during the normal performance of the employee’s duties. The certification shall include screening for tuberculosis within 90 days prior to employment.”

Wisconsin Admin. Code s. DHS 132.21 allows for the granting of a variance requested by a nursing home if the variance will not adversely affect the health, safety or welfare of any resident and that strict enforcement of the requirement would result in unreasonable hardship on the facility or on a resident or that the proposed alternative to the rule is in the interest of better care or management.

If a nursing home wishes to request a variance of Wis. Admin. Code s. DHS 132.42 (3) (a), please submit the request to DHSWebmailDQA@dhs.wisconsin.gov and include the following information identified in Wis. Admin. Code s. DHS 132.21(3) (a) 1:

- The rule from which the variance is requested;
- The time period for which the variance is requested;
- The specific alternative action the facility proposes that includes information showing that:
 - The registered nurse who is completing the screening is knowledgeable through education and experience about screening for clinically apparent communicable diseases, including tuberculosis,
 - The registered nurse is practicing under a written physician’s order, and

- The registered nurse is following a written protocol developed with input from and approved by the nursing home's Medical Director regarding screening employees for the presence of clinically apparent communicable disease, including tuberculosis.
- The reason for the request, and
- Justification that the variance will not adversely affect the health, safety or welfare of any resident and that strict enforcement of the requirement would result in unreasonable hardship on the facility or on a resident or that the proposed alternate is in the interest of better care or management.

The Division of Quality Assurance will review and respond to these requests as quickly as possible.

Questions

If you have questions about this information, please contact the Regional Field Operations Director assigned to your facility. Contact information for the regional offices can be found at the following: <https://www.dhs.wisconsin.gov/dqa/bnhrc-regionalmap>.