

| Agency | Statute/ Regulation | Statute/Regulation's Purpose | Waiver Benefit/Explanation | Date Implemented/ Revised |
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| Administration | 71 Pa.C.S. § 2407 (Civil Service Reform Act) | Permits Emergency Appointments for a period of 30 days, with an option for 30 additional days, to prevent serious impairment of public business. | Temporary waiver to allow mission-critical civil service positions to be filled during this emergency for durations longer than 60 days. | March 28, 2020 |
| Administration | 4 Pa. Code §§ 604.5-604.9 | Sets forth the rules regarding the transfer and reassignment of civil service employees. | Temporary waiver to allow civil service employees to be transferred or reassigned, at the discretion of appointing authorities, to provide mission-critical services during this emergency. | March 28, 2020 |
| Administration | 71 Pa.C.S. §§ 2103 & 2602 (Civil Service Reform Act); 4 Pa. Code § 605.1 | Appointing authorities are required to furlough employees where a reduction in force is necessary. | Temporary waiver to allow appointing authorities to place employees on a leave of absence or to use paid leave rather than furlough the employee. | March 28, 2020 |
| Aging | 6 Pa. Code § 11.241 and 6 Pa. Code § 11.242 | Onsite annual inspection requirements. | If the Older Adult Daily Living Center is closed due to an emergency disaster as declared by the Governor at the time of license expiration, or if the closure extends past the time of license expiration, the Department would issue a provisional license, which will be in effect the day after the expiration of the previous license until 12 months following the date of issuance or until such time a full inspection can be conducted, and a regular license can be issued. | March, 2020 |
| Aging | 6 Pa. Code § 11.16(d)(1) | Requires the Older Adult Daily Living Center operators, within 3 working days after an unusual incident occurs, to conduct an investigation of the unusual incident and complete and send copies of an unusual incident report on a form specified by the Department to the Department. | Centers will be required to immediately report any case of a communicable disease identified in the emergency disaster declaration. | March 18, 2020 |
| Aging | 6 Pa. Code § 15.42 | Requires a protective services caseworker to conduct a face to face visit of an older adult to initiate and conduct Protective Services investigations. | By waiving this requirement, a protective services worker could initiate an investigation through another form of electronic communication. | March 18, 2020 |
| Agriculture | Section 914.1(h)(8.2) of the Agricultural Area Security Law; 3 P.S. § 914.1(h)(8.2) | Requires counties to spend or encumber allocated farmland preservation funds in two consecutive years. A balance of just | By waiving this requirement, several counties were granted more time to finalize pending agreements of sale. The early months of the pandemic resulted in a | November 23, 2020 |

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| | | over \$10 million in 2019 remained to be spent or encumbered by December 31, 2019. | delay in services necessary for easement purchase recommendations. | |
| Agriculture | 22 Pa.C.S. § 3713 | Continuing education provisions require Humane Society Police Officers to successfully complete a minimum of 16 hours of continuing education instruction, every two years, from the date on which individual was appointed – failure to complete minimum training results in automatic suspension of powers and authority. | By waiving this requirement, HSPOs can continue vital work without automatic suspension due to cancelled trainings and training provider can reschedule large, in-person trainings when it is safe. | April 14, 2020 |
| Agriculture | Pennsylvania Commercial Feed Act (Act of December 12, 1994, P.L. 903, No. 131) (3 Pa.C.S. §5101 et al). Only granted on case by case basis for requirements §5103 (related to licensing), §5104 (related to labeling), and §5105 (related to inspection fees) | Feed manufacturers required to hold a commercial feed license to distribute human food products as animal feed as well as to properly label the food product in accordance with PA Commercial Feed Act. | To help alleviate excess supply during COVID-19 by allowing farmers and food producers to distribute whole food products for animal feed under certain conditions, without licensing, labeling, and inspection fee. Not a blanket waiver, available on case by case basis, with approval by PDA. | April 13, 2020 |
| Agriculture | 3 P.S. § 459-902-A: Spaying or neutering as condition for release of certain animals. | PA Dog Law requires shelters and rescues to have dogs and cats spayed and neutered prior to adoption. | Temporary waiver to allow conservation of PPE and limit risk of exposure to COVID-19 for veterinarians and pet owners. Pet owners will have 120 days from the date their county of residence goes green to have the procedure completed and come into compliance. | April 2, 2020 |
| Agriculture | Section 455.8(a)(3) of the Pennsylvania Rabies Act | Requires pet owners to get rabies boosters at specific intervals and allows Bureau of Dog Law Enforcement (BDLE) to issue citations to pet owners who are out of compliance. | Allows pet owners to postpone rabies boosters from March 19, 2020 until 30 days after owner's home county moves to phase yellow. PDA BDLE will not issue citations to pet owners who fall under this waiver. | May 8, 2020 |
| Agriculture | 3 P.S. § 459-207(c) | The PA Dog Law requires dog wardens to inspect records of rescue network kennel homes, municipal holding pens, and other kennels that do not have dogs physically on its premises, such as Petsmart, Petco, and Tractor Supply. The record inspection involves an in-person or home visit. | Allows virtual record inspections to prevent possible COVID-19 exposure or spread. | April 28, 2020 |
| Agriculture | 7 Pa. Code § 27.10 | The PA Dog Law requires dog wardens to conduct annual inspections of registered dangerous dogs to ensure registrant | Allows virtual inspections of the dangerous dog enclosure. | April 3, 2020 |

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| | | is in compliance with the required enclosure for the dangerous dog. | | |
| Agriculture | 7 Pa. Code §§ 25.2 and 25.3 | The attendant regulations to the Dog Law allow shelters to submit claims for holding and disposing of unlicensed dogs apprehended running at large. Shelters must submit notarized affidavits and PDA audits records. | Waiver granted for holding and disposing recipients for the 1 st quarter on the notarization requirement for ADLEB 2 and the Disposition Record may be submitted electronically. Allows Bureau of Dog Law Enforcement (BDLE) to safely conduct audits without the need for a personal visit to what BDLE considers a high-risk facility due to COVID-19. This will also ensure that the shelters receive their holding and disposing. | April 3, 2020 |
| Agriculture | Section 914.1b(xvii) of the Ag Area Security Law | Requires counties to inspect preserved farms at least biennially to determine whether landowners are complying with the deed of easement. First inspection required within one year of settlement. | Waiver allows for six month delay of inspection of farms eased through the state Farmland Preservation Program. | April 21, 2020 |
| Agriculture | Pesticide Regulations: 7 Pa. Code Chapter 128 | Regulations require 3-year recertification timeline for private pesticide applicators. | A 2-month extension of a renewal period was granted due to COVID-19 disrupting mail and application processing. This extension allowed private pesticide applicators to purchase and make pesticide applications legally. | March 21, 2020 |
| Agriculture | Section 9311 (c.2) of the Racing Act (3 Pa.C.S. § 9311 (c.2)) | The Racing Act requires the Commission meet monthly. | The March Commission meeting was waived due to COVID-19 risks. (Update: Waiver no longer in effect - One-time meeting waiver. All Commission meetings have been held virtually since.) | March 16, 2020 |
| Agriculture | Racing Commission Regulation: 7 Pa. Code § 185.10 | All occupational racing licenses are issued for a period of 3 years on a staggered basis. License renewals must be submitted 60-days prior to expiration date. The renewal extension was necessary since racing and all licensing offices were closed. | The Directors of Standardbred and Thoroughbred Racing issued an Order waiving the regulatory period for license renewals. All licensees whose occupational licenses were set to expire during racing closure period will have 30 days from the resumption of racing to renew their licenses. (Update: Waiver no longer in effect - Racing resumed in mid-June and Commission licensing offices are now operational.) | March 25, 2020 |
| Agriculture | Racing Commission Regulation: 7 Pa. Code § 205.321 | Temporarily extended the 45-day qualifying requirement retroactive to February 1, 2020. | Waiver would allow the startup of racing to occur faster by facilitating the entry of horses outside of the 45-day rule. (Update: Waiver no longer in effect – | June 1, 2020 |

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| | | | Racing resumed in mid-June and the time period waiver is no longer needed.) | |
| Agriculture | Racing Commission Regulation: 7 Pa. Code § 203.5 | Temporarily suspended the requirement to conduct Breath Analyzer pre-race testing of drivers/trainers/grooms prior to races at harness racetracks. | Waiver Order issued to limit physical contact between licensees and Commission personnel and maintain social distancing protocols by DOH/CDC. (Update: Suspension of Breath Analyzer testing still in effect) | June 1, 2020 |
| Banking & Securities | 41 P.S. § 101, et seq. | Loan Interest Protection Law- Act 6- requires that notice be provided to debtors in foreclosure actions through the procedures delineated in 41 P.S. § 101, et. seq. | By the Governor's Executive Order suspending Act 6, notice of foreclosure required by Act 6 could not be accomplished- thus putting a moratorium on foreclosures through July 10, 2020 and then, through an extension, August 31. | May 7, 2020 July 9, 2020 |
| Banking & Securities | <ol style="list-style-type: none"> 1. 63 P.S. § 281-4 2. 7 Pa.C.S. § 6131 (a.1) & (f)(2) 3. 7 P.S. § 6102 4. 63 P.S. § 2501 (313)(a) 5. 63 P.S. § 2405 (2) 6. 73 P.S. § 2181 (8) 7. 7 P.S. § 6203 8. 12 Pa.C.S. § 6212 (b)(2) 9. 63 P.S. § 2301 (a) | Requires each location in the regulated business to be licensed by the Department | Allows a company or employee to self-quarantine, comply with a mandatory quarantine, or operate from an alternate and unlicensed location as a preventative measure without applying for, paying for, and being granted a license by the Department. | March 13, 2020 |
| Banking & Securities | 10 Pa. Code § 304.022 | Requires an Investment Adviser to submit a balance sheet by April 30 th | Extended the April 30 th deadline until July 31 st | March 25, 2020 |
| Banking & Securities | 10 Pa. Code § 303.012 | Requires an Investment Adviser to file its Form ADV annual amendment by March 31 st | Extended the March 31 st deadline to July 31 st | March 25, 2020 |
| Banking & Securities | 10 Pa. Code (multiple sections) | Relating to exam mandates and deadlines for the deputates for depository, non-depository, and securities | Allows greater flexibility in an emergency situation to complete exam mandates and deadlines, and filing deadlines in the event of quarantine | April 2020 |
| DCNR | 75 Pa.C.S. § 7711.1 (Registration of Snowmobile or ATV) | Registration certification required biennially | Extend ATV/Snowmobile registrations (aligned with PennDOT extensions) | March 27, 2020 |
| DDAP | 28 Pa. Code § 715.16(e) | Prohibits narcotic treatment programs (NTPs – methadone clinics) from permitting a patient to receive more than a 2-week take-home supply of medication. | In response to COVID-19, SAMHSA is allowing up to 28 days of take-home medications for patients on stable dosages, if the physician deems appropriate. | March 18, 2020 |

