

Governor Hogan issued several new orders affecting hospitals and nursing homes (i.e., orders were also issued regarding restaurants/bars, retail, gatherings). Below is a summary of the orders issued affecting hospitals and nursing homes today.

For MDACEP, the Hospital Surge Planning is the most relevant.

Hospital Surge Planning (Various Health Care Matters)

Page 5: Authorizes the use of any at home or self-collection test sample that has been approved by the FDA.

Page 8: Adds the requirement that hospitals utilize a prioritization algorithm on how they will curtail or suspend elective/ non-urgent procedures when additional patient capacity is needed. The Governor reminded hospitals not to schedule elective/non-urgent procedures that are likely to require prolonged artificial ventilation, ICU admission or may have a high probability of requiring post hospital care in a skilled nursing facility.

Page 11: Provides additional guidance/requirements for when a hospital may transfer a patient to another location even without the patient's consent. This is predicated on the fact that Maryland has reached 85% of hospital staffed beds (6,600). The Governor's Order "Establishing Alternate Care Sites and Authorizing Regulation of Patient Care Space in Health Care Facilities" has been revised (page 3) to suspend the following statutes, rules and regulations governing the patient's bill of rights in hospitals (Health-General 19-432 and COMAR 10.07.01.36B(2)) and guidelines governing the transfer of patients between hospitals (COMAR 10.07.01.23).

Page 11: Eliminates hospitalization visitation except for compassionate care, parents of minor patients, obstetrics, and support person for individual with disabilities.

Point of Care/Indoor Testing Notices

Two additional notices related to point of care testing and indoor COVID-19 testing were also released today. The first guidance provides information for organizations conducting indoor COVID-19 testing or specimen collection and discusses space, access (client flow), cleanliness standards, and operations. The second guidance is on the use of POC, reporting of POC (mandate for reporting to MDH), POC test "off-label use, and POC test result interpretation for healthcare providers.

Staff testing and Resident Testing in Nursing Homes (Pages 4 and 5 of the Amended Nursing Home Matters Order)

The State is **requiring** that staff, volunteers, vendors be tested twice a week with a combination of one PCR & one POC (done on different days) until further notice.

The State is **recommending** that facilities test twice weekly with POC, once weekly with PCR, so three times per week total.

Starting next week, all nursing homes in the State will receive a BinaxNOW device and enough BinaxNOW testing supplies to test all staff twice per week between now and the end of the year.

The State is **requiring** all residents who have not previously tested positive for COVID-19, per CDC guidance, to be tested using a PCR assay once a week, until further notice. Note: Admission or readmission of a resident already confirmed to have COVID-19 will not trigger this requirement.

Visitation in Nursing Homes (Pages 7 and 8 of the Amended Nursing Home Matters Order)

- No change in outdoor visitation.

- All visitors must have proof of a negative COVID-19 test prior to their visit, regardless of the rate of positivity in the county. They must have been tested within 72 hours of their visit.
- If a local jurisdiction is below 5% positivity, nursing homes shall continue to implement CMS guidance (September 17th) on visitation.
- If the local jurisdiction is within 5-10% positivity, each nursing home shall restrict the number of indoor visitors to no more than 5% of the total residents at the facility at any one time.
- If the local jurisdiction is greater than 10% positivity or if the facility is in a current outbreak situation, indoor visitation shall be prohibited.
- Compassionate care visitation is always allowed, and each facility may determine on an individual basis requests for a compassionate care visit. This is true even when the facility is currently in outbreak status and visitation is not allowed. A negative test is still required for a compassionate care visit.