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ORDER RESCINDING AND REPLACING THE MARCH 29, 2020 ORDER OF THE COMMISSIONER OF PUBLIC HEALTH MAXIMIZING HEALTH CARE PROVIDER AVAILABILITY

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 April 2, 2020, 8,966 cases of COVID-19 were reported by the Department of Public Health. The escalating COVID-19 public health emergency will continue to produce 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 certain, regular limitations on licensing of health care providers do not permit.

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 public health during the continuing public health emergency, I issue the following Order to rescind and replace the March 29, 2020 Order titled Maximizing Health Care Provider Availability:

1. Health care providers who are licensed in another State who present to the corresponding Massachusetts licensing authority verification that such license is in good standing in that other State where it was issued shall forthwith be issued a corresponding Massachusetts license that shall remain valid during the state of emergency. All health care providers licensed under this provision may provide services within the scope of practice authorized by the license in such profession, both in-person in Massachusetts and across State lines into Massachusetts using telemedicine where appropriate.

2. Individuals who have within the last ten years held a license to practice as a health care provider that was issued by a Massachusetts licensing authority, including but not limited to a state agency, a board of registration or division with licensing authority within a state agency, and whose license, registration, certification or authorization has expired, lapsed or been retired but is not revoked, suspended, surrendered or subject to any non-disciplinary restriction shall have their licenses immediately renewed or reactivated upon request, notwithstanding the applicant's completion of continuing education, or reactivation requirements, and shall remain valid until 90 days following the termination of the state of emergency. Any applicable renewal fee set pursuant to section 3B of chapter 7, or late renewal fee shall be waived.

3. A board or licensing authority shall notify the Commissioner when it becomes aware of any individual instance where, due to special concerns, application of this Order may be contrary to the public interest. The Commissioner shall in her sole discretion determine whether to apply or suspend the terms of this Order in any such individual instance.

4. For purposes of this Order, the following terms shall apply:

   "License" shall include a license, registration, certification or authorization.

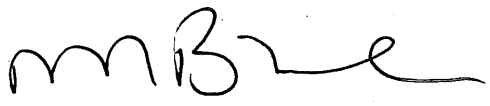
   "In good standing" shall include a license that is subject to probation or non-disciplinary conditions, but shall not include a license that is revoked, cancelled, surrendered, suspended, or subject to disciplinary restrictions.

   "Health care provider" includes a registered nurse, licensed practical nurse, advanced practice registered nurse, dentist, dental hygienist, dental assistant, pharmacist, pharmacy technician, nursing home administrator, physician assistant, respiratory therapist, perfusionist, genetic counselor, community health worker , emergency medical technician, social worker, psychologist, marriage and family therapist, licensed mental health counselor, rehabilitation counselor, applied behavior analyst, assistant behavior analyst, licensed school psychologist, licensed alcohol and drug counselor, radiologic technologist, radiologist assistant, and nuclear medicine advanced associate.

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

This Order shall take effect immediately and 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

April 3, 2020