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| DDAP | 28 Pa. Code § 715.9(a)(4) | Requires NTPs to make a face-to-face determination before admission to treatment, for those clients who will receive buprenorphine treatment. | In response to COVID-19, SAMHSA is allowing initial evaluations for a patient who will be treated with buprenorphine to be completed via telehealth. | March 25, 2020 |
| DDAP | 28 Pa. Code § 715.6(d) | Requires NTPs to have narcotic treatment physician services onsite. | In response to COVID-19, SAMHSA is allowing initial evaluations for a patient who will be treated with buprenorphine to be completed via telehealth. | March 25, 2020 |
| PDE | 22 Pa. Code § 31.22 | Postsecondary academic year length requirement: “An academic year shall consist of instructional sessions for a minimum of 28 weeks exclusive of registration, examinations and holidays.” | Allows postsecondary institutions to shorten their 2019-20 academic year to a minimum of 26 weeks, due to the migration to remote learning necessitated by the COVID-19 pandemic. PDE will waive the requirement for all postsecondary institutions governed by the regulation, if requested. | May 4, 2020 |
| DMVA/ National Guard | 1. 51 Pa.C.S. § 709 2. Section 2407 of the Administrative Code of 1929 3. 4 Pa. Code §§ 39.93, 39.94, and 39.95. | National Guard members are not permitted to operate commonwealth-owned or leased vehicles. | The waiver allows National Guard members to operate commonwealth owned vehicles. Removing this barrier would make it simpler for the NG to transport the California cruise ship passengers to their homes upon their return to Pennsylvania. | March 12, 2020 |
| DMVA | 51 Pa.C.S. Chapter 85, Section 8504 (c) VTA | VTA Restrict applicants to apply one time in a 12 Month Period | This waiver gives DMVA the authority to grant a one-time waiver of Section 8504 (c) for any Veteran who has received a VTA grant within the last 12 months and can demonstrate that their current financial need is directly related to the COVID19 emergency. | March 27, 2020 |
| DMVA | Title 51 Pa.C.S. § 8904(3) Real Estate Tax Exemption | Requires recipients to have their eligibility reviewed at least once every five years to determine any changes in the economic status of applicants need. | The waiver would allow DMVA and the State Veterans Commission the ability to continue to grant RETX relief to those who are in their five-year financial review period, while providing the Department, the State Veterans Commission and the County Offices of Veterans Affairs more time to complete the required review. | January 7, 2021 |
| DOH-BFLC | 35 P.S. § 448.812 | Limits length of provisional license to 6 months. | Waiving this section allows the Department to extend a provisional license beyond 6 months if a survey cannot be completed to determine whether the facility has returned to substantial compliance. | April 15, 2020 |

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| DOH-BFLC | 28 Pa. Code § 51.3 | Requires 60 days' notice of new health care services or new beds. | Waiving this section allows facilities to give less than 60 days' notice of new health care services (including telemed), new beds, new use of space, etc. | May 6, 2020 |
| DOH – EMS | <p>35 Pa.C.S. § 8114(c), § 8115(c), § 8116(c), § 8117(c), § 8118(c), § 8119(c), § 8120(c), § 8122(b), § 8126(c)</p> <p>28 Pa. Code §1023.22 (b)(1) §1023.22 (d) (1), (2) §1023.24 (c) (1), §1023.25 (c) (1) §1023.26 (c) (1) §1023.27 (c) (1) §1023.28 (c) (1) §1023.29 (c) (1) §1023.30 (d) (1) §1023.31 (b) (2) §1023.31 (c) (2) §1023.31 (d) (2) §1023.31 (e) (2) §1023.31 (f) (2) §1023.31 (g) (2) §1023.31 (h) (2)</p> | Pertains to EMS certification requirements and renewals of certifications. | <p>This allows the EMS providers who have not yet renewed their certifications to continue to legally practice EMS in the Commonwealth.</p> <p>(Over 1,300 EMS providers are up for certification renewal 3/31/20 or 4/1/2020.)</p> | March 22, 2020 |
| DOH - EMS | <p>35 Pa.C.S. § 8130 (b) (1) § 8132 (b); § 8133 (b) (2); § 8134 (b)</p> <p>28 Pa. Code § 1027.33 (c) (1) ; § 1027.34 (b); § 1027.35 (b); § 1027.36 (b) ; § 1027.37 (b); § 1027.38 (b) § 1023.22 (b) (1) § 1027.31</p> | Pertains to EMS staffing requirements for BLS ambulances, iALS ambulances, ALS ambulances, ALS squads, BLS squads, and iALS squads. | Allows EMS agencies to operate ambulances with a reduced number of qualified/credentialed personnel according to real time guidance from the Department of Health. This allows EMS agencies to continue to respond to calls for service during expected surge/increases in volume/staff shortages. | March 22, 2020 |

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| DOH – BOL | 35 P.S. § 2163.1(b)(3) | Limits persons who can collect specimens for lab testing at health care provider locations/offices. | Allows clinical lab personnel to collect a specimen at a health care provider’s office for testing at the clinical lab. | June 2, 2020 |
| DOH – BOL | 28 Pa. Code § 5.41(a) | Requires a member of the healing arts licensed in the Commonwealth to request testing on specimens in order for a specimen to be collected from a patient by a clinical laboratory. | Suspends this requirement only for tests that are authorized for direct-to-consumer sales by the FDA. This suspension allows for increased access to COVID-19 testing for residents of the Commonwealth. This suspension allows PA residents to order a test online. The specimen collection supplies are shipped to the individual’s home, where the individual will self-administer a nasal swab, package their specimen, and ship it back to the lab. The test results can be accessed via an online portal. This process cuts out the need for a physician’s order and increases access to testing for the general public. For all other types of testing, a physician’s order would still be required under the Department’s Regulations. | December 21, 2020 |
| DOH – MM | 35 P.S. § 10231.802(a)(1) 28 Pa. Code § 1161.23 (a) | Requirement in 35 P.S. § 10231.802(a)(1) that dispensing must occur in an indoor enclosed facility and in 28 Pa. Code § 1161.23 (a), which requires dispensing to occur at the facility (which is defined as the secure building itself). | Allows dispensary employees to come out to the patient’s car, retrieve their card, go back inside and dispense product and then deliver to the car. Could limit dispensing to the “site” (which is defined as the total area contained within the facility’s property line boundaries). | March 20, 2020 |
| DOH – MM | 35 P.S. § 10231.303(b)(4) | Limit on patients assigned to one caregiver (currently 5) | Removing the current cap on patients assigned to one caregiver (5 patients per caregiver) provides for more caregivers to homebound individuals. | March 20, 2020 |
| DOH – MM | 35 P.S. § 10231.502 and 28 Pa. Code § 1191.27 | Requires background checks for caregiver renewal applications | Limit person-to-person contact during fingerprinting process. | March 20, 2020 |
| DOH – MM | 28 Pa. Code § 1181.21 | Details patient consultation requirements | Waiving “in-person” from the definition of patient consultation in 28 Pa. Code 1181.21 allows for remote consultations. (Limited to only renewals.) | March 20, 2020 |
| DOH – MM | 35 P.S. § 10231.405 and 28 Pa. Code § 1161.24(b) | Limits dispensing supply of medical marijuana to 30-days | Waives 30-day limit. Physicians would notate authorization to dispense a 90-day supply in the patient’s certification. | March 20, 2020 |

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| DOH - MM | 35 P.S. 10231.801(b) and 28 Pa. Code 1161.25(a) and (b) | Requires a medical professional – physician, pharmacist, physician assistant or certified registered nurse practitioner – to be on site at the dispensary during dispensing hours. | Allows remote access of electronic database to verify patient certifications, permitting medical professionals to work remotely. Medical professionals must remain available for remote patient consultation and must continue to verify each patient certification prior to dispensing. | December 14, 2020 |
| DOH – PDMP | 28 Pa. Code § 25.45 | Requires written/electronic prescription follow up within 72 hours after emergency oral prescription is issued. | Aligns with DEA-issued exception that provides for longer timeframe to submit written script after emergency oral prescription | April 25, 2020 |
| DOH – QA | 28 Pa. Code § 211.12(i) | Requires a minimum number of general nursing care hours be provided for each 24-hour period. | During the COVID-19 pandemic, nursing care facilities may not be able to maintain the 2.7 Per Patient Day (PPD) requirement. Facilities must ensure resident quality of care continues despite shortfalls in the 2.7 PPD. Facilities document on a monthly report when they drop below the 2.7 PPD and the reason behind the decrease. | March 18, 2020 |
| DOH – HPDP | 28 Pa. Code § 23.83 28 Pa. Code § 23.85 28 Pa. Code § 23.86 28 Pa. Code § 27.77(b) | Relating to school and childcare immunizations, requirements for children, exceptions and reporting. | Provides flexibility for students and families to stay updated on all vaccinations given the noted decline in vaccination rates due to lack of access caused by COVID-19 pandemic. | July 21, 2020 |
| DOS-BPOA | State Boards of: <i>Accountancy</i> – 63 P.S. § 9.2c(c) <i>Certified Real Estate Appraisers</i> – 63 P.S. § 457.4(i) <i>Chiropractic</i> – 63 P.S. § 625.301(c) <i>Crane Operators</i> – 63 P.S. § 2400.301(g) <i>Dentistry</i> – 63 P.S. § 121.1(c) <i>Professional Engineers, Land Surveyors and Geologists</i> – 63 P.S. § 151.1(c) <i>Massage Therapy</i> – 63 P.S. § 627.3(i) | Of BPOA’s 29 Boards and Commissions, 17 have statutory provisions that prohibit board members from being counted as part of a quorum or vote at a board meeting if they are not physically present (i.e., if they do not attend the meeting in-person). | Suspending the physical presence requirement allows boards to conduct meetings by conference call, online meeting platform, or the like. This suspension enables the boards to continue to meet and transact business, whereas they might otherwise be unable to meet if enough members were not able to attend in person or be in each other’s physical presence. This is particularly critical during the pandemic for boards that regulate and oversee health-care professions. The suspension also enables individuals who are quarantined or who face stay-at-home orders in their county to remain at home, and still be able to participate in board meetings virtually. | March 17, 2020 |

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| | <p><i>Medicine–</i> 63 P.S. § 422.3(c)</p> <p><i>Nursing–</i> 63 P.S. § 212.1(c)</p> <p><i>Examiners of Nursing Home Administrators–</i> 63 P.S. § 1103.1(g)</p> <p><i>Optometry–</i> 63 P.S. § 244.2a(c)</p> <p><i>Pharmacy–</i> 63 P.S. § 390-6(c)</p> <p><i>Physical Therapy–</i> 63 P.S. § 1302.1(d)</p> <p><i>Podiatry–</i> 63 P.S. § 42.2a(c)</p> <p><i>Psychology–</i> 63 P.S. § 1203.1(c)</p> <p><i>Social Workers, Marriage and Family Therapists, and Professional Counselors–</i> 63 P.S. § 1905(i)</p> <p><i>Veterinary Medicine–</i> 63 P.S. § 485.4(c)</p> | | | |
| <p>DOS-BPOA</p> <p><i>State Boards of:</i> <i>Medicine;</i> <i>Nursing;</i> <i>and</i> <i>Osteopathic Medicine</i></p> | <p>63 P.S. § 422.33</p> <p>23 P.S. § 6311</p> <p>35 P.S. § 872.9a</p> | <p>Various means exist for professionals licensed in other states to become licensed in Pennsylvania. In many instances, the requirements for such licensure may be time-consuming and/or burdensome.</p> <p>Means also exist to issue out-of-state practitioners a temporary license, but such license often comes with certain conditions that prevent said practitioners from providing their fullest scope of assistance.</p> | <p>These suspensions of certain existing requirements for traditional out-of-state licensure and/or existing types of temporary licenses - such as suspending certain continuing education requirements, letters of good standing, etc. - allows the health care workforce to be boosted by the added assistance of out-of-state practitioners.</p> | <p>March 18, 2020</p> |
| <p>DOS-BPOA</p> <p><i>State Board of:</i> <i>Medicine</i></p> | <p>49 Pa. Code –</p> <p>§ 17.3(a)(2)</p> <p>§ 17.3(b)</p> <p>§ 17.3(d)</p> | <p>The State Board of Medicine issues an “institutional license” to a qualified person who wishes to teach and practice medicine for a period of time in one of the medical colleges, but restricts the licensee to teach/practice at no more than two affiliated facilities.</p> | <p>Suspending the 2-facility maximum increases the number of available practitioners during the COVID-19 emergency. It effectively removes barriers that would prevent such practitioners from practicing their full scope or otherwise hamper their ability to provide</p> | <p>March 20, 2020</p> |

