The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH REGARDING SCHEDULING AND PERFORMANCE OF ELECTIVE INVASIVE PROCEDURES

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. The Public Health Council has approved and authorized me to take such actions, incur such liabilities, and establish such rules, requirements, and procedures which are 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, consistent with the Governor's declaration.

As of December 6, 2020, the Department has reported 250,022 confirmed cases of COVID-19 and 10,793 deaths among confirmed cases in the Commonwealth. There were 1,361 individuals who are infected with COVID-19 who are in the hospital, representing a more than 775% increase from the lowest observed value. As of December 7, 2020, all regions in Massachusetts have been moved to the Tier 3 designation of the Resurgence Planning and Response Framework due to the decreasing hospital capacity and increasing community transmission of COVID-19.

Accordingly, 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 the public health during the continuing public health emergency, I issue the following Order:

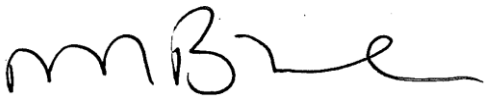
To protect patients and the healthcare workforce and conserve resources, all hospitals operated by the Department of Public Health or licensed pursuant 105 CMR 130, and all ambulatory surgical centers licensed pursuant to 105 CMR 140, shall implement procedures published by the Department of Public Health regarding the scheduling and performance of non-essential elective invasive procedures.

Facilities subject to this Order must continue to comply with all applicable statutes, regulations and guidance not inconsistent with this Order.

This Order supersedes my previous orders as to performance of elective procedures, dated March 15, May 18, June 6 and June 24, 2020; those previous orders are rescinded.

This Order be in effect from 12:01 a.m. on December 11, 2020, 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

December 7, 2020