



State of California—Health and Human
Services Agency
**California Department of
Public Health**



March 20, 2020

AFL 20-26

TO: General Acute Care Hospitals

SUBJECT: Suspension of Regulatory Enforcement of Hospital Requirements

AUTHORITY: Executive Order N-27-20

All Facilities Letter (AFL) Summary

This AFL notifies hospitals of a temporary waiver of regulatory requirements due to the state of emergency related to the Coronavirus Disease 2019 (COVID-19) outbreak.

Pursuant to the Governor's declaration of a state of emergency related to COVID-19, the Director of the California Department of Public Health (CDPH) may waive any of the licensing requirements of Chapter 2 of Division 2 of the Health and Safety Code (HSC) and accompanying regulations with respect to any hospital or health facility identified in HSC section 1250. CDPH is temporarily waiving licensing requirements and suspending regulatory enforcement of all licensing requirements for hospitals with the following exceptions:

1. Hospitals shall continue to comply with adverse event and unusual occurrence reporting requirements specified in HSC section 1279.1 and Title 22 California Code of Regulations section 70737(a).
2. Hospitals shall report any substantial staffing or supply shortages that jeopardize patient care or disrupt operations.
3. Hospitals shall continue to provide necessary care in accordance with patient needs and make all reasonable efforts to act in the best interest of patients.
4. Hospitals shall follow their disaster response plan.
5. Hospitals shall follow infection control guidelines from the Centers for Medicare and Medicaid Services (CMS) and the Centers for Disease Control and Prevention (CDC) related to COVID-19.
6. Hospitals shall comply with directives from their local public health department.
7. CDPH will continue to investigate and conduct enforcement activities for allegations of the most serious violations impacting health and safety, pursuant to Executive Order N-27-20 (PDF).

CDPH understands the importance of ensuring the health and safety of all Californians and maintaining vital access to acute care services. CDPH encourages facilities to implement contingency plans to address staff absenteeism and the rapid influx of patients. CDPH will continue to promote quality healthcare, provide technical assistance and

support compliance with core health and safety requirements, pursuant to Executive Order N-27-20 (PDF). CDPH is taking this unprecedented action due to the significant challenges California's health care system is facing as a result of the

COVID-19 outbreak. As a result of this temporary waiver, hospitals do not need to submit individual program flexibility requests.

This waiver is valid until **June 30, 2020** and may be extended based on any updated Executive Orders or guidance from CMS or the CDC.

For capacity tracking purposes during COVID-19, hospitals seeking initial licensure or to change beds or services to their license shall submit an application online at the CDPH Health Care Facilities Online Application webpage. This shall not require approval before the hospital may provide care, although CDPH will reach out to provide technical assistance to ensure patient safety and the quality of care.

If you have any questions about this AFL, please contact your local district office.

Sincerely,

Original signed by Heidi W. Steinecker

Heidi W. Steinecker
Deputy Director

Resources:

- Executive Order N-27-20 (PDF)
- CDPH Health Care Facilities Online Application webpage

Center for Health Care Quality, MS 0512 . P.O. Box 997377 . Sacramento, CA
95899-7377
(916) 324-6630 . (916) 324-4820 FAX
Department Website (cdph.ca.gov)



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