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| | | | assistance without regard to geography, facility location, or the like. | |
| DOS-BPOA <i>State Board of: Nursing</i> | 63 P.S. § 214.1 63 P.S. § 218.2(a) 63 P.S. § 218.3(b) 63 P.S. § 653.1 49 Pa. Code – § 21.7(a)(3)-(4) § 21.7(b)(5)-(7) § 21.149(a)(3)-(4) § 21.149(b)(5)-(7) § 21.273(b) § 21.273(c)(2) § 21.282a(b) § 21.283(a) § 21.284(a), (b) | Sets forth various restrictions and parameters for RN and PN graduate and temporary practice permits Restricts CRNPs from practicing outside of their specialty. Restricts CRNPs from collaborating with physicians who are not designated as primary or substitute physicians. Restricts CRNPs from prescribing drugs outside of the established formulary. | This suspension allows nurses with temporary practice permits, as well as nursing school graduates with graduate permits, to continue practicing during the COVID-19 pandemic disaster emergency. This suspension extends all temporary permits and suspends all fees associated with the extensions. | March 20, 2020 |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code – § 16.15(h), (j) § 18.3(b) § 18.5(a) § 18.5(i) § 18.6(7), (8) § 18.9(a)-(d) | Sets forth various restrictions and limitations regarding Nurse-Midwives and the practice of nurse-midwifery. | This suspends certain regulations related to Nurse-Midwives that, during the time of crisis, may unnecessarily limit the number of practitioners who could provide much-needed assistance (or in some cases, delay the availability of providers by several days or possibly weeks). The temporary suspensions allow for greater assistance from Nurse-Midwives. | March 20, 2020 |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 63 P.S. § 390-4.1(d) 63 P.S. § 390-8(2) 49 Pa. Code – § 27.11(f) § 27.12(b)(2) § 27.401(3) § 27.601 | Sets forth various limitations, restrictions and requirements re: non-resident pharmacies, pharmacy technicians, authorizations to administer injectables, pharmacy practitioners actively licensed in other states, and temporary emergency closures of pharmacies. | The suspensions increases certain individuals and entities ability to provide needed assistance in the COVID-19 response effort. | March 22, 2020 |
| DOS-BPOA <i>State Boards of: Medicine; and Osteopathic Medicine</i> | 63 P.S. § 271.10(g) 63 P.S. § 271.10(j.1) 49 Pa. Code – § 25.162(a)(4)(i) § 25.162(a)(4)(vi) § 25.162(a)(4)(viii) | Sets forth various limitations, restrictions and requirements re: Physician Assistants under the Board of Osteopathic Medicine and the Board of Medicine. | Suspension of these requirements during the disaster declaration allows Osteopathic Physician Assistants to assist with emergency response efforts more easily and effectively. (Physician Assistants that practice under the Board of Medicine do not require suspensions; their regulations already contain an | March 22, 2020 |

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| | § 25.162(b) § 25.178 § 18.155 (existing provision that already allows for emergency powers; no waiver needed) 63 P.S. § 422.13(d.1) 63 P.S. § 422.13(e) 63 P.S. § 422.13(e)(1) 49 Pa. Code § 18.142(a)(1) 49 Pa. Code § 18.142(a)(5) 49 Pa. Code § 18.142(b) 49 Pa. Code § 18.155 49 Pa. Code § 18.162 | | emergency medical services clause that allows them to respond to a need for medical care created by a declared state of emergency. However, for the sake of clarity and to minimize any confusion amongst practitioners, relevant provisions have been suspended. | |
| DOS-BPOA <i>State Boards of: Psychology; and Social Workers, Marriage and Family Therapists, & Professional Counselors</i> | 49 Pa. Code – § 41.33(a)(5) § 47.12c(b)(5) § 48.13(b)(5) § 49.13(b)(5) | Establishes requirements for licensure, including with regard to completing supervised clinical experience with certain face-to-face supervision requirements. | This suspension allows for supervision to be temporarily conducted through electronic means or other suitable online methods. | March 22, 2020 |
| DOS – Notaries | 57 Pa.C.S. § 306 | Current law requires notarial acts, even those performed electronically with respect to electronic records, to be done in the physical presence of the notary. | The personal appearance regulatory statute is temporarily suspended for notaries who are court reporters/ stenographers participating in criminal, civil and administrative proceedings in the Commonwealth. This suspension permits depositions, arbitrations, hearings and many other proceedings to be held via phone conference, video conference, or web deposition with a court reporter participating remotely, rather than having to cancel all such proceedings. | March 21, 2020 |

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| DOS-BPOA <i>10 Boards</i> | 49 Pa. Code – § 11.64(2)(iv) § 18.309a(2), (3) § 20.32(c) § 23.86(f) § 25.509a(a)(1) § 29.69(a) § 31.15(b) § 33.401(c), (d) § 41.59(e) § 47.33(d) § 48.33(d) § 49.33(d) | Regulations place restrictions on the number or percentage of continuing education hours that can be obtained through distance education. | This temporary suspension allows licensees to obtain an unrestricted amount of continuing education hours online or via distance learning during the COVID-19 pandemic. | March 22, 2020 |
| DOS-BPOA <i>State Boards of: Medicine; Osteopathic Medicine; Nursing; and Pharmacy</i> | 63 P.S. § 18.1(c) 63 P.S. § 218.5(c)(2) 63 P.S. § 222(e) 63 P.S. § 271.10(d) 63 P.S. § 271.10(f) 63 P.S. § 271.10b(f)(5) 63 P.S. § 271.13c(n)(5) 63 P.S. § 390-3(i) 63 P.S. § 390-3(j) 63 P.S. § 390-3.1 63 P.S. § 422.13c(n) 63 P.S. § 422.36(d) 63 P.S. § 422.36a(f)(5) 49 Pa. Code – § 16.15(e)-(h) § 16.19(b) § 18.145(c) § 18.309(a)(1) § 18.610(a)(1) § 21.5 § 21.29(c)(2) § 21.29(c)(3) § 21.253 § 21.271(a) § 21.271(b) | These statutes and regulations set forth the requirements for reactivating an inactive or expired license. | Suspension of these provisions allows for individuals in the healthcare field who have inactive licenses or have allowed their Pennsylvania license to expire, to seek reactivation and immediately resume work within their scope of practice, provided their inactive or expired license is/was in good standing. | March 25, 2020 |

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| | § 21.332a(a) § 21.805 § 21.824 § 21.828(b) § 25.163(b) § 25.163(c) § 25.231 § 25.271(c) § 25.503 § 25.509(a) § 25.509(c) § 25.807 § 25.810(a)(1) § 27.31(b) § 27.31(d) § 27.32 § 27.91 | | | |
| DOS – Notaries | 57 Pa.C.S. § 306 | Current law requires notarial acts, even those performed electronically with respect to electronic records, to be done in the physical presence of the notary. | For personal real estate transactions that were already in process, temporary suspension enables real estate professionals to complete transactions begun prior to the disaster declaration. For all commercial real estate transactions, the temporary suspension extends to both transactions that were already in process as well as new transactions during the emergency period. | March 25, 2020 |
| DOS-BPOA <i>State Boards of: Psychology; and Social Workers, Marriage and Family Therapists, & Professional Counselors</i> | 49 Pa. Code – § 41.32 § 41.33 § 47.12c(b) § 47.12d § 48.13(b) § 48.14 § 49.13(b) § 49.14 | The regulations establish that an individual training to become a licensed practitioner must complete a certain number of hours of clinical experience. | The suspension clarifies that individuals who are working towards licensure may utilize telemedicine to provide services to patients and have those clinical hours applied towards the total needed, so long as there is adequate supervision as provided in the regulations. | March 26, 2020 |
| DOS-BPOA <i>State Boards of: Barber Examiners;</i> | 63 P.S. § 518.1 63 P.S. § 563.1 49 Pa. Code – § 3.21 | Provides for the issuance of certain temporary licenses to students; establishes requirements for schools to submit notarized quarterly reports. | This suspension extends temporary licenses that otherwise would likely expire prior to the resumption of licensure examinations being administered. The | March 26, 2020 |

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| <i>and Cosmetology</i> | § 7.119(b) § 7.32g(b) | | suspension exempts schools from having to notarize the required quarterly reports. | |
| DOS-BPOA <i>State Board of: Funeral Directors</i> | 49 Pa. Code § 13.184 | Requires funeral directors to promptly prepare and bury bodies; establishes the maximum amount of time a human body may be retained. Special permission must be granted from the Board to exceed that maximum. | Increases the maximum retention time to provide funeral directors additional time, if needed in times of a surge, etc. This also preemptively reduces the need for what otherwise could be an unmanageable number of special permission requests. The Department has provided guidance encouraging that funeral directors meet the stated requirement and avail themselves of this waiver only when necessary. | March 30, 2020 |
| DOS-BPOA <i>State Board of: Osteopathic Medicine</i> | 63 P.S. § 271.4(3) 49 Pa. Code – § 25.231 § 25.246 | Sets forth the requirements and provisions for osteopathic physicians to obtain a “short-term camp license.” It requires practice in a camp and only permits licensure not to exceed three (3) months. | This waiver of the traditional requirements associated with a “camp license” provides a means by which a temporary license can be issued to out-of-state licensed osteopathic physicians to allow them to assist in the COVID-19 response effort. | March 30, 2020 |
| DOS-BPOA <i>State Board of: Nursing</i> | 63 P.S. § 216.2(c)(1) 63 P.S. § 218.2(b) 63 P.S. § 218.5(a) 63 P.S. § 655 63 P.S. § 656 49 Pa. Code – § 21.7(b)(2) § 21.17(3) § 21.17(5) § 21.149(b)(2) § 21.155(b), (d) § 21.158 § 21.282a(a), (b) § 21.812(a) | Sets forth various limitations, restrictions and requirements re: CRNPs and collaborative agreements, English language proficiency testing requirements for RN and PN temporary practice permits, educational hours requirements for PN licensure by endorsement and licensure by examination, the impact of certain regulations vis-a-vis certified registered nurse anesthetists, and educational equivalency requirements for CNS licensure by endorsement. | The waivers/suspensions provide increased flexibility, facilitate the ability of the identified individuals and entities to provide needed assistance, thereby boosting the healthcare workforce’s resources and overall COVID-19 response effort. | March 27, 2020 |
| DOS-BPOA <i>9 Boards</i> | 63 P.S. § 42.9a 63 P.S. § 122.1 63 P.S. § 479.10(b)(4) 63 P.S. § 485.19(a)(1) 63 P.S. § 485.19(a)(2) 63 P.S. § 1109(b) 63 P.S. § 1401-224 | The identified statutes and regulations set forth the requirements for reactivating an inactive or expired license. | Suspension/waiver of these provisions allows for individuals in the healthcare field who have inactive licenses or have allowed their Pennsylvania license to expire, to seek reactivation and immediately resume work within their scope of practice, provided their inactive or expired license is/was in good standing. | March 30, 2020 |

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| | 63 P.S. § 1401-225 49 Pa. Code – § 13.321, § 16.3(i), § 18.526(b), § 21.147, § 21.156, § 29.13, § 29.61, § 31.13(d), § 31.36(c), § 33.106, § 41.11(d), § 41.13, § 41.59, § 39.11(c), § 39.11(d), § 39.11(e), § 39.61, § 39.72, § 47.4, § 47.15(a)(5), § 47.15(b)(2), § 47.15(b)(3), § 47.15(c)(1), § 47.40, § 48.41, § 49.41 | | | |
| DOS-BCCO <i>applies to: Bureau of Corporations and Charitable Organizations (BCCO)</i> | 10 P.S. § 162.5(a), (k) | Requires organizations soliciting charitable contributions from Pennsylvania residents to register unless excluded or exempted from the Act, and then renew such registration annually based on the charity's fiscal year end. Prohibits charitable organizations from soliciting contributions before approval of its registration statement. | Waiver extends charitable organization registration renewal deadlines (and their corresponding registrations) for three months. This gives charitable organizations that are responding to or affected by the COVID-19 emergency additional time to renew and avoid having them expire. The Department has provided guidance encouraging charitable organizations to renew on time if possible; however, this waiver will ensure that their registrations will remain valid if they miss the deadline, which in turn will allow them to continue soliciting contributions. | April 1, 2020 |
| DOS – Notaries | 57 Pa.C.S. § 306 | Current law requires notarial acts, even those performed electronically with respect to electronic records, to be done in the physical presence of the notary. | Temporary suspension of physical presence requirement applies to powers of attorney, self-executing wills, advance health care directives, standby and temporary guardianship, and living wills. | April 2, 2020 |
| DOS-BPOA <i>State Boards of: Medicine; and Osteopathic Medicine</i> | 63 P.S. § 271.10b(b)(2) 63 P.S. § 422.36a(b) 49 Pa. Code – § 18.306(a)(2) § 25.506(a)(2) | Provide for the issuance of a “temporary permit” to, <i>inter alia</i> , students who are currently enrolled in a respiratory care educational program and expect to graduate within 30 days of applying for a temp permit. | Extends the time period for applying for a temporary permit to 90 days before graduation. This waiver allows students who would otherwise be in limbo to apply for a temporary permit immediately, which in turn will allow these individuals to enter the workforce before they graduate. | April 2, 2020 |
| DOS-BPOA <i>State Board of: Funeral Directors</i> | 49 Pa. Code § 13.40 | Requires that those training to become funeral directors - resident interns - must restart their training anew if there is an interruption of 30 days or more of their training period. | To account for the change in business operations due to the pandemic, this waiver expands the allowable interruption from 30 days to 120 days. This allows resident interns to continue with their training and remain on a path to licensure. | April 2, 2020 |

