



Iowa Health Care Association
Iowa Center for Assisted Living
Iowa Center for Home Care

Summary of Relevant Points in Governor's Statement of Public Health Disaster Emergency

*IHCA's Regulatory & Legal Team Work Group
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SUMMARY OF RELEVANT POINTS IN GOVERNOR'S STATEMENT OF PUBLIC HEALTH DISASTER EMERGENCY

On March 18, Governor Kim Reynolds issued a [State of Public Health Disaster Emergency](#), effective from March 18 at noon through April 16. This puts in place several provisions which are relevant to IHCA members, highlighted below.

SECTION ONE

Activates the public health response and recovery aspects of the state disaster emergency plan.

This activation allows the state to use all resources it has - people, money, etc. - to address the disaster. For example, the state can now purchase, distribute and reallocate resources such as medical supplies. This would allow the state, were any Personal Protective Equipment (PPE) available via the stockpile or for some reason available to purchase, to buy it and distribute it according to their assessment of need among, other things.

SECTION TWO

Directs Iowa Department of Public Health (IDPH) to take necessary actions to mobilize public health response teams to assist overburdened local medical and public health personnel and hospitals.

These health response teams are essentially groups formed by the state to assist in various forms to help with the disaster, such as providing direct medical care and other supportive services. Facilities may be able to utilize the assistance of these teams in certain circumstances once they are formed.

SECTION FOUR

Directs all state agencies to develop plans to mitigate economic effects of the closings, including potential financial support, regulatory relief and other executive actions.

This is a general directive telling the other agencies to try to minimize the effects of the disaster by providing financial support, regulatory relief and other executive actions. IHCA is actively seeking regulatory relief for our facilities and home health agencies in order to help members cope during this time and will keep members updated.

SECTION EIGHT

Temporarily suspend the requirements for certificates of need.

Generally, under Iowa law, a facility would need to abide by requirements about the number of licensed beds they have been granted in their Certificate of Need. The purpose of this is to allow for additional beds to be available to place people in response to this disaster.

SECTION NINE

Temporarily suspends certain regulatory provisions and administrative rules relating to the use of telehealth or telemedicine, and further suspends rules requiring face-to-face interactions with health care providers and visitations.

Iowa provisions relating to the standards of practice of telemedicine are waived for MD and DO. The section has broad language stating it temporarily suspends other rules relating to preconditions or limits on telehealth or telemedicine. The rest of the section relates to substance abuse disorder or gambling programs.

SECTION TEN

Temporarily suspends certain provisions of state law and regulations that prohibit practice of “medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care and practice as a physician assistant” which have lapsed or inactive licenses which have lapsed in the last five years.

If the license for these individuals lapsed in the last five years, they can provide care **under state law**, as long as it's to victims of the COVID-19 emergency and during the time frame of the emergency. The language in this section of the proclamation is somewhat unclear, and we are seeking additional guidance. IHCA's guidance on this is to ensure that your nurses are still appropriately submitting their paperwork to renew their licenses etc. This is an appreciated relaxation but there are still many complicating factors. If you find someone you want to hire in the facility who has a lapsed license, IHCA **strongly** advises you speak with the association and or your counsel **prior** to utilizing that individual to provide care.

QUESTIONS

For questions, contact [Krissa Mason](#), VP, Regulatory and Legal Affairs at 800-422-3106.