



## Title 22 Program Flexibility Tuberculosis Checklist Frequently Asked Questions (FAQs)

**Background:** On June 6, 2024, the CA Conference of Local Health Officers (CCLHO) Board of Directors voted to unanimously support the adoption of the California TB Controllers Association (CTCA) **Title 22 Tuberculosis (TB) Testing Program Flexibility Checklist** for all health care facilities planning to apply to the CA Department of Public Health (CDPH) Center for Health Care Quality (CHCQ) for a Title 22 Program Flexibility Waiver. Please note that the use of the TB checklist is a recommended best practice and will allow the facility's local TB program/health officer to be aware of the facility's intended Title 22 Program Flexibility application, but it is not a requirement in order to submit the program flexibility application to CHCQ.

Title 22 of the CA Code of Regulations requires annual TB testing of staff working in 11 types of health care facilities. National guidelines suggest that not all facilities require annual TB testing for all staff. There is an opportunity for facilities to apply for a Program Flexibility in order to modify the testing cadence. Healthcare facilities may receive program flexibility to deviate from mandated annual testing for up to a period of four years.

### Frequently Asked Questions:

*1. How does the Title 22 Program Flexibility process allow regulated healthcare facilities to deviate from Title 22 required TB testing of healthcare personnel?*

A health care facility submits a Title 22 Program Flexibility application to the California Department of Public Health (CDPH) Center for Health Care Quality (CHCQ). If the program flexibility application is approved, this allows for the health care facility to deviate from the annual tuberculosis (TB) testing required by Title 22 of the CA Code of Regulations.

*2. Which health care facilities are regulated under Title 22?*

<https://www.cdph.ca.gov/Programs/CHCQ/LCP/Pages/California-TB-Testing-Regulations.aspx>

1. § Acute Day Health Center (ADHC)
2. § Acute Psychiatric Hospitals (APH)
3. § Chemical Dependency Recovery Hospitals (CDRH)
4. § Correctional Treatment Centers (CTC)
5. § General Acute Care Hospitals (GACH)
6. § Home Health Agencies (HHA)
7. § Intermediate Care Facilities (ICF)
8. § Intermediate Care Facilities for Developmentally Disabled (ICF/DD)
9. § Intermediate Care Facility for the Developmentally Disabled-Habilitative (ICF/DD-H)
10. § Psychology Clinic
11. § Skilled Nursing Facilities (SNF)

## **Title 22 Program Flexibility Tuberculosis Checklist Frequently Asked Questions (FAQs)**

*3. Are there types of facilities that CTCA does not support Title 22 program flexibility for?*

CTCA does not support Title 22 program flexibility for annual TB testing in Correctional Treatment Centers (CTCs).

*4. What are the components of this TB checklist?*

See link as referenced, [https://ctca.org/wp-content/uploads/Title22\\_ccklist\\_CQHCFinal.pdf](https://ctca.org/wp-content/uploads/Title22_ccklist_CQHCFinal.pdf).

In general, the TB checklist encourages each Title 22 regulated health care facility to review and agree to operationalize CTCA's guidance for health care providers' testing and evaluation, adhere to mandated reporting for probable or confirmed TB pursuant to Title 17, obtain the required Gotch Law HSC 121361 local health department approval for hospital discharge of patients with probable or confirmed TB disease, and report outcomes of contact investigations after TB exposures, within the health care facility.

*5. If a facility wants to submit the TB checklist to their local health department, where can they find the contact information for their local health department TB program??*

Please see the [CTCA-Directory.pdf](#) for each local health department's TB program contacts.

*6. Does the health care facility have to get the local TB Controller/Health Officer's approval before submitting a Title 22 Program Flexibility to CDPH CHCQ?*

In short, no. However, the completion of the TB checklist and subsequent review and attestation of support by the local TB Controller/Health Officer is highly recommended and is likely to expedite the review process.

*7. What if the local TB Controller/Health Officer declines to review the TB Checklist?*

Prior to completing the TB Checklist, it is recommended that the health care facility checks with their local TB Controller/Health Officer on whether they would like to review the TB checklist. If a TB Controller/Health Officer declines to review the TB checklist, then the checklist should not be included in the list of documents submitted to CDPH CHCQ's for Title 22 Program Flexibility.

#