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| DOS – Lobbying | 65 Pa.C.S. § 13A03 65 Pa.C.S. § 13A05(a) | Requires that registered principals file quarterly expense reports with DOS “electronically ... no later than 30 days after the last day of the quarter.” Defines the phrase “reporting period,” establishing that the first quarter ends March 31 and the second quarter ends June 30. | Waiving and temporarily suspending the regulations that establish the lobbying disclosure first quarter reporting date allows all reporting entities the flexibility to focus on other tasks during the COVID-19 response while ensuring a minimal delay with lobbying reporting. | April 6, 2020 |
| DOS – Notaries | 25 P.S. § 3246(a) 57 Pa.C.S. § 306 | Requires that treasurers of political committees and each candidate for election to public office file periodic reports and statements on a schedule related to the election cycle, using forms designed by the Secretary of the Commonwealth. The forms approved by the Secretary require notarized signatures on the cover pages. | Waives the in-person notarization requirement for campaign finance reports and statements in favor of personal appearance via audio-visual technology. Further, the waiver adopts the use of an unsworn falsification standard and allows the required documents to be filed online and electronically using that standard until the COVID-19 health emergency subsides. | April 6, 2020 |
| DOS-BPOA <i>State Boards of: Accountancy; Barber Examiners; Cosmetology; and Nursing Home Administrators</i> | 49 Pa. Code – § 3.45 § 7.32(d) § 11.16(b) | Require that applicants or licensees perform or complete some act, or a series of acts within a fixed period of time, including certain training or education. | Waives the requirement that applicants for a barber license who fail or failed a portion of the barber or barber-teacher examination re-take the exam or any failed portion thereof within one (1) year of the initial testing, thereby allowing such applicants sufficient time once administration of licensure examinations resumes. Similar waivers apply to the requirement that applicants for a cosmetology license complete their training within four consecutive years, the requirement that applicants for an accountancy license pass all parts of the licensure examination within a rolling 18-month period, and the requirement that applicants for a nursing home administrator license complete their Administrator-in-Training (AIT) program within two years. | April 6, 2020 |
| DOS-BPOA <i>State Boards of: Dentistry; and Massage Therapy</i> | 63 P.S. § 122(j), (j.1) 63 P.S. § 130c(b)(3) 63 P.S. § 627.6(b)(1) 49 Pa. Code – § 20.21(b)(3) § 20.31(c)(3) § 20.32(d) § 20.42(a)(12) § 33.105(b) § 33.106(a) | Regulations require that an applicant or licensee be certified in cardiopulmonary resuscitation (CPR) or Basic Life Support (BLS). | Suspends the requirement that an active CPR or BLS be maintained during the pandemic if holders of those certifications are unable to obtain recertification due to COVID-19 related closures or stay-at-home orders. Also, the requirement that certification be obtained through “contact hours” is waived. Completion of certification online will be accepted. | April 7, 2020 |

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| | § 33.115(c)(2) | | | |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code §17.5(d) 49 Pa. Code §17.5(e) | Requires a GMT to pass Step 2 of the United States Medical Licensing Examination (USMLE) before entry into PGY2, and pass Step 2 plus Step 3 of the USMLE before entry into PGY3. | The waiver allows a facility's program director – in view of the fact that the USMLE is not being administered due to the closure of testing centers during the COVID 19 disaster declaration – to temporarily determine which residents have gained the skills and fulfilled the requirements necessary to advance in their PGY training. | April 7, 2020 |
| DOS-BPOA <i>State Boards of: Medicine; and Osteopathic Medicine</i> | 63 P.S. – § 271.13c(h)(3) § 271.13c(j)(1) § 422.13c(h)(1)(iii) § 422.13c(j)(1) 49 Pa. Code – § 18.604(d) § 25.804(d) § 18.606(c), (d) § 25.806(c), (d) | Sets forth various limitations, restrictions and requirements re: Perfusionists under the State Boards of Medicine and Osteopathic Medicine. | Suspension of the identified requirements during the disaster declaration will allow perfusionists to assist with emergency response efforts more easily and effectively. | April 9, 2020 |
| DOS-BPOA <i>State Boards of: Nursing; Occupational Therapy; Physical Therapy; and Speech-Language Pathology and Audiology</i> | 63 P.S. § 221(c) 63 P.S. § 1515 63 P.S. § 1517 63 P.S. § 1708(a) 49 Pa. Code – § 21.5 § 21.724 § 21.725 § 40.5 § 40.20(c), (d) § 40.191(g)(3) § 40.501 § 40.503 § 42.16(g)(1) § 42.17 § 42.53 § 45.1 § 45.14(a) | The identified statutes and regulations set forth the requirements for reactivating an inactive or expired license. | Suspension/waiver of these provisions allows for individuals in the healthcare field who have inactive licenses or have allowed their Pennsylvania license to expire, to seek reactivation and immediately resume work within their scope of practice, provided their inactive or expired license is/was in good standing. | April 7, 2020 |
| DOS-BPOA | 63 P.S. § 1302 63 P.S. § 1309 | Sets forth detailed requirements related to supervision of assistants and holders of temporary licenses, including | Waiver temporarily suspends certain requirements that explicitly call for “face-to-face” or “in-person” | April 13, 2020 May 19, 2020 |

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| <i>State Boards of: Occupational Therapy; Physical Therapy; and Speech-Language Pathology and Audiology</i> | 63 P.S. § 1503 63 P.S. § 1514 63 P.S. § 1703 49 Pa. Code – § 40.22(a)(3) § 40.32(a) §§ 40.51–40.55 § 40.161(c) § 40.165(a) § 40.166(f) §§ 40.171–40.173 § 40.173(a) § 40.173(b)(3) § 40.173(c)(1)-(6) § 40.173(d) § 40.181(a)(10), (11) § 42.22(d) § 42.23(a)(2), (b) § 45.2 § 45.20(g)(2)(i) | regulations that call for a certain amount of in-person or face-to-face supervision or in-person interaction wherein two or more individuals are required to be at the same physical location or on-site together, and/or in relatively close physical proximity to one another. | interactions between two or more people, which increases the risk of coronavirus spread. Also provides for an expanded scope of practice for certain licensees under the jurisdiction of the identified boards to boost response efforts during the COVID-19 pandemic and provide some relief in any staffing crises that may occur in the healthcare workforce. | |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 63 P.S. § 390-3(e) 63 P.S. § 390-5(a)(8) 63 P.S. § 390-8(2.1)(vi) 49 Pa. Code – § 27.1 § 27.12(b)(2) § 27.12(c)(1), (3) § 27.26(c) | Sets forth various limitations, restrictions and requirements re: pharmacy graduates and supervision of pharmacy interns, length of intern certificates, satellite pharmacies, and emergency prescriptions. | The waivers/suspensions provide increased flexibility and boosts the ability of the identified individuals and entities to provide needed assistance in the COVID-19 response effort. | April 13, 2020 |
| DOS-BPOA <i>State Boards of: Chiropractic; Dentistry; Medicine; Osteopathic Medicine; and Podiatry</i> | 63 P.S. § 42.2 63 P.S. § 271.2 63 P.S. § 422.2 49 Pa. Code – § 18.502 § 18.509(a)(1), (4) § 25.702 § 25.709(a)(1), (4) § 33.208(a)(1)(i) § 33.208(a)(1)(ii) | Sets forth scope of practice parameters for dentists, athletic trainers, chiropractors and podiatrists. | The requested expansions would permit Medical Doctors and Doctors of Osteopathic Medicine to delegate certain practices to the healthcare practitioners or technicians covered by these waivers. The expansions support the efforts to expand the pool of practitioners needed in hospitals, emergency rooms, nursing homes and long-term care facilities during a surge in COVID 19 cases or staffing shortages. This presents opportunities for trained health care practitioners not currently on the front lines of the | May 19, 2020 |

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| | § 33.208(a)(2)-(4) | | pandemic response to assist in response efforts if they so desire. | |
| DOS-BPOA <i>State Boards of: Medicine; and Osteopathic Medicine</i> | 63 P.S. § 422.2 63 P.S. § 422.11(a) | Sets forth regulations governing medical students that perform as “clinical clerks.” | The waivers remove the restriction that clinical clerks can provide services only in hospitals, and allow clinical clerks to be more broadly helpful during the COVID-19 emergency | April 13, 2020 |
| DOS-BCCO | 19 Pa. Code § 11.12(d) | BCCO regulations establish a rule that association filers (business and non-profit) have 30 days from the mailing (or emailing) of a rejection notice to resubmit corrected paperwork, in order to retain the original receipt date as the date of filing. | To address processing delays caused by COVID-19 and limited staffing availability, the waiver extends the time frame from 30 days to 60 days. This waiver is for association filings only. | April 18, 2020 |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code – § 17.7(c)(5) § 17.7(c)(9) | Sets parameters for graduate medical trainees (GMTs) to obtain an “interim limited license,” (sometimes referred to colloquially as a “moonlighting” license), which allows GMTs to practice outside of their hospital/residency program for up to 12-24 months. | By suspending two regulatory requirements, the usefulness and flexibility of the interim limited license during the COVID-19 emergency is improved. | April 17, 2020 |
| DOS-BPOA <i>8 Boards</i> | 63 P.S. § 664(a)(4) 63 P.S. § 129(a) 63 P.S. § 390-8(2) 49 Pa. Code – § 27.12(a) § 33.101(a), (b) | While some boards’ existing practice acts exempt many types of federal medical personnel from compliance with the associated practice act, other boards do not provide for such exemptions. For the latter group of boards, personnel are subject to applicable licensure requirements. | Suspending certain statutes and regulations regarding licensing, certification and credentialing of health care practitioners allows for an expansion of the practice capabilities, permissions and authorizations of those who already hold a license from another state and/or hold a license granted federally by the United States Armed Forces to render assistance to Pennsylvanians during the pandemic. The waiver enables trained health care practitioners and technicians serving in the U.S. armed forces to assist in the COVID-19 response effort and to augment the healthcare workforce during the emergency. | April 17, 2020 |
| DOS-BPOA <i>State Boards of: Massage Therapy; Medicine; Osteopathic Medicine;</i> | 63 P.S. § 271.10b(c) 63 P.S. § 422.13b(a) 63 P.S. § 422.36a(c) 63 P.S. § 627.5(c) 63 P.S. § 1306(g) 63 P.S. § 1309.1(a.1) 49 Pa. Code – | Provides for the issuance of certain temporary and provisional licenses to students, trainees and graduates. | Waivers extend the term of various temporary and provisional licenses. These licenses would otherwise likely expire prior to the resumption of licensure examinations being administered (i.e., the main reason the temporary licenses were issued in the first place), or the repeal of any quarantine or stay-at-home orders. | April 18, 2020 |

