



## Order of the Acting Secretary of the Pennsylvania Department of Health Further Amending the Amended Order Requiring Skilled Nursing Care Facilities to Make Weekly Reports of Specified Data Regarding Supplies and Equipment

On December 24, 2020, the Department issued an order requiring all skilled nursing care facilities within the Commonwealth to report necessary data through the Nursing Care Facility Survey (Survey). This was ordered to protect the health of the people of this Commonwealth, and to determine and employ the most efficient and practical means for the prevention and suppression of disease. The Department of Health (Department) is changing the reporting requirements for the survey from daily reports to weekly reports. This updated order supersedes the order dated December 24, 2020.

As of May 26, 2021, I am hereby ordering skilled nursing care facilities within the Commonwealth to report specified items as directed below for the purpose of managing supplies and equipment and to help to manage the pandemic response. On March 6, 2020, the Governor issued a Proclamation of Disaster Emergency due to the emergence of COVID-19 in the United States and the Commonwealth of Pennsylvania. As of May 26, 2021, the Commonwealth of Pennsylvania has had over 1,197,000 positive cases of COVID-19 and over 27,000 deaths from the virus.

The Commonwealth's attempts to mitigate the effects of COVID-19 continue and, while cases and deaths in skilled nursing facilities have dropped, it is still necessary to track the disease in facilities. To continue tracking COVID-19 as best we can, and to determine where best to place assets to aid our health care systems and protect the Commonwealth it is necessary for those facilities to work with the Department and to provide the most current information on the availability of beds, staff, supplies and other essential items. Maintaining a consistent and constant flow of information between nursing care facilities and the Department is essential in managing any potential future medical surge that the pandemic could bring. Therefore, on this day, May 26, 2021, under the authority granted to me by law, I hereby order the following:

**Effective immediately and extending until further order, all nursing care facilities licensed in this Commonwealth are instructed to complete the Nursing Care Facility Survey (Survey) in a manner proscribed by the Department. Facilities must complete the fields of the Survey indicated to be mandatory on a weekly basis. While nursing care facilities will be required to complete the Surveys on a weekly basis, the data entered by the facilities should be cumulative. Nursing care facilities are permitted to select which day of the week will be the day that they submit their completed surveys. All nursing care facilities should submit their first weekly submission, on their selected day, sometime between May 30, 2021 and June 5, 2021. Subsequent completed surveys are required to be submitted every 7 days thereafter.**

The Department recognizes the tireless efforts made by health care professionals throughout this current emergency and that they are the front line of the response to this health care crisis. In order to support those efforts, the Department must have the most timely and accurate information available. Weekly data will provide a complete picture of the COVID-19 status and needs of a facility, versus a snapshot of a moment in time. The information contained in the Survey is crucial for the Department's ongoing efforts to allocate resources and plan for mitigation efforts. The Department's Order today is designed to ensure that the Department has all the information necessary to effectively battle this pandemic.

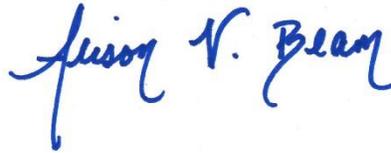
COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. See Section 5 of the Disease Prevention and Control Law, 35 P.S. §§ 521.1; 521.5, sections 2102(a) and 2106 of the Administrative Code of 1929, 71 P.S. § 532(a) and 536 and the Department's regulations found at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures). Particularly, the Department has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. See 35 P.S. §§ 521.5; 71 P.S. § 532(a), and 1402(a); 28 Pa. Code § 27.60.

Pursuant to the regulations promulgated under the Health Care Facilities Act, 35 P.S. § 448.801-904(b), nursing care facilities are required to report on forms issued by the Department, census, rate and program occupancy information as the Department may request. See 28 Pa. Code § 201.14(h). The Survey is related to the facility's census and program occupancy.

Additionally, nursing care facilities must maintain minimum standards as set by the Department. See 28 Pa. Code § 201.14(a). The Department is informing all nursing care facilities that minimum standards require your timely completion of the survey. Additionally, maintaining minimum standards requires following any disease control measure ordered by the Secretary of Health under the authority afforded to her by law and regulation. The current Order is such an order.

The Department determines that the appropriate disease control measure based upon COVID-19, the manner of its spread in the Commonwealth and in the world, and its danger to Pennsylvanians, is for health care facilities to provide the information in the Survey weekly.

**Accordingly, it is hereby ordered that all nursing care facilities shall complete the Survey once a week. This Order shall take effect May 30, 2021 and shall supersede the order dated December 24, 2020 and remain in full force and effect until further order.**



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Alison Beam, Acting Secretary  
Pennsylvania Department of Health