GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-32

Requesting Exemption from Executive Order 2020-10

Elective Surgeries

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, on March 19, 2020, Executive Order 2020-10, *Delaying Elective Surgeries to Conserve Personal Protective Equipment Necessary to Test and Treat Patients with COVID-19,* was issued delaying non-essential, elective medical and dental surgeries to conserve hospital beds, personal protective equipment (PPE) and other equipment such as ventilators needed to treat COVID-19 patients; and

WHEREAS, as of April 22, 2020, there have been 5,459 diagnosed cases of COVID-19 in Arizona including 229 deaths, and additional cases will continue to be diagnosed; and

WHEREAS, since the issuance of Executive Order 2020-10, hospitals and healthcare providers have conserved PPE and built additional capacity in medical-surgery (med-surg) and Intensive Care Unit (ICU) beds; and

WHEREAS, hospitals and healthcare providers that have sufficient supplies of PPE, available capacity within their hospital, ability to test pre-operative patients and at-risk healthcare workers for COVID-19, and ability to protect their vulnerable patients should be able to resume elective, non-essential surgeries if they can demonstrate they can continue to meet criteria related to PPE, bed capacity, testing and precautions.

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 A.R.S. §§ 26-303 et al and 36-787 hereby order as follows:

1. The Arizona Department of Health Services shall establish minimum criteria that hospitals, healthcare facilities, and providers (including dental surgery providers) must demonstrate in a request for exemption from Executive Order 2020-10 that shall include:
    a. A continuing supply of PPE that will support the hospital, healthcare facility or provider for more than 14 days and that is not reliant on the state or a county health department; and
    b. Adequate staffing and bed availability with no greater than 80% of total bed capacity occupied, if it is a hospital; and
    c. Implementation of a robust COVID-19 testing plan to test all at-risk healthcare workers and each patient prior to the scheduling of an elective, non-essential surgery or during the pre-operative time period; and

d. Implementation of a process to identify, inventory and document the availability of PPE, test collection kits, and the availability of a lab that can run the COVID-19 diagnostic test; and
e. Implementation of a universal symptom screening process for all staff, patients, and visitors prior to entry into the facility; and
f. Implementation of an enhanced cleaning process for patient and waiting areas; and
g. Implementation of policies and procedures for appropriate discharge planning of patients, including pre-discharge diagnostic COVID-19 testing for patients transferring to a nursing care institution, residential care institution setting, or Group Home for the Developmentally Disabled; and
h. Implementation of policies and procedures that prioritize elective, non-essential surgeries based upon urgency following the Centers for Medicaid and Medicare Services (CMS) Adult Elective Surgery and Procedures Recommendations.

2. The Arizona Department of Health Services shall implement a process for hospitals, healthcare facilities and providers to request an exemption from Executive Order 2020-10 and demonstrate they meet the minimum criteria to resume elective, non-essential surgeries. Those receiving an exemption from Executive Order 2020-10 may begin these surgeries on or after May 1, 2020.

3. A hospital, healthcare facility or provider who has an exemption from Executive Order 2020-10 is not eligible to request or receive PPE distributed by the state or county health departments.

4. This order shall remain in place until further notice, and shall be reconsidered for repeal or revision every two weeks in conjunction with review of Executive Order 2020-10.

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

GOVERNOR

DONE at the Capitol in Phoenix on this twenty- second day of April 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