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| <i>and Physical Therapy</i> | § 18.306(b) § 18.507 § 18.705(d) § 18.811(d) § 18.813(d) § 18.821(d) § 18.823(d) § 18.831(d) § 18.841(d) § 20.26(c) § 25.506(b) § 25.707 § 25.905(d) § 40.22(b) § 40.166(d), (e) | | | |
| DOS-BPOA <i>State Board of: Certified Real Estate Appraisers</i> | 49 Pa. Code – § 36.2(c)(1) | Establishes that an approved application for certified residential real estate appraiser or certified general real estate appraiser is valid for one year, during which time the applicant must take and pass the certified appraiser examination. | Waiver allows appraiser applicants – whose one-year application approval is in danger of expiring due to the closure of testing sites – to take the test for up to 24 months without having to submit a new application. | May 4, 2020 |
| DOS-BPOA <i>State Board of: Crane Operators</i> | 63 P.S. § 2400.501(f) 63 P.S. § 2400.502(b) 49 Pa. Code – § 6.12 § 6.32(a) | Sets forth the requirement that all crane operators have a current, valid certification issued by an approved certifying organization. | Because crane operators have been unable to get recertified during the Covid-19 pandemic, and in order to avoid confusion and provide guidance to crane operators, the requirement to submit proof of certification or recertification to the board during the COVID-19 emergency is temporarily suspended for the duration of the Emergency Declaration and 30 days thereafter. This waiver will allow licensed crane operators adequate time to be recertified and submit proof thereof to the Board, and not have their licenses go expired during the pandemic. | April 23, 2020 |
| DOS-BPOA <i>State Board of: Dentistry</i> | 49 Pa. Code – § 33.103(a) § 33.103(b) | Sets forth the requirements for candidates seeking licensure as a dentist, and the requirements for candidates seeking licensure as a dental hygienist, including passage of specific written and clinical license examinations. Candidates cannot be issued a license until all required exams have been taken and successfully passed. | Because clinical dental and dental hygiene licensure examinations have been on hold since the beginning of the pandemic, candidates have been unable to advance towards getting their licenses and ultimately, starting their careers. The waivers provide a means of advancing these individuals towards both of those goals. Specifically, for dental students, the periodontal | April 24, 2020 |

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| | | | portion of the dental clinical exam is waived, the live-patient aspect of the restorative exam is temporarily waived, and in its place the Board will accept the ADEX non-patient based restorative dentistry examination. For dental hygienist students, the requirement that they take and pass the patient treatment clinical exam which requires a live patient is temporarily suspended. In addition, hygienist candidates who - other than the PTCE exam - have satisfied the requirements for licensure can apply for a provisional license, which will allow them to begin practicing until such time as the clinical examination becomes available again. | |
| DOS-BPOA <i>State Real Estate Commission</i> | 49 Pa. Code § 35.201 | Sets forth the pre-licensure education requirements for prospective applicants, the continuing education requirements for licensees, and the requirements for entities seeking to become approved education providers. | The waiver temporarily suspends the definition of “distance education,” to allow approved real estate education providers who offer courses via the traditional, in-person means to live-stream their course. | May 6, 2020 |
| DOS-BPOA <i>State Board of Physical Therapy</i> | 49 Pa. Code – § 40.15(b) § 40.164(a)(2) | These State Board of Physical Therapy’s regulations provide that physical therapy (PT) students and physical therapy assistant (PTA) students may not sit for their national licensure examinations until they have graduated from their respective programs. | This waiver allows PT and PTA students who have completed their didactic education but have not yet completed their clinical education to take the national examination up to 180 days prior to graduation. | May 6, 2020 |
| DOS – Notaries | 57 Pa.C.S. – § 321(d.1) § 321(d.2) § 321(d.2)(1) § 321(f)(1) § 326(c) | Sets forth the requirement that all appointed notaries obtain a bond, take an oath of office, and then record the bond, oath and their commission at the Recorder of Deeds Office. Appointees must also register their official signatures with the Prothonotary’s office of that county. Both actions must occur within 45 days. | This waiver extends - by up to an additional 30 days - the 45 days for appointed notaries to get sworn in and record the bond/oath/commission with the Recorder of Deeds and to register the notary signature with the Prothonotary. This extension will apply to all notaries whose 45 days expired or will expire on or after March 1 until the end of the disaster declaration. | May 6, 2020 |
| DOS – Elections | 25 P.S. § 2671 25 P.S. § 2674 25 P.S. § 2675(a) 25 P.S. § 2675(b) 25 P.S. § 3048(b) | Counties must wait until five days before the election to fill poll-worker vacancies. Also provides for certain parameters related to consolidation of election districts and polling places. | The five-day requirement interferes with the ability of counties to take necessary actions to fill these vacancies, as needed due to the pandemic. This waiver confirms and provides clarity that counties may fill these vacancies immediately. Also, in some counties, multiple election districts share a polling place location. To fully carry out Act 12’s polling place consolidations, this waiver confirms that provisions preventing effective implementation of Act 12’s consolidations are | May 6, 2020 |

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| | | | temporarily suspended. These clarifications confirm that counties may temporarily consolidate election district boards for the limited purpose of administering election day activities on June 2. | |
| DOS-BPOA <i>State Board of: Cosmetology</i> | 49 Pa. Code § 7.136 | The cosmetology apprentice program consists of 2,000 hours of instruction that follows certain prescribed curriculum requirements. Registered cosmetology apprentices receive a permit from the Board that is valid for two years, and apprentices must work at a minimum required pace of 25 hours per week. | Temporary suspension of the 25/hours-per-week minimum requirement allows all cosmetology apprentices sufficient time once pandemic restrictions are lifted and the emergency declaration ends to resume their training and acquire the needed hours. | May 19, 2020 |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code – § 16.92(b)(5) | Sets forth various parameters regarding the issuance of emergency oral prescriptions, including the requirement that prescribers deliver a written prescription to the dispensing pharmacist within 72 hours after authorizing an emergency oral prescription for a Schedule II controlled substance. | Temporary suspension of 72-hour requirement brings DOS regulation into conformity with waiver previously issued by the Department of Health for a similar 72-hour requirement in its regulations. | May 12, 2020 |
| DOS-BPOA <i>State Board of: Massage Therapy</i> | 49 Pa. Code § 20.11(a) | The regulations set forth the minimum curriculum for massage therapy students, with a detailed breakdown of the number of hours needed (600) and the subject matters areas that must be covered. All hours must be “contact hours,” which is defined as instruction done in the physical presence of an instructor or supervisor. No provision is made for distance learning or online instruction. | The COVID-19 emergency has required the temporary closure of massage therapy schools and businesses. These closures have made the task of acquiring 600 hours of in-class education more difficult for massage therapy students. Temporarily suspending the requirement that all hours of education be obtained entirely “in-class,” and allowing for a limited amount of hours to be acquired via distance learning, addresses this issue. | May 23, 2020 |
| DOS-BPOA <i>State Board of: Occupational Therapy</i> | 49 Pa. Code § 42.15 | For occupational therapy (OT) and occupational therapy assistant (OTA) students who have completed the education and experience requirements for licensure, provides for the issuance of a temporary permit while they await the next scheduled licensure exam. Permits remain valid for one year. | Waiver extends the one-year term of OT and OTA temporary licenses, to maintain their validity until such time as the relevant licensure examinations and testing centers/sites begin to become available again. Temporary license holders have a limited authorization to practice occupational therapy so long as it is done under the direct supervision of a licensed occupational therapist and at a level no higher than an assistant. | May 26, 2020 |
| DOS – Notaries | 57 Pa.C.S. § 307 57 Pa.C.S. § 319(c)(5) | Provides that a current, unexpired driver’s license can be used by a notarial officer as satisfactory evidence of the identity of an individual. Also requires notaries who rely on a driver’s license to indicate the dates of issuance and expiration indicated on the face of the license in their journal. | Waiver allows notarial officer to accept identity products that on their face appear to be expired, but that have actually been extended by PennDOT, as sufficient evidence of identity. Waiver also requires that notaries note in their journal the additional notation “pursuant to COVID waiver approved | May 26, 2020 |

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| | | | 5/xx/20,” to indicate the notary accepted a credential that was extended by PennDOT. | |
| DOS – Elections | 25 Pa.C.S. § 3507(a) 25 Pa.C.S. § 3509(2) | Uniform Military and Overseas Voters Act (UMOVA) requires that applications under the statute be made prior to the election, and also requires that voted ballots be sent (though not delivered) by 11:59 p.m., prevailing time, the day before an election. | Temporary suspension of the identified statutory provisions authorizes Pennsylvania National Guard members who declare on the Federal Write-in Absentee Ballot (FWAB) that they are eligible voters to use the FWAB pursuant to this waiver to apply-for and vote their ballot and mail the ballot by 8:00 p.m. on election day. | June 2, 2020 |
| DOS-BPOA <i>State Boards of: Barber Examiners; Cosmetology; Crane Operators; Medicine; and Osteopathic Medicine</i> | 63 P.S. – § 214.1 § 653.1 § 518.1 § 563.1 § 422.13c(h)(1)(iii) § 271.13c(h)(3) § 2400.501(f) § 2400.502(b) 49 Pa. Code – § 21.7(a)(3)-(4) § 21.149(a)(3)-(4) § 3.21 § 7.32g(b) § 18.604(d) § 25.804(d) § 6.12 § 6.32(a) | Statutes and regulations provide for various temporary practice permits, temporary graduate/student licenses and certain third-party certification requirements. Previously granted waivers allow those with certain temporary permits to continue practicing for fixed periods of time during the COVID-19 pandemic disaster emergency. | As a result of social distancing measures and limitations imposed on licensure examination facilities’ ability to operate at full capacity as states re-open, as well as the substantial backlog of applicants who need to reschedule exams that were cancelled in the wake of the coronavirus outbreak, several of the previous waivers for temporary permits require further extension beyond the length of time provided for in the respective original waivers. | June 16, 2020 |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code § 18.524(c) | Sets forth various criteria for licensure as a behavior specialist, one of which requires completion of at least 1,000 hours of in-person clinical experience. | The COVID-19 emergency restricted the ability of individuals in the midst of accumulating clinical hours of experience to meet with clients/patients in person. This waiver authorizes behavior specialists in training to recognize hours that utilize telemedicine or “teletherapy” as valid, and allow those hours to be applied towards the 1,000 hours of clinical experience requirement. | June 8, 2020 |
| DOS-BPOA <i>State Board of:</i> | 63 P.S. § 390-9.2(a) 63 P.S. § 390-9.2(b) | Statute allows licensed pharmacists with authorizations to administer injectables to administer influenza immunizations by injectable or needle-free delivery methods to persons nine | To help mitigate against crowded healthcare centers with patients in the event there is a second coronavirus wave during the upcoming flu season, and to enable a | July 2, 2020 |

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| <i>Pharmacy</i> | | years of age and older. | greater number of people to receive the flu immunization, this suspension allows pharmacists to administer any licensed, age-appropriate influenza vaccine to individuals 3 years of age or older. | |
| DOS-BPOA <i>State Board of: Landscape Architects</i> | 49 Pa. Code § 15.73(c) | Regulation places restriction on the number or percentage of continuing education hours that can be obtained through distance education. | Temporary suspension allows licensees to obtain an unrestricted amount of continuing education hours online or via distance learning during the COVID-19 pandemic. | June 26, 2020 |
| DOS-BPOA <i>State Board of: Barber Examiners</i> | 63 P.S. § 553(a) 63 P.S. § 553(d) 49 Pa. Code – §3.71(a) §3.71(d)(1) §3.90(e) | The statute provides for the number of hours of training needed for licensure. The regulations outline the required barber curriculum that is to be taught on-site in a licensed barber school, including the number of hours of instruction for each subject. | The waiver temporarily allows for up to 50% of theory-based course work to be delivered through distance education. | July 29, 2020 |
| DOS-BPOA <i>State Board of: Cosmetology</i> | 63 P.S. § 512(b.1)(1) 49 Pa. Code §7.32d(d) §7.113b(a) §7.116 §7.122 | The Cosmetology Law and regulations limit the number of hours cosmetology students may earn each day and per week, limit the number of years in which training must be completed, and establish certain square-footage requirements for the physical layout of schools. | Waiver increases the maximum allowable hours per day and week to give schools greater flexibility as they reopen, allow for an additional year in which training must be completed, and suspends square footage requirements to allow schools to secure additional temporary classroom space. | July 29, 2020 |
| DOS – BCCO | 10 P.S. § 162.5(a), (k) | Requires organizations soliciting charitable contributions from Pennsylvania residents to register unless excluded or exempted from the Act, and then renew such registration annually based on the charity's fiscal year end. Prohibits charitable organizations from soliciting contributions before approval of its registration statement. | A previously-granted waiver extended charitable organization registration renewal deadlines (and their corresponding registrations) for three months. Given that the disaster declaration has since been renewed, and because the COVID-19 emergency remains ongoing, this waiver further extends the charitable organization registration renewal deadlines. Further extending these deadlines will give additional time to charitable organizations that are responding to or affected by the COVID-19 emergency to renew their registrations and not have them expire as a result. | July 27, 2020 |
| DOS-BPOA <i>State Board of: Nursing</i> | This is an additional extension of the deadline for satisfying biennial renewal requirements. 63 P.S. § 221 49 Pa. Code § 21.29 | Licenses issued by the State Board of Nursing expire every two years, unless the licensee applies to renew his or her license prior to expiration, pays any required biennial renewal fee(s), and satisfies all other requirements for renewal. | A previously-granted waiver extended the biennial renewal deadline for certain registered nurses (RNs), clinical nurse specialists (CNSs), certified registered nurse practitioners (CRNPs) and Prescriptive Authority permits by 90 days (from April 30, 2020, to July 29, 2020). Given that the disaster declaration has been renewed, | July 29, 2020 |

