



State of Louisiana

Louisiana Department of Health
Bureau of Legal Services

HEALTHCARE FACILITY NOTICE

EMERGENCY ORDER COVID19-ADC/ADHC/PACE

FOR IMMEDIATE RELEASE

TO: Adult Day Care (ADC) Providers
Adult Day Health Care (ADHC) Providers
PACE Providers

FROM: LDH Office of Public Health
Joseph Kanter, M.D.
State Health Officer

A handwritten signature in blue ink that reads "Joseph Kanter, M.D.".

RE: State Health Officer Order

DATE: May 14, 2021

EFFECTIVE DATES: This Emergency Order shall be effective immediately, beginning 7:00 a.m. on Monday, May 17, 2021, and shall remain in effect until further notice from the State Health Officer.

RATIONALE AND LEGAL AUTHORITY:

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a "public health emergency of international concern" (PHEIC). On January 31, 2020, Health and Human Services Secretary, Alex M. Azar II declared a public health emergency (PHE) for the United States effective January 27, 2020. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, *et seq.*, a state of public health emergency resulting from the outbreak of "coronavirus disease 2019" ("COVID-19") was declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020.

The COVID-19 outbreak in Louisiana continues. Measures are necessary to protect the health and safety of the public. The measures ordered herein are in line with the best guidance and direction from the Centers for Medicare and Medicaid Services (CMS) and/or the U.S. Centers for Disease Control and Prevention (CDC).

The State Health Officer expressly finds that the measures ordered herein are necessary to help control and prevent further spread of COVID-19, a communicable, contagious, and infectious disease that represents a serious and imminent threat to the public health.

NOW THEREFORE, pursuant to the powers vested in me by L.R.S. 40:1 et seq., particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(2), I, Joseph Kanter, M.D., State Health Officer, do hereby issue the following emergency order:

- (1) All ADC, ADHC and PACE providers in Louisiana are eligible to re-open at 100% capacity.**
- (2) If a client/participant or staff of the ADC, ADHC, or PACE is fully vaccinated, they do not need to wear a mask or social distance while at the facility. If a client or staff is not fully vaccinated, they do need to continue to wear a mask and social distance while at the facility. If a client/participant or staff is fully vaccinated and chooses to wear a mask and social distance, they are allowed to do so.**
- (3) Any ADC, ADHC, or PACE provider may impose stricter policies than mandated in this Order if the facility chooses, provided that the facility have a policy and procedure in place to address such restrictions.**
- (4) This State Health Officer Order replaces and supersedes any previously issued State Health Officer orders/notices to ADC providers, ADHC providers, and PACE providers, regarding closure and re-opening.**
- (5) This State Health Officer Order does not mandate that any ADC provider, ADHC provider, or PACE provider re-open.**
- (6) This State Health Officer Order does not mandate that any client or participant return to an ADC, an ADHC, or PACE Center.**

- (7) **Any ADHC provider that provides transportation to clients/participants shall follow the same protocols as identified in Number (2) above while any clients, participants and staff are in the vehicle.**
- (8) **The State Health Officer reserves the right to modify this order should COVID-19 transmission levels change in Louisiana.**
- (9) **The Louisiana Department of Health will revise the re-opening guidance attached to the State Health Officer Order #2020-COVID-19-ADC/ADHC/PACE-002, dated October 2, 2020, soon and will disseminate that guidance once complete.**
- (10) **If local ordinances and/or COVID-19 restrictions are more stringent than this order, the ADC, ADHC and PACE providers shall follow any local ordinance and/or COVID-19 restrictions.**

BY: Joseph Kanter, M.D. 5/14/21
Joseph Kanter, M.D. Date

Concurrence:

Dr. Courtney N. Phillips May 14, 2021
Dr. Courtney N. Phillips Date