



Order of the Secretary of the Pennsylvania Department of Health Requiring Hospitals to Implement Measures to Protect Hospital Staff and Patients

COVID-19 is a contagious disease that is rapidly spreading from person to person. People infected are capable of exposing others to COVID-19 even if their symptoms are mild, such as a cough, or even if they are asymptomatic. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes. Symptoms of COVID-19 may include fever, cough, shortness of breath, chills, repeated shaking with chills, muscle pain, headache, sore throat, and new loss of taste or smell. Early symptoms may also include chills, body aches, sore throat, headache, diarrhea, nausea or vomiting, and runny nose. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness.

Many places in the Commonwealth are continuing to experience "community spread" of COVID-19, which means that the illness is being transmitted through unknown sources, not from known areas of infection.

On March 6, 2020, the Governor issued a Proclamation of Disaster Emergency due to the emergency of COVID-19 in the United States and the Commonwealth of Pennsylvania. Since the Commonwealth of Pennsylvania confirmed its first case of COVID-19, the number of positive cases has continued to rise. Case counts rapidly increased throughout the Commonwealth in March and April 2020. As of June 9, 2020, every county in the Commonwealth has been affected, the number of cases 76,436, and 6,014 individuals have died from the virus.

In order to slow the spread and protect the people of the Commonwealth, the Governor and I issued orders on March 19, 2020, closing all Commonwealth businesses that are not life sustaining. *See Order of the Governor of the Commonwealth of Pennsylvania Regarding the Closure of All Businesses That Are Not Life Sustaining*, as amended; *Order of the Secretary of the Pennsylvania Department of Health Regarding the Closure of All Businesses That Are Not Life Sustaining*, as amended. On April 1, 2020, the Governor and I issued orders directing all individuals in Pennsylvania to stay at home. *See Order of the Governor of the Commonwealth of Pennsylvania for Individuals to Stay at Home*, as amended; *Order of the Secretary of the Pennsylvania Department of Health to Stay at Home*, as amended. Those mitigation efforts slowed the spread of the disease, protected our hospitals from being overwhelmed, and enabled our hospitals to care for our ill residents. Accordingly, in orders issued on May 8, 2020, the Governor and I suspended restrictions for certain areas instituted in the orders of March 19, 2020, as amended, and April 1, 2020, as amended. *See Order of the Governor of the Commonwealth of Pennsylvania for Limited Opening of Business, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts*, as amended; *Order of the Secretary of the Pennsylvania Department of Health for a Limited Opening of*

Businesses, Lifting of Stay Home Requirements and Continued Aggressive Mitigation Efforts, as amended.

There has been success in the mitigation strategies practiced by all persons in the Commonwealth and the overall number of new cases continues to slow, allowing the Governor to begin the careful and phased reopening of the Commonwealth. *See Order of the Governor for the Continued Reopening of the Commonwealth, as amended; Order of the Secretary for the Continued Reopening of the Commonwealth, as amended.* Hospitals continue to provide an important role in the Commonwealth's response. As part of that response, it is important to ensure that hospitals have implemented policies that protect hospital staff, patients, and visitors to prevent further spread. Hospital staff are at constant risk of exposure and it is the duty of the hospitals, with support from the Commonwealth as necessary, to put in place protective measures to keep hospital staff, patients and visitors as safe as possible during this pandemic. These protective measures are essential to managing the spread of COVID-19 and protecting the health and safety of all persons in the Commonwealth.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures, including, but not limited to, closure, isolation, and quarantine. 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. § 521.5; sections 2102(a) and 2106 of the Administrative Code of 1929, 71 P.S. §§ 532(a), and 536; and the Department of Health's regulations at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures; isolation; quarantine; movement of persons subject to isolation or quarantine; and release from isolation and quarantine). Particularly, the Department of Health 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.

Accordingly, on this date, June 9, 2020, under the authority granted to me by law and to protect the public from the spread of COVID-19, I hereby order:

Section 1: Definitions

"Hospital staff." includes but is not limited to medical staff, nursing staff, and employees or contractors that provide therapeutic services, social services, housekeeping services, dietary services, and maintenance.

Section 2: Measures to Protect Hospital Staff and Patients

- A. Each hospital licensed by the Department shall develop, implement and adhere to policies and procedures that provide for the safety of the hospital staff and patients. The policies and procedures must be developed in consultation with the medical staff and nursing staff, including professional and auxiliary nursing staff members, and implemented by 12:01 a.m. on June 15, 2020. The policies and procedures must

be made available to hospital staff upon implementation. The policies and procedures must, at a minimum, provide for the following:

- i. An exposure notification process to notify a member of the hospital staff of their “close contacts”, as defined by the Department’s Health Alert Network (PA-HAN) 510 or its successor, which is hereby incorporated by reference, with confirmed or probable COVID-19 cases. The policies and procedures must require the hospital to notify a member of the hospital staff who was in close contact with a confirmed or probable COVID-19 case as soon as practical but no later than 24 hours after the contact is known. Hospital staff receiving notice under this policy must also be given instruction for quarantine and work exclusion per the guidance provided in PA-HAN 484 or its successor, which is hereby incorporated by reference.
- ii. A process for all symptomatic and asymptomatic hospital staff members who have received notice of a close contact with a confirmed or probable COVID-19 case to undergo testing for COVID-19 upon request. Upon receipt of a positive test result, employees should be given instruction for quarantine and work exclusion per the guidance provided in PA-HAN 484 or its successor.
- iii. Procurement and distribution of Personal Protective Equipment (PPE) to hospital staff. The policies and procedures must, at a minimum, include distribution of respirators to hospital staff providing direct patient care to COVID-19 positive and suspected cases and hospital staff assigned to provide direct patient care in COVID-19 units. The respirators distributed by hospitals must be [National Institute for Occupational Safety and Health \(NIOSH\)-approved particulate filtering facepiece respirators](#), or if not available, respirators approved by the [Food and Drug Administration, including through an Emergency Use Authorization](#), as named in [Appendix A](#). The respirator distribution must occur prior to the beginning of the hospital staff member’s shift and the respirator must be replaced as soon as practical if the hospital is notified by a hospital staff member that their mask has become soiled, damaged, or otherwise ineffective.
- iv. Patient and visitor masking. The policies and procedures must require universal masking of all persons entering the facility with exceptions for persons for whom masking would create a further health risk or persons under two (2) years old.

Section 2: Effective Date

Compliance with this Order shall begin at 12:01 a.m. on June 10, 2020.



Rachel Levine, MD
Secretary of Health