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| | | | and because the COVID-19 emergency remains ongoing, this waiver further extends the biennial renewal deadline for these licensees by an additional 30 days (from July 29, 2020, to August 28, 2020). Further extending this deadline gives additional time to these licensees (many of whom are responding to or affected by the COVID-19 emergency) to renew their licenses and avoid having them expire because of the pandemic. | |
| DOS-BPOA <i>State Boards of: Nursing Home Administrators, Physical Therapy; Social Workers, Marriage and Family Therapists and Professional Counselors; and Speech-Language Pathology and Audiology</i> | 63 P.S. – § 1307.2 § 1309(c)(1) § 1309.1(j) § 1705(7) 49 Pa. Code – § 39.61 § 40.67 § 40.192 § 45.501(b) § 47.32 § 47.33 § 47.36a § 48.32 § 48.33 § 48.37 § 49.32 § 49.33 § 49.37 | Boards are responsible for establishing criteria and requirements for, and procedures for approval of, continuing education courses and providers, as well as parameters for recognition of CE credit(s). | Many of the licensed professionals overseen by the Department’s professional licensing boards and commissions have encountered difficulty finding continuing education opportunities in the midst of the pandemic. Further, county boards of elections expressed concerns regarding poll workers on election day due to the COVID-19 pandemic. This waiver seeks to address both of these issues. It waives certain requirements relating to continuing education for the identified Boards, to allow licensees to receive up to two (2) hours of continuing education credits for their service as a poll worker for the November 3, 2020, General Election. The waiver did not alter any of the requirements for poll worker qualifications. This waiver only suspends statutory and regulatory provisions that would prevent the listed boards from granting continuing education credit for working at the polls. | Sept. 3, 2020 |
| DOS-BPOA <i>State Board of: Medicine</i> | 49 Pa. Code § 16.92(b)(1) | Before a patient can be prescribed any controlled substance in Pennsylvania, a person licensed to practice medicine and surgery in the commonwealth (or otherwise licensed or regulated by the State Board of Medicine) must take an initial medical history and conduct an initial physical examination, unless emergency circumstances justify otherwise. This requirement curtails access to buprenorphine provided via | This waiver suspends the requirement to take an initial medical history and conduct an initial physical examination before prescribing a controlled substance for the duration of the COVID-19 disaster declaration. This waiver is specifically limited to the treatment of opioid use disorder with the FDA-approved, office-based treatment medication buprenorphine. | Sept. 4, 2020 |

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| | | telemedicine. In many instances, however, this creates a potentially insurmountable barrier for individuals who would benefit greatly from buprenorphine treatment. | Methadone treatment models that are restricted to DEA-approved opioid treatment programs are not covered by this waiver. | |
| DOS-BPOA <i>State Board of: Cosmetology</i> | 49 Pa. Code § 7.129 (sets forth the required basic curricula for the license types offered by the Board, identifies subjects to be covered and recommended hours of instruction for each subject matter area; regulation is silent on the issue of whether instruction must be entirely in-person, or whether some or all of the subjects may be taught via distance education, online learning, or the like) | The Cosmetology Law requires 1250 hours of education for licensure as a cosmetologist. Guidance was issued in March 2020 allowing cosmetology students to obtain up to 20% of the required 1250 hours through distance education. | The availability of distance education to cosmetology students has made an appreciable positive impact on students. However, many students reached the maximum allowed for distance education during the period the cosmetology schools were closed for in-person classes. Therefore, to enable cosmetology students to continue to attain educational content during the pandemic, the allowable distance education is increased from 20% to 50% across all license categories. | October 1, 2020 |
| DOS-BPOA <i>State Board of: Nursing</i> | This is an additional extension of the deadline for satisfying biennial renewal requirements. 63 P.S. § 663.1 49 Pa. Code § 21.156 | Licenses issued by the State Board of Nursing expire every two years, unless the licensee applies to renew his or her license prior to expiration, pays any required biennial renewal fee(s), and satisfies all other requirements for renewal. | A previously-granted waiver extended the biennial renewal deadline for certain licensed practical nurses (LPNs) by 90 days (from June 28, 2020, to September 28, 2020). Given that the disaster declaration has been renewed, and because the COVID-19 emergency remains ongoing, this waiver further extends the biennial renewal deadline for these licensees by an additional 30 days (from September 28, 2020, to October 30, 2020). Further extending this deadline gives additional time to these licensees (many of whom are responding to or affected by the COVID-19 emergency) to renew their licenses and avoid having them expire because of the pandemic. | October 1, 2020 |
| DOS-BPOA <i>State Boards of:</i> | 63 P.S. § 508 63 P.S. § 509 63 P.S. § 513 | The Cosmetology Law and Barbers' License Law prevent all students – including those enrolled in cosmetology and barber programs offered by one of the Commonwealth's 75 | The nature of the cosmetology and barber industries is inherently hands-on and interactive. In prior school years, CTC students perfected these skills on one | Nov. 24, 2020 |

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| <i>Barber Examiners; and Cosmetology</i> | 63 P.S. § 563 49 Pa. Code § 3.14 49 Pa. Code § 7.118a | Career and Technology Centers (CTC) – from practicing without a license, prohibit a student’s receipt of compensation for providing services, and otherwise limit the ability of a CTC student’s engagement in the profession through private industry. | another and on members of the public through school clinics. Unfortunately, due to the pandemic, not all school clinics are open to the public, thus depriving many CTC students of this opportunity. As a result, some of these students may be ineligible or unprepared for the licensure examination at the conclusion of the 2020-2021 school year. Waiving certain statutory and regulatory provisions will provide opportunities and flexibilities for CTC students to earn educational hours and practical experience, which in turn will help achieve the collective goal of students, educators and parents/guardians: graduating prepared and competent future cosmetologists and barbers. | |
| DOS-BPOA <i>State Board of: Nursing</i> | 63 P.S. § 214.1 63 P.S. § 653.1 49 Pa. Code – § 21.7(a)(3)-(4) § 21.7(b)(5)-(7) § 21.149(a)(3)-(4) § 21.149(b)(5)-(7) | Statutes and regulations provide for various graduate/student and temporary practice permits (TPPs) for registered nurses (RNs) and practical nurses (PNs), and set forth various restrictions and parameters for same. | Previously granted waivers allow those with certain temporary permits to continue practicing for fixed periods of time during the COVID-19 pandemic disaster emergency. The pandemic continues to cause disruptions and delays in the Board's ability to obtain the required documentation from these individuals, and while the Board's regulations do allow these TPPs to be extended, it would require each applicant to demonstrate “extreme hardship” - a process that would require substantial time and resources to examine individual hardship requests. This waiver extends all temporary practice permits for RNs and PNs and graduate temporary permits for RNs and PNs that were in effect on March 6, 2020, for an additional 90 days after the emergency declaration ends <i>unless</i> the TPP holder was subsequently was issued a license or failed the licensure examination after March 6, 2020. | Nov. 30, 2020 |
| DOS-BPOA <i>State Board of:</i> | 63 P.S. § 122(j.1) 63 P.S. § 130c(b)(3) 63 P.S. § 627.6 | Regulations require that certain applicants or licensees (licensed massage therapists, dentists, dental hygienists and expanded function dental assistants) and staff be certified in | Previously granted waivers suspended requirements related to maintaining active CPR or BLS certifications during the pandemic if holders of those certifications | Dec. 7, 2020 |

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| <i>Dentistry, and Massage Therapy</i> | 49 Pa. Code – § 20.21 § 20.31 § 20.32 § 20.42 § 33.105 § 33.106 § 33.115 | cardiopulmonary resuscitation (CPR) or Basic Life Support (BLS). | are unable to obtain recertification due to COVID-19 related closures or stay-at-home orders. For massages therapists, the previous waiver and deadline is further extended for the duration of the board's current renewal period which ends Jan. 31, 2020. For the identified dental licensees, the previous waiver and deadline is further extended for the duration of the board's current renewal period which ends March 31, 2020. Licensees may take online training classes in lieu of in-person training to renew their certifications, which will continue to be accepted as meeting the requirements for biennial renewal. | |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 63 P.S. § 390-9.2(b) | Authorizes registered pharmacy interns who have completed the required education and training to administer medications, biologicals and immunizations to persons who are more than eighteen years of age and influenza immunizations by injectable or needle-free delivery methods to persons nine years of age and older, but said administration must be occur under the direct, immediate supervision of a licensed pharmacist who holds an authorization to administer injectables. | To help mitigate against crowded healthcare centers and provide a greater number of people with convenient, limited-contact access to the flu immunization, the 9-years-or-older age limitation is temporarily suspended to allow pharmacy interns to administer influenza vaccines to individuals three years of age or older under direct, immediate supervision of a pharmacist holding an authorization to administer injectables. Pharmacy interns may also administer COVID-19 vaccines to people who are 18 or older only under the direct, immediate and personal supervision of a pharmacist holding the authority to administer injectable medications, biologicals and immunizations. | Dec. 8, 2020 |
| DOS-BPOA <i>State Board of: Dentistry</i> | 49 Pa. Code – § 33.103(a) § 33.103(b) | Sets forth the requirements for candidates seeking licensure as a dentist, and the requirements for candidates seeking licensure as a dental hygienist, including passage of specific written and clinical license examinations. Candidates cannot be issued a license until all required exams have been taken and successfully passed. | A previous waiver was granted that waived the Periodontal portion of the dental clinical examination, and temporarily waived the live-patient aspect of the Restorative exam and in its place allowed for a non-patient based exam. The previous waiver was limited to administration of the 2020 examinations and prospective dentist who have just graduated or who were about to graduate from dental school. This waiver extends that previous waiver for the 2021 administration of the exam and to all candidates for licensure as a dentist. | Dec. 7, 2020 |

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| DOS-BPOA <i>State Board of: Medicine</i> | 23 Pa.C.S. § 6383(b)(3)(i) 35 P.S. § 872.9a 63 P.S. – § 422.13c(n) § 422.33 § 422.36(d) § 422.36a(f)(5) 49 Pa. Code – § 16.15(e) thru (h) § 16.19(b) § 18.145(c) § 18.309(a)(1) § 18.610(a)(1) | Establishes requirements for professionals licensed in other states to become licensed in Pennsylvania, including the issuance of temporary licenses. Establishes requirements related to reactivation of licenses. Establishes requirements related to biennial renewal of licenses. | For the State Board of Medicine, a previously granted waiver allowed for out of state healthcare practitioners, who are licensed in good standing in their home jurisdiction, to apply for an Emergency Temporary License (with an expiration date of December 31, 2020) without meeting existing requirements for licensure - such as waiving certain continuing education requirements, letters of good standing, etc. This waiver allows for the continued issuance of the Emergency Temporary Licenses with a new expiration date of June 30, 2021 and also extends the expiration date of the already-issued Emergency Temporary Licenses from December 31, 2020 to June 30, 2021. Also extends previous suspension/waiver of certain provisions that allow for healthcare practitioners who have inactive licenses or expired licenses, to seek an expedited reactivation and immediately resume work within their scope of practice. Also extends the statutory deadline (Dec. 31 of even-numbered years) by which all licenses issued by the Board of Medicine expire from December 31, 2020, to March 31, 2021. | Dec. 21, 2020 |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 49 Pa. Code § 27.401(3) | Establishes requirement that pharmacists who hold Authorizations to Administer Injectables maintain active CPR certification. | A previous waiver of this regulation was approved to allow pharmacists with an active authorization to administer injectables – whose CPR certification may happen to expire during the COVID-19 emergency – to continue to administer injectables so long as he or she had a CPR certificate that was valid on 3/17/20. The previous waiver indicated that such certification would be accepted by the Board as valid through 12/31/2020. This waiver extends the previous temporary suspension by an additional 90 days, until March 31, 2021, and continues to allow pharmacists to take online CPR | Dec. 21, 2020 |

