

South Australia

Emergency Management (Reporting on COVID-19 Testing No 3) Direction 2021

under section 25 of the *Emergency Management Act 2004*

Preamble

- 1 On 22 March 2020 I, Grantley Stevens, Commissioner of Police, being the State Co-ordinator for the State of South Australia pursuant to section 14 of the Emergency Management Act 2004 (**the Act**), declared pursuant to section 23 of the Act that a Major Emergency is occurring in respect of the outbreak of the Human Disease named COVID-19 within South Australia.
- 2 Now I, Grantley Stevens, being of the opinion that this is necessary to achieve the purposes of the Act, give the following directions pursuant to section 25 of the Act.

1—Short title

This direction may be cited as the *Emergency Management (Reporting on COVID-19 Testing No 3) Direction 2021*.

2—Revocation of previous direction

- (1) This direction replaces the *Emergency Management (Reporting on COVID-19 Testing No 2) Direction 2020*.
- (2) The *Emergency Management (Reporting on COVID-19 Testing No 2) Direction 2020* is revoked.

3—Definitions

In this direction—

CDCB means the Communicable Disease Control Branch of the Department;

COVID-19 test means analysis of a combined oropharyngeal/nasal specimen to test for COVID-19 (also referred to as SARS-CoV-2) using Polymerase Chain Reaction (PCR);

CPHO means the Chief Public Health Officer;

Department means the Department for Health and Wellbeing;

Metropolitan Adelaide means Metropolitan Adelaide as defined by GRO Plan 639/93;

PPE means personal protective equipment;

primary contact in relation to a person who has tested positive for COVID-19 is—

- (a) a person who has been in contact with a person who has tested positive for COVID-19 during their infectious period; or
- (b) a person who has been at a Tier 1 or Tier 2 exposure site listed on the SA Health Website at the relevant time;

saliva COVID-19 test means a Polymerase Chain Reaction test to diagnose COVID-19 by means of saliva specimen;

saliva specimen means taking a specimen of saliva using either a viral swab stick from the oral cavity only; or self-production of a saliva specimen directly into a sterile specimen container;

secondary contact in relation to a person who has tested positive for COVID-19 is—

- (a) a person who has been in contact with a person who has been in contact with a person who has tested positive for COVID-19 (i.e. a primary contact) during their infectious period; or
- (b) A person who has been in contact with a person who has been at a Tier 1 exposure site listed on the SA Health Website at the relevant time.

the SA Health website is:

<https://www.sahealth.sa.gov.au/wps/wcm/connect/public+content/sa+health+internet/conditions/infectious+diseases/covid-19/testing+and+tracing/contact+tracing>

responsible person means a responsible person for a pathology service, and has the same meaning as in section 64 of the *South Australian Public Health Act 2011*.

Note—

Under section 64 of the *South Australian Public Health Act 2011*, the responsible person in relation to a pathology service is the pathologist responsible for the day to day operation of the pathology laboratory.

4—Application of this direction

This direction imposes obligations on a responsible person in relation to COVID-19 tests conducted by a pathology laboratory for which the person is responsible.

5—Direction

- (1) A responsible person must ensure that—
 - (a) the pathology laboratory is currently accredited by the National Association of Testing Authorities for Human Pathology (ISO 15189);
 - (b) all COVID-19 test collection, processing and reporting are subject to internal quality controls with effective oversight by trained scientists and clinical microbiologists;
 - (c) the pathology laboratory participates in an external quality assurance program, such as the Royal College of Pathologists of Australasia Quality Assurance Programs, and keeps evidence of its participation available for inspection by authorised officers;
 - (d) the SA COVID-19 Surveillance Plan is observed, including, in particular, the provisions of that Plan relating to testing of asymptomatic individuals;

- (e) any person taking specimens for the purpose of a COVID-19 test or a saliva COVID-19 test wears PPE in accordance with the policy of the Department relating to wearing PPE at medi-hotels or airports (as published by the Department from time to time); and
 - (f) saliva specimens for saliva COVID-19 tests can only be collected and saliva COVID-19 tests carried out if approved by the CPHO.
- (2) A responsible person must—
- (a) notify CDCB (in the electronic manner determined by the CPHO) of—
 - (i) details required by CPHO relating to each COVID-19 test conducted by the laboratory until the commencement of the *Emergency Management (Reporting on COVID-19 Testing) Direction 2020* as soon as practicable; and
 - (ii) details required by CPHO relating to each COVID-19 test conducted by the laboratory on and after the commencement of that direction; and
 - (b) subject to subclause (3), ensure that such notifications are given for at least 90 per cent of COVID-19 tests of a kind referred to in paragraph (a)(ii)—
 - (i) in the case of a test conducted in Metropolitan Adelaide or a township within 400km of Metropolitan Adelaide—within 48 hours of the taking of the swab; or
 - (ii) in any other case—within 72 hours of the taking of the swab.
- (3) Subclause (2)(b) does not apply—
- (a) if exceptional circumstances exist, such as if there is a breakdown in plant or equipment used for testing or an inadequate supply of reagents consumables, provided that the CPHO is notified of the exceptional circumstances as soon as practicable after they occur; or
 - (b) in relation to COVID-19 tests on specimens collected from remote communities.
- (4) A responsible person must ensure that a person who has undergone a COVID-19 test is notified of the test result—
- (a) in the case of a primary contact or secondary contact of a positive COVID-19 case, within 24 hours for at least 90 percent of cases; and
 - (b) in any other case, within 48 hours.

6—Powers of Authorised Officers

Nothing in this direction derogates from the powers of authorised officers to exercise powers pursuant to the Act.

IMPORTANT— IT IS AN OFFENCE TO BREACH THIS DIRECTION

This direction operates from the 26th day of July 2021 at 1645 hours

SIGNED at ADELAIDE on this 26th day of July 2021
at 1645 hours


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GRANTLEY STEVENS
STATE CO-ORDINATOR