GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-38
Ensuring Statewide Access to Care for COVID-19
Arizona Surge Line

WHEREAS, on March 11, 2020, I, as Governor of the State of Arizona, pursuant to A.R.S. §§ 26-303 et al and 36-787, issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, as of May 28, 2020, there have been 17,763 diagnosed cases of COVID-19 in Arizona including 857 deaths, and additional cases will continue to be diagnosed; and

WHEREAS, it is important to ensure that adequate capacity exists when patients with COVID-19 need to be hospitalized; and

WHEREAS, on March 26, 2020, I, as Governor of the State of Arizona, pursuant to A.R.S. §§ 26-303 et al and 36-787, issued an Executive Order 2020-16, *Increasing Hospital Capacity for COVID-19 Preparedness*, to ensure Arizona hospitals increase capacity to prepare for a potential influx of patients due to COVID-19; and

WHEREAS, Arizona hospitals and frontline hospital workforce have worked tirelessly to care for and protect the health and safety of Arizonans; and

WHEREAS, it is important to get individuals to the right level of care at the right time for the best prognosis and outcome; and

WHEREAS, statewide coordination of admissions, transfers, and discharges of COVID-19 patients is essential to maintain hospital capacity as hospitals and long-term care facilities work to respond to and mitigate the threat of the disease; and

WHEREAS, all Arizonans who need to be treated for COVID-19 must have access to care that is covered by their healthcare insurance, and both providers and consumers should not be subject to out of network costs for COVID-19 related state coordinated transfers and treatment; and

WHEREAS, on April 21, 2020, the Arizona Department of Health Services established the Arizona Surge Line, a statewide centralized bed placement system that facilitates the transfer

of suspected or confirmed COVID-19 patients to appropriate levels of care through a 24/7 call center; and

WHEREAS, the Arizona Surge Line has been identified as a best practice by the Centers for Medicare and Medicaid Services (CMS); and

WHEREAS, to date, the Arizona Surge Line has facilitated the transfers of over 400 patients to the appropriate level of care throughout the state.

NOW THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state, including but not limited to A.R.S. §§ 26-303 et al and 36-787, hereby order as follows:

1. A hospital, as defined in Arizona Administrative Code R9-10-101, shall:
    a. Utilize the Arizona Surge Line for interfacility transfer of patients with suspected or confirmed COVID-19 outside of their healthcare system;
    b. Accept and transfer patients as directed by the Arizona Surge Line, when clinically appropriate and resources allow;
    c. Create internal protocols to complete the bed placement within thirty minutes; and
    d. Electronically update bed and ventilator status in a format and frequency specified by the Arizona Department of Health Services.

2. Alternate care sites designated by State or local health departments shall:
    a. Utilize the Arizona Surge Line for interfacility transfer of patients with suspected or confirmed COVID-19;
    b. Accept and transfer patients as directed by the Arizona Surge Line when clinically appropriate and resources allow;
    c. Create internal protocols to complete the bed placement within thirty minutes; and
    d. Electronically update bed and ventilator status in a format and frequency as specified by the Arizona Department of Health Services.

3. The Arizona Department of Insurance, in conjunction with the Arizona Department of Health Services, shall require that all insurers regulated by the State cover COVID-19 transfer and treatment to and from all hospitals, healthcare institutions, or alternate care sites designated by the Arizona Department of Health Services at in-network rates without regard to whether the facility is in-network if the patient's transfer is facilitated by the Arizona Surge Line. Transfer and treatment shall be covered on the basis of admission date, and in-network coverage for treatment shall remain in place for the duration of a patient's admission facilitated by the Arizona Surge Line, including in the event that the COVID-19 Declaration of Public Health Emergency is terminated prior to patient discharge.

4. This executive order shall expire upon the termination of the Declaration of Public Health Emergency related to COVID-19 dated March 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this twenty-eighth day of May in the year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fourth.

ATTEST:

Secretary of State