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| | | | training classes in lieu of in-person training to allow them to renew their CPR certifications prior to the new, extended deadline of 3/31/2021. | |
| DOS-BPOA <i>State Board of: Chiropractic; Dentistry; Optometry; Pharmacy and Podiatry</i> | 28 Pa. Code § 5.41(a) | Provides that specimens be accepted or collected from patients by a clinical laboratory only when tests are requested on the specimens by a member of the healing arts licensed to practice in this Commonwealth, or other persons authorized by statute, or authorized agents of the foregoing | To eliminate any uncertainty while in the midst of the pandemic, the identified licensees (chiropractors, dentist, optometrists, pharmacists and podiatrists) are expressly authorized to order and administer COVID-19 tests if they have been issued a clinical lab permit from the Pennsylvania Department of Health to conduct diagnostic lab testing. Such express authorization shall last for the duration of the emergency declaration and an additional 90 days thereafter. | Dec. 21, 2020 |
| DOS-BPOA <i>State Board of: Nursing</i> | 49 Pa. Code § 21.112 49 Pa. Code § 21.222(d) | Nursing students are permitted to administer vaccines, including influenza and COVID-19 vaccines, as part of their clinical placements through their nursing education programs under direct supervision of registered nurses, pursuant to 49 Pa. Code § 21.14(b), once properly trained. Nursing students are currently not permitted to administer vaccines or provide other nursing services outside of their clinical placements until licensed. | This waiver will permit nursing students who have expertise in the technical details of administering vaccines to serve as technicians, separate and apart from their clinical placements but without being licensed, to administer influenza and COVID-19 vaccines with supervision by a licensed healthcare practitioner consistent with the Pennsylvania COVID-19 Interim Vaccination Distribution Plan. | Dec. 24, 2020 |
| DOS-BPOA <i>applies to: 12 or more Boards within BPOA</i> | 49 Pa. Code – § 11.64(2)(iv) § 15.73(c) § 18.309a(2), (3) § 20.32(c) § 23.86(f) § 25.509a(a)(1) § 29.69(a) § 31.15(b) § 33.401(c), (d) § 41.59(e) § 47.33(e) § 48.33(d) § 49.33(d) | Regulations place restrictions on the number or percentage of continuing education hours that can be obtained through distance education. Previous waivers relating to these provisions were issued March 22, March 24 and June 26, 2020. | Effective January 1, 2021, for the boards and licensee types identified in the prior waivers – and any other BPOA boards, commissions, professions or occupations that may restrict or impose a limitation on the number or percentage of continuing education hours that may be accumulated through online learning or distance education – this waiver permits licensees to renew their license at their next renewal following January 1, 2021, utilizing CE obtained through either traditional, in-person courses or via distance learning. This means that licensees may satisfy up to 100% of their CE requirement for their next renewal with hours obtained entirely through online courses from providers of distance education that otherwise meet the applicable board’s continuing education requirements. | Dec. 24, 2020 |

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| DOS-BPOA <i>State Board of: Pharmacy</i> | 49 Pa. Code § 27.404 | A pharmacist who is authorized by the Board to administer injectable medications, biologicals and immunizations may only do so under either an order from a licensed provider or written protocol either approved by a physician or authorized by the medical staff of an institution. | The order/written protocol requirements are temporarily suspended to allow a pharmacist who holds a valid authorization to administer injectables the ability to administer a COVID-19 vaccine without an order from a licensed prescriber or protocol approved by a physician or authorized by the medical staff of an institution | Jan. 14, 2021 |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 63 P.S. § 390-9.2(b) | The statute provides for the supervision of registered pharmacy interns by pharmacists. | This suspension expands the category of permissible supervisors beyond licensed pharmacists, to include physicians and surgeons, physician assistants and nurse-midwives, certified registered nurse practitioners and registered nurses. In so doing, the suspension permits pharmacy interns to help vaccinate potentially thousands of additional Pennsylvanians. | Jan. 27, 2021 |
| DOS-BPOA <i>State Boards of: Medicine; Nursing; Osteopathic Medicine</i> | 63 P.S. § 422.10 63 P.S. § 213(a) 63 P.S. § 271.2 63 P.S. § 271.3 63 P.S. § 271.3(b) 63 P.S. § 422.2 63 P.S. § 422.12 63 P.S. § 664(a)(4) | The practice acts that govern the State Board of Medicine and State Board of Osteopathic Medicine prohibit a person from practicing medicine or osteopathic medicine, respectively, unless licensed in this Commonwealth. Similarly, the Professional Nursing Law (RN Law) and the Practical Nurse Law (PN Law) prohibit a person from practicing professional nursing or practical nursing unless licensed in the Commonwealth. | This suspension enables COVID-19 vaccinations to be safely administered by healthcare practitioners who hold active licenses in another state to prescribe, dispense and/or administer vaccines. The suspension is in line with the Federal PREP Act, generally, and meets the stated need to “expand the pool of available COVID-19 vaccinators in order to respond effectively to the pandemic.” | Feb. 9, 2021 |
| DOS-BPOA <i>State Boards of: Medicine; Nursing; Osteopathic Medicine</i> | 63 P.S. – § 213 § 271.3 § 422.10 § 422.25 49 Pa. Code – § 16.15 § 21.131 § 21.156 § 25.271 | The Medical Practice Act, Osteopathic Medical Practice Act, Professional Nursing Law, and Practical Nurse Law, prohibit the practice of medicine and surgery, osteopathic medicine and surgery, and professional and practical nursing, respectively, unless the person is licensed in the Commonwealth. In order to continue to practice at the expiration of the biennial periods, each of the referenced licensees must biennially renew their respective licenses. By continuing to practice on a lapsed or expired license, a licensee could be subject to the imposition of a civil penalty. | Temporarily suspending the identified renewal and reactivation provisions will enable physicians and nurses whose Pennsylvania licenses lapsed, expired or were inactive within the last five years to administer COVID-19 vaccines without reactivating or renewing their licenses in this Commonwealth. | Feb. 5, 2021 |
| DOS-BPOA <i>State Board of:</i> | 63 P.S. § 390-9.2(a) 49 Pa. Code § 27.403(a) | The statute and regulations that govern the State Board of Pharmacy allow pharmacists who have obtained authorization to administer injectables (and pharmacy interns | This suspension expands the pool of COVID-19 vaccinators to help increase access to COVID-19 vaccinations, thereby helping to align Pennsylvania's | Feb. 5, 2021 |

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| <i>Pharmacy</i> | | who meet certain training and other requirements) to administer injectables only to individuals who are more than 18 years of age. | response efforts with guidance issued by the federal government, as well as temporarily suspend certain state regulations in order to make it possible for that alignment to occur. It is also in line with the federal PREP Act's allowance for COVID-19 immunizations to be administered by pharmacists and pharmacy interns to individuals under age 18. | |
| DOS-BPOA <i>State Boards of: Medicine; Nursing; Osteopathic Medicine</i> | 35 P.S. § 449.42 35 P.S. § 449.43 49 Pa. Code § 16.18 49 Pa. Code § 21.601 49 Pa. Code § 21.602 49 Pa. Code § 21.603 49 Pa. Code § 25.601 49 Pa. Code § 25.602 49 Pa. Code § 25.603 | Under the Volunteer Health Services Act, 35 P.S. §§ 449.41-449.53, several health-related licensing boards under the Department have the authority to issue volunteer licenses to retired health care practitioners who hold an active, unrestricted license. A volunteer license holder is authorized to practice only in "approved clinics." Further, an applicant for a volunteer license is required to submit a letter signed by the director or chief operating officer of the approved clinic. | This suspension expands the pool of available COVID-19 vaccinators by allowing licensed volunteers to assist in settings other than just "approved clinics," and to do so without having to provide a letter from the owners or operators of each and every additional site or facility where a volunteer licensee provides COVID-19 vaccinations. | Feb. 5, 2021 |
| DOS-BPOA <i>State Board of: Medicine</i> | 63 P.S. § 422.2 63 P.S. § 422.11.a 63 P.S. § 422.11.c | The State Board of Medicine and State Board of Osteopathic Medicine regulate medical students only to the extent that they perform as "clinical clerks." The statutory definition of a clinical clerk varies slightly between the two boards. The Medical Board requires clinical clerks to be assigned to a hospital where they provide medical services while the Osteopathic Board does not have such a requirement. | Suspending these provisions of the Medical Practice Act will allow clinical clerks licensed under both boards to assist in administering COVID-19 vaccinations across the Commonwealth, and not just in the hospitals to which they have been assigned. | Feb. 5, 2021 |
| DOS-BPOA <i>State Board of: Dentistry</i> | 49 Pa. Code § 33.103(b) | Sets forth the requirements for candidates seeking licensure as a dental hygienist, including passage of specific written and clinical license examinations. Candidates cannot be issued a license until all required exams have been taken and successfully passed. | Continuing the suspension of the live-patient aspect of the dental hygiene clinical examination and permitting the Board to accept the ADEX Manikin examination for dental hygienists administered by CDCA and CITA for the 2021 administration of the examination in lieu of issuing a provisional license candidates for licensure prior to taking the examination, provides a viable alternative to the live patient examination for dental hygienists. | Feb. 5, 2021 |
| DOS-BPOA <i>State Board of: Pharmacy</i> | 63 P.S. § 390-9.2(b) 49 Pa. Code § 27.403(b) | The Pharmacy Act and the Board of Pharmacy's regulations only allow pharmacists to oversee (1) other fellow pharmacists and (2) pharmacy interns. Additionally, the Act and regulations prohibit pharmacists from delegating the task of immunization. | Temporarily suspending the prohibition against delegation of the authorization to administer injectables will allow pharmacists to delegate the authority to administer Covid-19 vaccines to other licensed health care practitioners whose scope of practice includes the administration of injectable | Feb. 19, 2021 |

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| L&I – UC | 34 Pa. Code § 65.11 | This regulation requires individuals applying for unemployment compensation benefits to conduct work search activities and register with the PACareerLink system. | Most individuals affected by COVID-19 business closures will return to work after their business re-opens, or after they have completed a quarantine period. In addition, individuals under quarantine cannot actively search for work; also, many area businesses in a containment area may temporarily suspend hiring due to closures. | March 16, 2020 |
| L&I – UC | 43 P.S. § 801(e)(1) | This statute requires that an individual be unemployed for a “waiting period” of one week before benefits are compensable. | Affected individuals may be unemployed due to quarantine; waiving the waiting week allows income replacement to be accessed for immediately. | March 16, 2020 |
| L&I – WC | 34 Pa. Code § 125.3(b) | Self-Insurance Regulations--Establishes deadline for filing self-insurance applications with Bureau of Workers’ Compensation | The suspension of the 3-month filing deadlines in 125.3 for self-insurance applications is made with the goal of ensuring employers’ ability to generally obtain and continue to maintain self-insurance coverage for employees during this emergency, as well as providing flexibility to Bureau operations in dealing with the emergency. | March 31, 2020 |
| L&I - WC | 34 Pa. Code § 125.7(b) | Self-Insurance Regulations--Allows for automatic extensions only for timely filed applications | The limitation of the automatic extension to timely-filed applications only in 125.7 where the Bureau fails to issue a decision prior to expiration of a prior permit is made with the goal of ensuring employers’ ability to generally obtain and continue to maintain self-insurance coverage for employees during this emergency, as well as providing flexibility to Bureau operations in dealing with the emergency. | March 31, 2020 |
| L&I - WC | 34 Pa. Code § 127.256 | Medical Cost Containment Regulations—Fee Review Decisions <u>within 30 days of</u> receipt of all required documentation from the provider. | The suspension of the 30-day requirement in 127.256 for the issuance of a decision on a fee review application by the Bureau is made with the goal of providing flexibility to Bureau operations in dealing with this emergency. | March 31, 2020 |
| L&I - WC | 34 Pa. Code § 129.1002(c) | Health & Safety Regulations—Workplace Safety Committee Applications—provides for submission of applications to the Bureau between 90 and 30 calendar days before WC policy, self-insurance, or group self-insurance fund year. | The suspension of the 90/30 filing deadlines in 129.1002 for workplace safety committee applications is made with the goal of encouraging the formation and continuation of certified committees in employer | March 31, 2020 |

