The Laboratory Efficiencies Initiative Policy Guide: A Resource for Exploring Policy Issues Related to Test Service Sharing

M. Berkery, J. Hyde, K. Breckenridge, A. Moulton

Introduction
Sharing test services between public health laboratories in two or more states is an approach to improving operating efficiency and long-term sustainability of the nation’s public health laboratory system. A number of state public health laboratories have experience with test service sharing, using a range of different mechanisms that include informal “handshake” agreements, memoranda of understanding, formal, service-specific arrangements, and shared functions with joint oversight. Public health laboratory directors have expressed interest in understanding legal and other policy issues relevant to cross-jurisdictional sharing of testing services.

Background and Objectives
In August 2012, the Association of Public Health Laboratories (APHL) Policy Committee convened in Atlanta, Georgia, to discuss policy issues related to sharing testing services and recommended development of a practical tool that public health laboratory directors can use to assess laws and policies that may support or impede test service sharing. (In May 2012, CDC’s Public Health Law Program published an overview of pertinent legal considerations.) The emerging effort to address this recommendation is a two-part project that includes a legal mapping component and in-depth case studies of test sharing among selected state public health laboratories. The intent of the project is to better understand the legal challenges and opportunities—perceived and actual—related to shared delivery of laboratory services at the state level.

Methods
This applied research project began in March 2013. With support from Public Health Law Research, a national program of the Robert Wood Johnson Foundation, researchers with the Cambridge, Massachusetts-based Institute for Community Health began conducting in-depth qualitative interviews with public health laboratory directors, their senior program and policy staff, and their legal counsel. The purpose of the interviews is to collect first-hand information about interstate test service sharing and related laws and policies, including those that support and those that are—or believed to be—impediments to test service sharing. CDC’s Public Health Law Program is identifying and analyzing provisions of laws and other policies that may affect test service sharing through the use of legal databases.

Sample
Approximately eighteen states are being selected to take part in the research project. The sample is being selected through a combination of strategies. The first group (n=7 complete to date) was a purposive sample, selected because of their directors’ active exploration of test service sharing, participation in the August 2012 APHL Policy Committee meeting, and representation of key geographic areas. Laboratories in five states are located within state health departments of health, two are located within state universities, and one has a hybrid organizational structure (part state department of health and part nonprofit research organization).

Preliminary Findings
Several legal and policy domains that may impact sharing testing services have been identified, including state public health legal authorities, health privacy and data security, laboratory certification, regulation of shipping laboratory specimens, disease reporting requirements, newborn screening laws, mutual aid agreements, fee and revenue laws, and state contracting and risk management policies.

As of early May 2013, seven states have taken part in qualitative interviews, representing a mix of organizational structures and geographic areas. Laboratories in five states are located within state departments of health, two are located within state universities, and one has a hybrid organizational structure (part state department of health and part nonprofit research organization).

References

Contact
Molly Berkery, JD, MPH, mberkery@cdc.gov
Jusleen Hyde, PhD, jhyde@challiance.org

The Laboratory Efficiencies Initiative Policy Guide: A Resource for Exploring Policy Issues Related to Test Service Sharing

M. Berkery, J. Hyde, K. Breckenridge, A. Moulton

Introduction
Sharing test services between public health laboratories in two or more states is an approach to improving operating efficiency and long-term sustainability of the nation’s public health laboratory system. A number of state public health laboratories have experience with test service sharing, using a range of different mechanisms that include informal “handshake” agreements, memoranda of understanding, formal, service-specific arrangements, and shared functions with joint oversight. Public health laboratory directors have expressed interest in understanding legal and other policy issues relevant to cross-jurisdictional sharing of testing services.

Background and Objectives
In August 2012, the Association of Public Health Laboratories (APHL) Policy Committee convened in Atlanta, Georgia, to discuss policy issues related to sharing testing services and recommended development of a practical tool that public health laboratory directors can use to assess laws and policies that may support or impede test service sharing. (In May 2012, CDC’s Public Health Law Program published an overview of pertinent legal considerations.) The emerging effort to address this recommendation is a two-part project that includes a legal mapping component and in-depth case studies of test sharing among selected state public health laboratories. The intent of the project is to better understand the legal challenges and opportunities—perceived and actual—related to shared delivery of laboratory services at the state level.

Methods
This applied research project began in March 2013. With support from Public Health Law Research, a national program of the Robert Wood Johnson Foundation, researchers with the Cambridge, Massachusetts-based Institute for Community Health began conducting in-depth qualitative interviews with public health laboratory directors, their senior program and policy staff, and their legal counsel. The purpose of the interviews is to collect first-hand information about interstate test service sharing and related laws and policies, including those that support and those that are—or believed to be—impediments to test service sharing. CDC’s Public Health Law Program is identifying and analyzing provisions of laws and other policies that may affect test service sharing through the use of legal databases.

Sample
Approximately eighteen states are being selected to take part in the research project. The sample is being selected through a combination of strategies. The first group (n=7 complete to date) was a purposive sample, selected because of their directors’ active exploration of test service sharing, participation in the August 2012 APHL Policy Committee meeting, and representation of key geographic areas. Laboratories in five states are located within state health departments of health, two are located within state universities, and one has a hybrid organizational structure (part state department of health and part nonprofit research organization).

Preliminary Findings
Several legal and policy domains that may impact sharing testing services have been identified, including state public health legal authorities, health privacy and data security, laboratory certification, regulation of shipping laboratory specimens, disease reporting requirements, newborn screening laws, mutual aid agreements, fee and revenue laws, and state contracting and risk management policies.

As of early May 2013, seven states have taken part in qualitative interviews, representing a mix of organizational structures and geographic areas. Laboratories in five states are located within state departments of health, two are located within state universities, and one has a hybrid organizational structure (part state department of health and part nonprofit research organization).

References

Contact
Molly Berkery, JD, MPH, mberkery@cdc.gov
Jusleen Hyde, PhD, jhyde@challiance.org