



AMENDED DIRECTIVE AND ORDER REGARDING VARIOUS HEALTHCARE MATTERS

Pursuant to Md. Code Ann., Health-Gen. §§ 2-104, 18-102, 18-103, 18-205, 18-902, 18-904, Public Safety § 14-3A-03, COMAR 10.06.01.06A

No. MDH 2023-04-18-01

With the end of the Federal Public Health Emergency and continued push to make COVID-19 operations a part of routine operations in Maryland’s healthcare system, I, Laura Herrera Scott, Secretary of Health, finding it necessary for the continued prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State.

This Amended Directive and Order replaces and supersedes the Directives and Orders Regarding Various Healthcare Matters, dated January 18, 2023, June 27, 2022, December 15, 2021, December 10, 2021, June 15, 2021, April 28, 2021, March 09, 2021, February 11, 2021, January 28, 2021, December 17, 2020, December 1, 2020, November 17, 2020, November 10, 2020, October 1, 2020, August 6, 2020, July 1, 2020, June 19, 2020, June 12, 2020, May 19, 2020, May 6, 2020, April 5, 2020, March 23, 2020; and the Directive and Order regarding Availability of Testing dated March 20, 2020; and rescinds the Directive and Order Regarding Office of Health Care Quality Oversight Activities, dated March 16, 2020.

COVID-19 TESTING

1. Testing

A. Point of Care Testing

- i. Point of Care COVID-19 testing devices, which have been given FDA emergency-use authorization (EUA) for COVID-19 antigen or molecular testing are approved for use in Maryland.

2. Severability

If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or

applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 18TH DAY OF APRIL 2023 AND ARE EFFECTIVE IMMEDIATELY.



Laura Herrera Scott, MD, MPH
Secretary



AMENDED DIRECTIVE AND ORDER REGARDING NURSING HOME MATTERS

Pursuant to Health General Article §§ 18-102, 18-103, 18-109, and COMAR 10.06.01.06

No. MDH 2023-04-18-02

With the end of the Federal Public Health Emergency and continued push to make COVID-19 operations a part of routine operations in Maryland’s healthcare system, I, Laura Herrera Scott, Secretary of Health, finding it necessary for the continued prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State.

This Amended Directive and Order replaces and supersedes the Directives and Orders Regarding Nursing Home Matters, dated January 18, 2023, September 30, 2022, August 26, 2022, June 27, 2022, January 13, 2022, September 08, 2021, August 18, 2021, June 15, 2021, May 04, 2021, February 11, 2021, December 8, 2020, November 17, 2020, October 27, 2020, October 1, 2020, July 24, 2020, June 19, 2020, April 29, 2020, April 24, 2020, April 9, 2020, and April 5, 2020.

1. **Protecting Nursing Home Residents:**

- A. Facilities licensed under Title 19, subtitles 3 and 14 of the Health-General Article and COMAR 10.07.02 (“nursing homes”) shall immediately ensure that they are in full compliance with all [U.S. Centers for Disease Control and Prevention \(CDC\)](#), [U.S. Centers for Medicare & Medicaid Services \(CMS\)](#) and [the Maryland Department of Health \(MDH\)](#) guidance related to Infection Prevention and Quality Improvement, including incorporating COVID-19 specific guidance, and ensure that they are complying with the most current guidance.
- B. Facilities shall provide COVID-19 guidance to all persons who enter the facility (e.g., staff, volunteers, vendors, and visitors) in accordance with the Centers for Medicare and Medicaid Services (CMS) Core Principles of COVID-19 Infection Prevention guidance (Ref: [QSO-20-39-NH](#) or as revised).

2. **Outbreak Prevention, Reporting, and Containment:**

A. **Facility Reporting to Health Department:** Consistent with [HHS hospital reporting requirements](#), and continued required reporting of outbreaks, all facilities shall report Monday through Friday on specified information as requested via the platforms as directed by MDH.

