**ADMINISTRATIVE ORDER NO.: 2020-02 DATE: 03/13/2020**

**SUBJECT: WAIVER OF LICENSURE REQUIREMENTS FOR HEALTHCARE PROVIDERS**

By virtue of the authority vested in me by Mayor's Order 2020-046, dated March 11, 2020, Administrative Order No. 2020-01, dated March 13, 2020, by the Public Emergency Amendment Act of 2002, D.C. Official Code §7-2304.01(d), and the Uniform Emergency Volunteer Health Practitioners Act of 2010, D.C. Official Code § 7-2361.01 et seq., it is hereby **ORDERED**:

## I. PURPOSE

The purpose of this Administrative Order is to set forth requirements under which licensure, registration or certification requirements, permits and/or fees shall be waived for healthcare practitioners appointed as temporary agents of the District of Columbia, in order to respond the COVID-19 public health emergency.

## II. FINDINGS AND ORDER

The Director of the Department of Health (Director), as the lead in the District's efforts in containment and mitigation of COVID-19, has determined that it is in the best interest of the health, safety and welfare of District residents to allow for certain healthcare providers who are properly licensed, registered or certified and in good standing in their home jurisdictions, to be appointed as temporary agents of the District of Columbia so they may provide healthcare services to District residents without a District license.

In response, the Director makes the following findings:

a. District of Columbia licensed healthcare providers have been the frontline of identifying, testing and treating patients with COVID-19.

b. As the number of COVID-19 infections rise, an increasing number of properly licensed healthcare providers in the District of Columbia have either been exposed or infected with COVID-19, requiring self-quarantine.

c. The spread of COVID-19 amongst licensed healthcare providers in the District of Columbia is impacting the ability of healthcare providers and healthcare facilities to provide safe and appropriate care to District residents.

d. There are additional healthcare providers, who are properly licensed, registered or certified and in good standing in their home jurisdictions, who can provide safe and appropriate care to District residents and are willing to relocate to the District to do so.

e. Additionally, as schools in many jurisdictions close, individuals attending schools located outside of the District of Columbia are returning home and no longer have access to their healthcare providers located outside of the District of Columbia.

f. It is in the best interests of these individuals that their healthcare providers be allowed to continue providing treatment to ensure continuity of care.

g. Current telehealth technologies allow for the safe treatment and care for patients, in accordance with the Guidance for Use of Telehealth in the District of Columbia, published March 12, 2020 and accessible at https://coronavirus.dc.gov as well as any applicable laws and regulations.

h. The District of Columbia is in immediate need of certain out of state healthcare providers to address the above concerns. However, the regular timelines for the licensure and credentialing of healthcare providers will significantly impede the ability of out of state providers to come to the District of Columbia and provide healthcare services to District of Columbia residents in a timely manner.

i. It is in the best interests of District of Columbia residents that licensure requirements be waived during the period of this public health emergency to allow certain healthcare practitioners who are not licensed in the District of Columbia, but who are properly licensed, registered or certified and in good standing in their home jurisdictions, to provide care to District of Columbia residents.

Based on the above findings, the Director makes the following Order:

a. Licensure, registration or certification requirements, permits and fees shall be waived for healthcare practitioners appointed as temporary agents of the District of Columbia.

b. Any healthcare provider appointed as a temporary agent is for the purposes of waiving existing licensure requirements only, and such temporary agents will not be working under the director supervision of the Director, but instead pursuant to the limitations set forth below.

c. Any healthcare provider who is licensed in their home jurisdiction in their field of expertise who is providing healthcare to District residents shall be deemed a temporary agent of the District of Columbia for the duration of this Order, pursuant to the below limitations:

    a. The healthcare provider is only providing healthcare services to individuals at a licensed healthcare facility located in the District of Columbia. This includes providing any services via telehealth; or

    b. The healthcare provider has an existing relationship with a patient who has returned to the District of Columbia, and the healthcare provider is providing continuity of healthcare services to said patient via telehealth in accordance with the Guidance for Use of Telehealth in the District of Columbia, published March 12, 2020 and

accessible at https://coronavirus.dc.gov as well as any applicable laws and regulations.

d. It shall be the responsibility of any healthcare facility utilizing the services of a temporary agent to verify their credentials and license status to ensure they are in compliance with this Order. The healthcare facility shall put in place a process by which the credentials and home jurisdiction license status of any temporary agent are routinely verified during the period of the public health emergency. It shall further be the responsibility of the healthcare facility to ensure proper supervision of any services being provided by a temporary agent.

e. The healthcare facility shall also maintain a list of any and all temporary agents being utilized, which shall be made available to DC Health for inspection upon demand. This list will include the name of every healthcare provider being used as a temporary agent, the profession of the healthcare provider, the location(s) in the District of Columbia where the healthcare provider will be practicing, and the home license jurisdiction of the healthcare provider.

f. Should it be determined that a temporary agent no longer meets the requirements for waiver of any licensure, registration or certification requirements, permits and/or fees pursuant to this Order, the healthcare facility shall immediately cease allowing said healthcare practitioner to continue providing care. The healthcare facility shall also notify the appropriate DC health professional licensing board as soon as they become aware of such information. Furthermore, any healthcare provider providing telehealth services to existing patients will cease all services immediately.

## III. DURATION OF ORDER

This Order shall remain in effect during the period of Public Health Emergency as declared by the Mayor in Mayor's Order 2020-046, unless earlier rescinded or superseded.

## IV. EFFECTIVE DATE

This Order shall become effective immediately.

LaQuandra S. Nesbitt, MD, MPH
Director
District of Columbia Department of Health