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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH

ADMINISTRATION OF MEDICATION IN LONG -TERM CARE FACILITIES BY MASSACHUSETTS NATIONAL GUARD STAFF

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. On March 11, 2020, in view of the grave threat that the spread of COVID-19 presents to the public health, the Public Health Council authorized and directed me to act pursuant to M.G.L. c. 17, §2A and to take all appropriate actions, incur such liabilities, and establish such rules, requirements, and procedures necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth.

As of March 10, 2021, the Department of Public Health has reported 562,394 confirmed cases of COVID-19. The COVID-19 public health emergency will continue to produce an extraordinary demand on the Commonwealth's healthcare system, including Long-Term Care Facilities (LTCF), where 8,707 of the 16,176 total COVID-19 related deaths reported as of March 10, 20201, have occurred.

Easing certain requirements regarding authorization to administer medication will provide greater access to needed prescriptions for LTCF residents during the state of emergency and support the work of LTCF prescribers and nurses by providing needed staff support.

Accordingly, having received that authorization from the Council, and with the approval of the Governor, I issue the following Order:

For the duration of the state of emergency, an authorized prescriber may delegate administration of controlled substances by Massachusetts National Guard (MANG) paramedics to LTCF residents, notwithstanding M.G.L. c. 94C, § 9(a). In addition, Massachusetts National Guard staff who are registered nurses and licensed practical nurses who are working in such facilities may also administer medications to LTCF residents.

To implement this Order, the following sections of 105 CMR 150.000, *Standards for Long-term Care Facilities,* are hereby waived: 150.007(D)(4); 150.008(C)(1); 150.008(C)(4); and 150.008(G)(2)(e).

All applicable statute, regulations and guidance not inconsistent with this Order remain in effect.

This Order shall be effective for the duration of the State of Emergency and shall remain in effect until the State of Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

March 12, 2021