

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



M. Berkery<sup>1</sup>, J. Hyde<sup>2</sup>, K. Breckenridge<sup>3</sup>, A. Moulton<sup>1</sup>

<sup>1</sup>Centers for Disease Control and Prevention, Atlanta, GA. <sup>2</sup>Institute for Community Health, Cambridge Health Alliance, Cambridge, MA. <sup>3</sup>Association of Public Health Laboratories, Silver Spring, MD.

## 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.



This 2012 report is referenced in the Background and Objectives narrative.

## 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 characteristics. As of early May 2013, the second group is being selected based on the results of a brief online APHL member survey of interstate test sharing experiences. Thirty state laboratory directors responded, providing information about their experiences with sending tests to and/or performing tests for a state laboratory in another state. States reporting dual experience (sending and receiving tests) are designated as a priority for participation in interviews.

## Next Steps

Interviews and legal and policy analysis will continue over the next several months. Drafts of the Laboratory Efficiencies Initiative's "Guide to Policies for Interstate Sharing of Public Health Laboratory Testing Services" will be reviewed by those interviewed and other APHL members, and revised for anticipated publication in October 2013.

## 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).

## Contact

Molly Berkery, JD, MPH, [mberkery@cdc.gov](mailto:mberkery@cdc.gov)  
Justeen Hyde, PhD, [jhyde@challiance.org](mailto:jhyde@challiance.org)



## References

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