

Evaluation Survey, in all correspondence.

**Beth Killoran,**

*Deputy Chief Information Officer.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Lead Exposure and Prevention Advisory Committee (LEPAC); Meeting

**AGENCY:** Centers for Disease Control and Prevention (CDC), Department of Health and Human Services (HHS).

**ACTION:** Notice of meeting.

**SUMMARY:** In accordance with the Federal Advisory Committee Act, the CDC announces the following meeting for the Lead Exposure and Prevention Advisory Committee (LEPAC). This meeting is open to the public by web conference; however, advance registration is needed by April 15, 2020, to receive the information to join the meeting. The registration link is [https://rossstrategic.zoom.us/webinar/register/WN\\_I76JZ04RT5SVinnqu\\_tSYw](https://rossstrategic.zoom.us/webinar/register/WN_I76JZ04RT5SVinnqu_tSYw). The public comment period is scheduled on April 29, 2020, from 1:45 p.m. until 2:00 p.m., EDT. Individuals wishing to make a comment during the public comment period, please email your name, organization, and phone number by April 15, 2020, to [LEPAC@cdc.gov](mailto:LEPAC@cdc.gov).

**DATES:** The meeting will be held on April 29, 2020, from 9:00 a.m. to 4:30 p.m., EDT.

**ADDRESSES:** To receive web conference please register at [https://rossstrategic.zoom.us/webinar/register/WN\\_I76JZ04RT5SVinnqu\\_tSYw](https://rossstrategic.zoom.us/webinar/register/WN_I76JZ04RT5SVinnqu_tSYw) by April 15, 2020.

**FOR FURTHER INFORMATION CONTACT:** Ms. Perri Ruckart, M.P.H., Designated Federal Officer, National Center for Environmental Health, CDC, 4770 Buford Highway, Atlanta, GA 30341, 770-488-3300; email address: [pruckart@cdc.gov](mailto:pruckart@cdc.gov).

#### **SUPPLEMENTARY INFORMATION:**

*Purpose:* The Lead Exposure and Prevention Advisory Committee was established under Section 2203 of Public Law 114-322, the Water Infrastructure Improvements for the Nation Act; 42 U.S.C. 300j-27, Registry for Lead Exposure and Advisory Committee.

The Secretary, Department of Health and Human Services (HHS) and by delegation, the Director, CDC and

Administrator, NCEH/ATSDR, are authorized under Section 2203 of Public Law 114-322 (42 U.S.C. 300j-27) to review research and Federal programs and services related to lead poisoning and to identify effective services and best practices for addressing and preventing lead exposure in communities.

The LEPAC is charged with providing advice and guidance to the Secretary, HHS, and the Director, CDC and Administrator, ATSDR, on the: (1) Review of Federal programs and services available to individual communities exposed to lead; (2) review current research on lead exposure to identify additional research needs; (3) review and identify best practices, or the need for best practices regarding lead screening and the prevention of lead poisoning; (4) identify effective services, including services relating to healthcare, education, and nutrition for individuals and communities affected by lead exposure and lead poisoning, including in consultation with, as appropriate, the lead exposure registry as established in Section 2203(b) of Public Law 114-322; and (5) undertake any other review or activities that the Secretary determines to be appropriate.

*Matters To Be Considered:* The agenda will include: Discussions on CDC's role in lead poisoning prevention, key federal lead programs and the Federal Lead Action Plan, methods and results of a Community Guide environmental scan and scoping review of lead interventions, lessons learned from review of CDC Childhood Lead Poisoning Prevention Program (CLPPP) cooperative agreement recipients, and available services and best practices regarding lead screening and the prevention of lead poisoning. Agenda items are subject to change as priorities dictate.

The Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both the Centers for Disease Control and Prevention and the Agency for Toxic Substances and Disease Registry.

#### **Kalwant Smagh,**

*Director, Strategic Business Initiatives Unit, Office of the Chief Operating Officer, Centers for Disease Control and Prevention.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### Delegation of Authority

Notice is hereby given that the Director, Centers for Disease Control and Prevention (CDC), has delegated to the Chief Operating Officer, Centers for Disease Control and Prevention (CDC), without the authority to redelegate, the authority vested in the Secretary of HHS by section 212(1) of the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (FY 19 HHS Appropriations Act) Public Law 115-245, division B, title II, or substantially similar authorities vested in the Secretary in the future by Congress, in order to carry out international health activities to respond to the current and any future Ebola, polio, and coronavirus outbreaks.

Section 212(1) of the FY19 HHS Appropriations Act permits the Secretary of HHS to exercise authority equivalent to that available to the Secretary of State under 22 U.S.C 2669(c) to award personal services contracts for work performed in foreign countries. The authority delegated herein includes the authority to determine the necessity of negotiating, executing, and performing such contracts without regard to statutory provisions as related to the negotiation, making, and performance of contracts and performance of work in the United States.

The authority under section 212(1) is immediately revoked in the event that any subsequent fiscal year HHS appropriations act does not contain the provision currently in section 212(1) or substantially similar authority.

The Chief Operating Officer, CDC, shall consult with the Secretary of State and relevant Chief of Mission to ensure that this authority is exercised in a manner consistent with section 207 of the Foreign Service Act of 1980 and other applicable statutes administered by the Department of State.

This delegation supersedes the delegation of similar name, approved by the Director, CDC, on September 26, 2019.

This delegation became effective on March 17, 2020 and is valid through fiscal year 2021. The Director, CDC, affirms and ratifies any actions taken that involve the exercise of the authority

delegated herein prior to the effective date of this delegation.

