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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH IMPLEMENTING EMERGENCY CREDENTIALING AND LICENSED STAFF TRANSFER PROCEDURES FOR MEDICAL FACILITIES IN THE COMMONWEALTH

On March 10, 2020, Governor Charles D. Baker issued a declaration that a public health emergency exists in the Commonwealth due to due to the outbreak of the 2019 novel Coronavirus ("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 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 16, 2020, 197 cases of COVID-19 were reported by the Department of Public Health, with 10 of the 14 counties in the Commonwealth impacted, and all indications are that the number of cases continues to grow. The escalating COVID-19 public health emergency has begun and will continue to produce an extraordinary demand on the Commonwealth's healthcare system. Addressing this exceptional demand will require a degree of flexibility and responsiveness in the staffing of medical facilities that regular practices in the issuing of credentials and granting of privileges cannot accommodate.

Accordingly, in view of the need for expanded capacity and flexibility in the professional staffing of health care facilities to respond to the COVID-19 virus, pursuant to the authority granted by G. L. c. 17, § 2A and with the approval of the Governor and the Public Health Council, and in order to assure the maintenance of public health during the continuing public health emergency, I hereby issue the following Order:

1. Expedited Credentialing Procedures for Licensed Independent Practitioners

All hospitals and facilities licensed or operated by the Department of Public Health (each a "DPH Regulated Hospital or Facility") are directed immediately to implement expedited credentialing procedures pursuant to the hospital's or facility's emergency management plan in order to process applications from licensed independent practitioners seeking to practice at the hospital during the period of the public health emergency. Such expedited credentialing procedures shall comply with applicable standards issued by the Centers for Medicare and

Medicaid Services and guidelines issued by the Department of Public Health to implement the terms of this Order.

2. Expedited Transfers of Licensed Clinical Staff Among Facilities

During the period of the public health emergency, all licensed clinical staff, including but not limited to registered nurses, licensed practical nurses, respiratory technicians, and licensed independent practitioners, who are employed by or work at any DPH Regulated Facility are hereby authorized to work at any other DPH Regulated Facility.

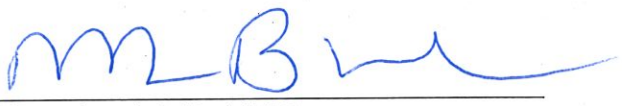
During the period of the public health emergency, all DPH Regulated Hospitals and Facilities are directed to accommodate the expedited exchange of licensed clinical staff between the licensed staff member's regular place of employment ("sending facility") and any facility to which the licensed staff member is transferred ("receiving facility") consistent with guidance issued by the Department of Public Health.

A sending facility will be required to confirm to the receiving facility that the personnel records maintained by the sending facility for any licensed staff member transferred to the receiving facility include evidence of (1) any required license or registration; (2) evidence that the licensed staff member has been vaccinated with seasonal influenza vaccine or has made an individual declination; and (3) completion by the sending facility of any required Criminal Offender Record Information check. A receiving facility is not responsible for collecting such information from a licensed staff member temporarily transferred to the facility under this Order.

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

This Order shall be effective immediately 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 17, 2020