Each facility report shall include at least the following:

- i. Facility details and capacity;
- ii. Number of residents and staff with positive COVID-19 test results, including any known treatment, vaccination, and hospitalization data;
- iii. Number of resident deaths, by COVID-19 status; and
- iv. Number of residents with influenza, influenza like illnesses or respiratory illness symptoms.

3. **Penalties**

Persons who violate this Order and Directive may face administrative and criminal sanctions.

4. **Severability:** If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 18TH DAY OF APRIL 2023 AND ARE EFFECTIVE IMMEDIATELY.



Laura Herrera Scott, MD, MPH
Secretary



AMENDED DIRECTIVE AND ORDER REGARDING VACCINATION

MATTERS Pursuant to Health General Article §§ 18-102, 18-103, 18-109 and

COMAR 10.06.01.06

MDH No. 2023-04-18-03

With the end of the Federal Public Health Emergency and continued push to make COVID-19 operations a part of routine operations in Maryland’s healthcare system, I, Laura Herrera Scott, Secretary of Health, finding it necessary for the continued prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State.

This Amended Directive and Order replaces and supersedes the Directive and Order Regarding Vaccination Matters, dated January 18, 2023, June 27, 2022, December 15, 2021, September 08, 2021, August 18, 2021, August 5, 2021, June 15, 2021, March 22, 2021, February 4, 2021, January 21, 2021, January 14, 2021, January 1, 2021, and December 8, 2020.

1. **Definitions**

- A. “Vaccination Site” means any location at which COVID-19 vaccinations are offered to the public in accordance with the State of Maryland’s Vaccination Plan and includes, but is not limited to, the offices of health care practitioners, local health departments, pharmacies, urgent care centers, and any event at which vaccinations are offered in accordance with the State of Maryland’s Vaccination Plan or any other site or location within Maryland as designated by the Maryland Department of Health.
- B. “COVID-19 Vaccine(s)” means any COVID-19 vaccine that has U.S. Food and Drug Administration (FDA) approval or has been granted an Emergency Use Authorization from the FDA.

2. **Personnel Who May Administer Vaccines**

The following individuals may administer COVID-19 vaccines at vaccination sites:

- A. Health care practitioners licensed, certified, or registered under the provisions of the Health Occupations Article whose scope of practice includes the administration of vaccines;
- B. Other individuals provided that:
 - i. Each individual has successfully completed training on the administration of COVID-19 vaccines;
 - ii. Qualified supervisory personnel at the vaccination site reasonably determine that each individual is able to administer COVID-19 vaccines under appropriate supervision; and
 - iii. The individual administers the COVID-19 vaccine at the vaccination site under the reasonable supervision of qualified supervisory personnel; and
- C. Covered persons as defined in the [Declaration under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19 and nine amendments to the Declaration](#) (October 4, 2021) or as subsequently amended by the Secretary of the U.S. Department of Health and Human Services.

3. **Facilities that Require Proof of Vaccination Status**

- A. **Vaccine Requirement:** All staff of the facilities listed in paragraph 3B are required to show proof of COVID-19 vaccination, as determined by each facility's management. Staff includes, but is not limited to, regular and contractual employees, contractual staff, volunteers, and other state employees performing any duties at the facility.
- B. **Facilities:**
 - i. All hospitals and residential facilities operated by the Maryland Department of Health or any local health department.
- C. **Failure to comply:**
 - i. Failure to meet the requirements of Section 3A will be required to wear appropriate personal protective equipment, as determined by each facility's management, in consultation with the relevant federal and state guidance, while on the facility's premises.
- D. **Reasonable Accommodation Requests**
 - i. A staff individual may request an accommodation by providing appropriate and sufficient documentation for bona fide medical or religious reasons. This request for an accommodation shall be made to and

reviewed and documented by the requesting staff's agency Equal Employment Opportunity/Fair Practices office.

4. Penalties

Persons who violate this Order and Directive may face administrative and criminal sanctions.

5. Severability

If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 18TH DAY OF APRIL 2023 AND ARE EFFECTIVE IMMEDIATELY.

A handwritten signature in blue ink, appearing to read "Laura Herrera Scott".

Laura Herrera Scott, MD, MPH
Secretary