**Robert McGowan,**  
*Chief of Staff, CDC.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Centers for Disease Control and Prevention

#### **Ryan White HIV/AIDS Treatment Extension Act of 2009: Update to the List of Potentially Life-Threatening Infectious Diseases to Which Emergency Response Employees May Be Exposed To Include Coronavirus Disease 2019 (COVID-19), the Disease Caused by Severe Acute Respiratory Syndrome Coronavirus 2 (SARS-CoV-2)**

**AGENCY:** Centers for Disease Control and Prevention, HHS.

**ACTION:** Notice.

**SUMMARY:** The National Institute for Occupational Safety and Health (NIOSH), of the Centers for Disease Control and Prevention (CDC), within the Department of Health and Human Services (HHS), is adding coronavirus disease 2019 (COVID-19), the disease caused by severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2), to the *List of Potentially Life-Threatening Infectious Diseases to Which Emergency Response Employees May Be Exposed*. The list and companion guidelines are published by NIOSH pursuant to the Ryan White HIV/AIDS Treatment Extension Act of 2009. NIOSH encourages medical facilities to review the agency's guidelines describing the manner in which medical facilities should make determinations on whether an emergency response employee was exposed to COVID-19, the disease caused by SARS-CoV-2.

**FOR FURTHER INFORMATION CONTACT:** Rachel Weiss, Office of the Director, NIOSH; 1090 Tusculum Avenue, MS:C-48, Cincinnati, OH 45226; telephone (855) 818-1629 (this is a toll-free number); email [NIOSHregs@cdc.gov](mailto:NIOSHregs@cdc.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **Statutory Authority**

The Ryan White Comprehensive AIDS Resources Emergency (CARE) Act of 1990 (Pub. L. 101-381) was reauthorized in 1996, 2000, 2006, and 2009. The most recent reauthorization, the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Pub. L. 111-87),

amended the Public Health Service Act (PHS Act, 42 U.S.C. 201-300ii) and, pursuant to Section 2695, requires the HHS Secretary to establish the following: A list of potentially life-threatening infectious diseases, including emerging infectious diseases, to which emergency response employees (ERE) may be exposed while responding to emergencies; guidelines describing circumstances in which EREs may be exposed to these diseases, taking into account the conditions under which emergency response is provided; and guidelines describing the manner in which medical facilities should make determinations about exposures to EREs.

In a **Federal Register** notice published on July 14, 2010, the HHS Secretary delegated this responsibility to the CDC Director.<sup>1</sup> The CDC Director further assigned the responsibility to the NIOSH Director and formally re-delegated the authority to develop the list and guidelines to NIOSH on August 27, 2018.<sup>2</sup>

#### **Addition of COVID-19, the Disease Caused by the Virus SARS-CoV-2, to the List of Potentially Life-Threatening Infectious Diseases to Which Emergency Response Employees May Be Exposed**

The list of potentially life-threatening infectious diseases maintained by NIOSH is available in a **Federal Register** notice published on November 2, 2011 (76 FR 67736), available on the NIOSH website at <https://www.cdc.gov/niosh/topics/ryanwhite/default.html>. With this notice the NIOSH *List of Potentially Life-Threatening Infectious Diseases to Which Emergency Response Employees May Be Exposed* is updated by the addition of the following:

##### *C. Potentially Life-Threatening Infectious Diseases: Routinely Transmitted Through Aerosolized Droplet Means*

##### ■ COVID-19 (the disease caused by the virus SARS-CoV-2)

COVID-19, the disease caused by the virus SARS-CoV-2, is being added to the existing list. COVID-19, the disease caused by the virus SARS-CoV-2, is a potentially life-threatening emerging infectious disease that is thought to be spread primarily by respiratory droplets generated by an infectious person through events such as coughing or sneezing (<https://www.cdc.gov/coronavirus/2019-ncov/index.html>).

EREs may be exposed to COVID-19, the disease caused by the virus SARS-CoV-2, by a victim of an emergency who may be infected with SARS-CoV-2 while attending to, treating, assisting, or transporting the victim to a medical facility. Medical facilities should review the NIOSH guidelines describing the manner in which medical facilities should make determinations about exposures to life-threatening infectious diseases, including COVID-19, available on the NIOSH website at <https://www.cdc.gov/niosh/topics/ryanwhite/default.html>.

**John J. Howard,**

*Director, National Institute for Occupational Safety and Health, Centers for Disease Control and Prevention, Department of Health and Human Services.*

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## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Office of the Secretary

#### **Emergency Use Authorization Declaration**

**ACTION:** Notice of Emergency Use Authorization Declaration.

**SUMMARY:** The Secretary of Health and Human Services (HHS) is issuing this notice pursuant to section 564 of the Federal Food, Drug, and Cosmetic (FD&C) Act. On February 4, 2020, the Secretary determined pursuant to his authority under section 564 of the FD&C Act that there is a public health emergency that has a significant potential to affect national security or the health and security of United States citizens living abroad and that involves a novel (new) coronavirus (nCoV) first detected in Wuhan City, Hubei Province, China in 2019 (2019-nCoV). The virus is now named SARS-CoV-2, which causes the illness COVID-19. On the basis of this determination, he also declared that circumstances exist justifying the authorization of emergency use of medical devices, including alternative products used as medical devices, pursuant to section 564 of the FD&C Act, subject to the terms of any authorization issued under that section.

**DATES:** The determination was effective February 4, 2020, and this declaration is effective March 24, 2020.

**FOR FURTHER INFORMATION CONTACT:** Robert P. Kadlec, M.D., MTM&H, MS, Assistant Secretary for Preparedness and Response, Office of the Secretary, Department of Health and Human

<sup>1</sup> 75 FR 40842.

<sup>2</sup> 83 FR 50379 (October 4, 2018).