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State of Louisiana

Louisiana Department of Health

HEALTHCARE FACILITY NOTICE/ORDER
NOTICE #2020-COVID19-ALL-007

FOR IMMEDIATE RELEASE

TO: (1) All Licensed Health Care Facilities in Louisiana
(2) Healthcare Professionals licensed, certified, authorized, or permitted by any board, authority, or commission under LDH

FROM: LDH Office of Public Health
Jimmy Guidry, M.D., State Health Officer

RE: UPDATED NOTICE:
Medical and Surgical Procedures
Other Healthcare Services

DATE: March 21, 2020

This Healthcare Facility Notice will provide new information on Medical and Surgical Procedures, and shall supersede the information on Medical and Surgical Procedures in the LDH Notice #2020-COVID19-ALL-006 dated March 18, 2020; this Healthcare Facility Notice shall provide new information on other healthcare services. This directive is applicable to all licensed health care facilities in Louisiana, as well as all healthcare professionals licensed, certified, authorized, or permitted by any board, authority, or commission under LDH.

The State of Louisiana, Department of Health ("LDH"), is committed to taking critical steps to ensure public health and safety; to prevent the spread of COVID-19, the State of Louisiana, Department of Health, is **DIRECTING AND REQUIRING** that all licensed healthcare facilities in Louisiana and all healthcare professionals licensed, certified, authorized, or permitted by any board, authority, or commission that is under LDH, adhere to the following provisions, restrictions, and limitations, **EFFECTIVE IMMEDIATELY**:

SECTION I. MEDICAL AND SURGICAL PROCEDURES[1]

To aggressively address COVID-19, the Department takes the following measures to preserve Personal Protective Equipment (PPE) and to utilize hospital staffing, equipment, and bed capacity for the transition to the COVID-19 emergency.

[1] Dental Providers should continue to follow LDH Notice #2020-COVID-19-Dental Provider-004, dated 3.17.2020, and the guidance posted on the Louisiana State Board of Dentistry website.

A. The Department hereby directs that any and all medical and surgical procedures SHALL be postponed until further notice, subject to the exceptions in Section I, Paragraph B below.

B. The following exceptions will apply:

(i) Medical and surgical procedures are allowed in order to treat an emergency medical condition; for purposes of this Notice, "emergency medical condition" is the definition used in 42 CFR §489.24; such definition states that an "emergency medical condition" is defined as a medical condition manifesting itself by acute symptoms of sufficient severity (including severe pain, psychiatric disturbances and/or symptoms of substance abuse) such that the absence of immediate medical attention could reasonably be expected to result in:

(a) Placing the health of the individual (or, with respect to a pregnant woman, the health of the woman or her unborn child) in serious jeopardy;
(b) Serious impairment to bodily functions; or
(c) Serious dysfunction of bodily organs.

(ii) Medical and surgical procedures are allowed to avoid further harms from underlying condition or disease.

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SECTION II. Healthcare Services, Other than Medical and Surgical Procedures

A. The Department hereby directs that all healthcare providers transition all in-person healthcare services to a telehealth mode of delivery, when medically appropriate and when the same standard of care can be met as an in-person visit. Providers shall make a determination about the appropriateness of telehealth on a case-by-case basis. Providers may encounter legitimate and valid barriers to telehealth delivery and may not be able to shift all services to telehealth. Providers acting in good faith shall not be found to be in violation of this directive

B. The Department hereby directs that all healthcare providers postpone all in-person healthcare services that can safely be postponed for 30 days. Providers shall use their best medical judgment within the scope of their license to make this determination. Providers shall consider the entire clinical picture when determining if a service can be safely postponed, including the consequences to the patient of postponement and the consequences to the healthcare system. Providers acting in good faith shall not be found to be in violation of this directive.

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End of Memo