



**Center for Clinical Standards and Quality/Survey & Certification Group**

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**Ref: S&C: 13-39-CLIA**

**DATE:** June 14, 2013

**TO:** State Survey Agency Directors

**FROM:** Director  
Survey and Certification Group

**SUBJECT:** Guidance Regarding the Deployment of the Emergency Use Approval (EUA)  
Bird Flu Test (H7N9) to State Public Health Laboratories (PHLs) by the Centers  
for Disease Control and Prevention (CDC)

**Memorandum Summary**

- **Guidance for Regional Office (RO) Surveyors**—During routine biennial re-certification surveys of State PHLs, ROs must confirm that the H7N9 test was verified by each laboratory per the CDC protocol and the corresponding Clinical Laboratory Improvement Amendments (CLIA) policies and procedures are in place to ensure readiness and compliance in the event of an outbreak.
- **CDC Directions to State PHLs** – Upon receipt of the bird flu test system and corresponding instructions and information, State PHLs will verify the centrally developed test specifications in their laboratory per the CDCs guidance.
- **Food and Drug Administration (FDA) Link for H7N9:**  
<http://www.fda.gov/medicaldevices/safety/emergencysituations/ucm161496.htm?source=govdelivery>

**Background**

A new and virulent strain of bird flu, called H7N9, is sweeping through several areas of China and there is concern that it may eventually travel to the U.S. In its mode of prevention and preparedness, the CDC is collaborating with its Chinese counterpart and has developed a new test, modeled on previous flu strain tests, for State PHLs to check U.S. residents in the event of an outbreak in the U.S.

The CDC's H7N9 test recently received an EUA from the FDA and was deployed April 25, 2013. As a result, CMS is coordinating efforts with the CDC on test method specification establishment protocols, developed and tested by CDC, for subsequent verification on site at each of the PHLs. The CDC protocol considers the lack of U. S. patient samples and limited control materials available for validation of this test, In these circumstances, we encourage laboratories to further evaluate the test performance should more control or patient materials become available or if the test usage increases.

For more information about the H7N9 flu and its EUA test, please visit the FDA web site at:  
<http://www.fda.gov/medicaldevices/safety/emergencysituations/ucm161496.htm?govdelivery>

**Guidance for RO Surveyors**

**Surveys:** To facilitate PHL preparedness in case of the H7N9 bird flu, ROs or the appropriate accrediting organizations (AO) must confirm during routine biennial re-certification surveys, using standard CLIA or AO policies and procedures, that each PHL has verified the CDC's test specifications, under CDC's guidance, and has established appropriate policies and procedures.

**Data System:** Use standard CLIA data entry protocols for survey kits.

**Scope:** This memo applies to only State PHLs.

**If H7N9 comes to the U.S.:** Further guidance to ROs and AOs will be forthcoming.

Should you have any questions about the information in this memo, please contact, Judy Yost at [Judith.yost@cms.hhs.gov](mailto:Judith.yost@cms.hhs.gov) or Karen Dyer at [Karen.dyer@cms.hhs.gov](mailto:Karen.dyer@cms.hhs.gov).

**Effective Date:** Immediately. This policy should be communicated with all survey and certification staff, their managers and the State/Regional Office training coordinators within 30 days of this memorandum.

/s/

Thomas E. Hamilton

cc: Survey and Certification Regional Office Management  
Centers for Disease Control and Prevention  
CMS approved accrediting organizations  
CLIA Regional Office Consultants