

Order of the Secretary of the Pennsylvania Department of Health Requiring Hospitals to Make Daily Reports of Specified Data Regarding Supplies and Equipment

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, I am hereby ordering hospitals 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. This information is needed due to development of “community spread” of COVID-19. 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. Since the Commonwealth of Pennsylvania confirmed its first case of COVID-19, positive cases continue to rise. As of March 24, 2020, the Commonwealth of Pennsylvania has nearly 900 positive cases of COVID-19 and reports 7 deaths from the virus.

The Commonwealth’s attempts to mitigate the effects of COVID-19 continue, but the number of cases is continuing to rise. If the pandemic curve is not flattened, meaning if our mitigation efforts do not sufficiently slow down the virus’ spread, the ability to maintain the health and safety of the Commonwealth will be put severely at risk. COVID-19 has stretched the limits of health care systems in other states and in other countries. Although we have attempted to use lessons learned from across the country and the world to protect this Commonwealth, there is a possibility that COVID-19 will overtax our Commonwealth’s health care systems. To prepare the Commonwealth for that medical surge as best we can, it is necessary for hospitals to work with the Department and to provide it with the most current information on the availability of beds, staff, supplies and other essential items. Maintaining a consistent and constant flow of information between hospitals and the Department of Health is essential in managing the medical surge that this current pandemic is likely to bring. Therefore, on this day, March 24, 2020, under the authority granted to me by law, I hereby order the following:

Effective immediately and extending until further order, all hospitals licensed in this Commonwealth are instructed to complete the **Essential Elements of Information (EEI)** data collection tool in the **Knowledge Center – Health Incident Management System (KC-HIMS)**. After initial completion, each hospital and each campus location of a hospital shall update the EEI survey three times a day at 0800, 1600 and 2400.

The updates shall include the following EEI categories (including all subcategories):

1. Available Beds

2. Psych Beds
3. Number of other beds in facility
4. Current Emergency Department Capacity
5. Number of COVID-19 Patients
6. Expected number of days remaining N95 respirators will last
7. Expected number of days remaining other PPE will last
8. Expected number of days remaining NP Specimen collection supplies will last
9. Number of ventilators in facility and usage
10. Number of employees unavailable for work

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. The information contained in the EEI 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 of Health's (Department) 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 § 28.60.

Additionally, pursuant to the regulations promulgated under the Health Care Facilities Act, 35 P.S. § 448.801-904(b), hospitals are required to follow all applicable state laws. *See* 28 Pa. Code §103.4(3). This would include 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 EEI at the times daily at the times prescribed.

Accordingly, it is hereby ordered that all hospitals shall complete the EEI survey in the KC-HIMS three times a day. This Order shall take effect immediately and remain in full force and effect until further order.

A handwritten signature in black ink, appearing to read 'RLV MD', is positioned above a horizontal line.

Rachel Levine, MD
Secretary of Health