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| | | | workplaces to address workplace safety and education during this emergency. | |
| L&I - WC | 34 Pa. Code § 129.1008(a) | Health & Safety Regulations—Workplace Safety Committee Applications—provides for submission of applications to the Bureau between 90 and 15 calendar days before WC policy, self-insurance, or group self-insurance fund year. | The proposal to suspend the 90/15 filing deadlines in 129.1008 for workplace safety committee applications is made with the goal of encouraging the formation and continuation of certified committees in employer workplaces to address workplace safety and education during this emergency. | March 31, 2020 |
| L&I – WC | Section 424 of the Workers’ Compensation Act, 77 P.S. § 855 | This statutory requirement mandates that the board will fix a time and place for an appeal hearing based on an alleged error of law. | Waiver permits WCAB to halt appeals hearings until reopening of commonwealth offices | March 31, 2020 <i>Rescinded July 23, 2020--superseded by Governor’s Executive Order of July 10, 2020 allowing for remote or virtual hearings.</i> |
| L&I – WC | 34 Pa. Code § 111.13 | Processing of appeals and cross appeals. | Allow the WCAB to continue to process appeals without an oral argument to avoid the need for counsel and parties to congregate for in-person oral argument as prerequisite to the WCAB’s consideration of appeals from the decisions of workers’ compensation judges | March 31, 2020 <i>Rescinded July 23, 2020--superseded by Governor’s Executive Order of July 10, 2020 allowing for remote or virtual hearings.</i> |
| L&I – WC | 34 Pa. Code § 111.17 | Establishing process for scheduling time and location of oral arguments in WC appeals process. | Allow the WCAB to continue to process appeals without an oral argument to avoid the need for counsel and parties to congregate for in-person oral argument as prerequisite to the WCAB’s consideration of appeals from the decisions of workers’ compensation judges | March 31, 2020 <i>Rescinded July 23, 2020--superseded by Governor’s Executive Order of July 10, 2020 allowing for</i> |

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| | | | | <i>remote or virtual hearings.</i> |
| L&I – WC | 34 Pa. Code § 111.24. | Disposition of request for supersedeas within 30 days of receipt by Board of the request or else the request will be automatically denied | Waiving this regulation eliminates time requirement to act on supersedeas requests | March 31, 2020 <i>Requesting rescission 1/14/21 Not needed by L&I at this time</i> |
| L&I – UC | 43 P.S. § 505.1 | Requires that UC appeals be held within the county in which the employee regularly reports to work. | Waiving the requirement that hearings occur within the county in which the employee regularly reports or reported to work, so that the hearings may be scheduled at an in-person location that remains open to the public during the health crisis or be scheduled as a telephone hearing. This limits the delay of waiting for a closed office to reopen and/or limit the exposure of any virus to the parties, the UC appeals referee, the UC referee office staff, and Labor and Industry staff. | March 31, 2020 |
| L&I – UC | 34 Pa. Code § 101.128 | Scheduling of telephone testimony for UC referee hearings. | Waiving the provision that a UC referee may schedule a hearing as a telephone hearing on his or her own motion only if a party is 50 miles from the hearing location or if other prerequisites are met. This enables the UC referee to schedule a hearing as a telephone hearing on his or her own motion to avoid the risk of exposure to COVID-19. Telephone hearings limit the exposure of any virus to the parties, the UC referee, the UC referee office staff, and Labor and Industry staff. A party still has the right to object to the receipt of testimony by telephone (see 34 Pa. Code §§ 101.129(b), 101.131(a)(b)), and if the objection is upheld, an in-person hearing could be scheduled at a later date, after the crisis is over. | March 31, 2020 |
| L&I – UC | 34 Pa. Code § 101.110 | Removes requirement that notices of decisions be mailed so that email can be used. | Waiving the provision requiring that notice of a decision of the Board be mailed so that notice can be accomplished by email. This enables Board decisions to be issued if mailing is delayed or rendered impossible due to COVID-19. To prevent the risk of compromising a claimant's social security number, social security | March 19, 2020 |

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| | | | numbers will be redacted from such notifications prior to emailing. | |
| L&I – UC | 34 Pa. Code § 101.83 | Removes requirement that notices of appeals be mailed. | Waiving the provision requiring that notification of filing an appeal be accomplished by either personal delivery or mailing so that such notification can be made by email or other communication. This enables notification to occur more quickly so that appeals can proceed more quickly. To prevent the risk of compromising a claimant's social security number, social security numbers will be redacted from such notifications prior to emailing. | March 19, 2020 |
| L&I – UC | 34 Pa. Code § 101.130 | Notice of testimony by telephone and use of documents in UC referee hearings | Waiving the provision that the notice of hearing and documents must be mailed and that such mailing be made at least 14 days in advance of the hearing. This gives the UC Referee the ability to send the notice of hearing and documents via email and/or otherwise be delivered and communicated with less than 14 days, but at least 3 days, notice. This enables telephone hearings to occur more quickly and to get appeals resolved more quickly. To prevent the risk of compromising a claimant's social security number, social security numbers will be redacted from all documents before emailing. If a party feels that he or she has not received timely and/or adequate notice of the hearing, he or she can request a continuance. (See 34 Pa. Code § 101.23(a): "The inability of a party to attend a hearing because he received less than 7 days' notice will be considered proper cause for continuance of a hearing."). | March 31, 2020 |
| L&I-OVR | 55 Pa. Code. § 2430.61(d) | Business Enterprise Program, Placement on List: This section addresses licensees who are displaced from their vending facilities through no fault of their own. This results in the licensee being placed on a list which entitles them to priority when other facilities come open. | The number of interstate rest stops and state and federal buildings that are closed creates an unusual number of "displaced licensees." If a situation arises with an opening that can be filled during this time, multiple licensees could be considered eligible for | March 18, 2020 |

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| | | | “immediate” award, which is infeasible. In addition, immediate award may not be feasible due to travel restrictions within the state as licensees will not be able to freely travel from quarantined sites to facilities. As a result, the "immediate" provision has been suspended. The remaining parts of the regulations are otherwise fully in effect. | |
| L&I - OVR | 55 Pa. Code § 2430.114(a) | Business Enterprise Program, Monthly Contact Report: This regulation requires that The Office of Blindness and Visual Services (BVS) staff will visit each facility at least once per month. | The mandate to conduct monthly visits should be suspended to allow BEP the flexibility to consider COVID-19 health risks in determining when and where to visit. In addition, these site visits are to observe the physical conditions of the vending facility locations to ensure that all local, state and federal requirements are being met. In some cases, the facilities are closed to the public and are not serving customers, thus an inspection would be fruitless. As a result, the "at least once each month" provision has been suspended. The remaining parts of the regulations are otherwise fully in effect. | March 18, 2020 |
| L&I BOIS/BLLC | 34 Pa. Code § 403.122(e) and § 405 .3(b), .3(e), .3(f), .7(a), .7(b), .8(g) | Requires the department to perform inspections, report the witnessing of tests with a certain time period, hold hearings within a time frame, respond within a time frame to requests for variances and appeals, act on permit applications within a certain time frame; also requires four permit applications to be submitted for review | These parts of the regulation need to be waived because there will be no Department staff to review physical copies so four copies are unnecessary; because it will not be feasible to meet deadlines; because the department cannot stamp applications electronically; waiving the requirement that the department provide “written” notification of action on a permit will allow BOIS some flexibility to continue to do work by email or other communication means. | March 24, 2020 |
| L&I BOIS/BLLC | Act 45 of 1999 Pennsylvania Construction Code Act, 35 P.S. § 105(b)(3), § 107(j), § 501(c)(5), § 502 (a)(1), | Requires someone be available to distribute plans; the department provide a facility for council meetings; establishes regulatory time requirements; requires public posting of proposed ordinances; requires certain orders to be delivered by certified mail or personal service | There will be no one present to make building plans available; the Department cannot provide a facility; it is not feasible to meet time requirements during the emergency; BOIS will not be able to make proposed ordinance publicly available at a facility, though it will continue to post them on its website; eliminating the | March 24, 2020 |

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| | § 503(f), (j), and (k) And 34 Pa. Code § 403.43(a), § 403.46(b) § 403.63(a) § 403.65(b) § 403.83(b), (c) § 403.102(k)(1) and (2) § 403.104(b) § 403.122(e), (j) § 403.141(d) | | requirement for certain orders to be delivered by certified mail or personal service will allow for electronic methods to be used. | |
| L&I BOIS/BLLC | Boiler and Unfired Pressure Vessel Law, 35 P.S. § 9(f) | Requires inspection reports for boilers and unfired pressure vessels to be submitted within 15 days of inspection. | It is not feasible to meet the deadline. | March 24, 2020 |
| L&I BOIS/BLLC | 34 Pa. Code § 14.21(c) | Requires tank system inspections to be submitted within 15 days of inspection. | It is not feasible to meet the deadline. | March 24, 2020 |
| L&I BOIS/BLLC | Propane and Liquified Petroleum Gas Act, 35 P.S. § 10(b), 10(d), 11(b), 11(c) | Requires that the department shall arrange for publication of applications within ten business days of receipt and take other actions, including by the Industrial Board, on applications and appeals within a certain time frame. It also requires that determinations be sent by certified mail | It is not feasible to meet the deadline; also waives the requirement for use of certified mail to send determinations to allow for use of other means, including electronic methods. | March 24, 2020 |
| L&I BOIS/BLLC | Propane and Liquified Natural Gas Regulations 34 Pa. Code §13.21(c) and §13.21(d) | Requires that the department shall arrange for publication of applications within ten business days of receipt and take other actions. It also requires that determinations be sent by certified mail. | It is not feasible to meet the deadline; also waives the requirement for use of certified mail to send determinations to allow for use of other means, including electronic methods. | March 24, 2020 |
| L&I BOIS/BLLC | Asbestos Occupations and Certification Act 63 P.S. § 2108(a), (b) | Requires that contractors performing asbestos abatement projects or performing work on asbestos-containing material not initially determined to a friable asbestos containing material should report to the department at least five days before the state of any such project. | It is not feasible to meet the deadline. | March 24, 2020 THE REGULATORY DEADLINES FOUND IN 63 P.S. §§ 2105(d) AND 2105(e)(1) WERE |

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| | | | | REINSTATED ON OCTOBER 1, 2020. |
| L&I BOIS/BLLC | Lead Based Occupation Accreditation and Certification Regulations 34 Pa. Code § 203.3(b)(1), (5) (e)(1), (e)(3), §203.4(e) §203.10(a) | Requires applications for lead based training accreditations be submitted within a set time frame; that training providers notify the department of a scheduled course at least five days before commencement; and that training providers provide the department with proof of a student's successful completion of a course within 15 days. Also requires contractors on lead abatement projects to notify the department by mail or hand delivered at least five business days before the project or by fax five days before the state of a project if an original and signed notification follows by mail. | It is not feasible to meet the deadline. The requirement for a photo ID was suspended because PENNDOT photo license centers were closed; also waives the requirement for use of regular mail or personal delivery to send determinations to allow for use of other means, including electronic methods. Also waives requirement that certification expires after one year and contain a photo identification. | March 24, 2020 March 31, 2020 THE REGULATORY DEADLINES FOUND IN 34 PA. CODE § 203.4(e) WERE REINSTATED ON OCTOBER 1, 2020. |
| L&I BOIS/BLLC | Stuffed Toy Regulations 34 Pa. Code § 47.314(c) | Requires that the department be informed of any changes in or concerning a toy which makes information previously submitted inaccurate or erroneous within 15 days of that change. | It is not feasible to meet the deadlines. | March 24, 2020 |
| L&I BOIS/BLLC | The Prohibition of Excessive Overtime in Health Care Act Regulations 34 Pa. Code § 225.3(b), 225.3(f), 225.5(d), 226(b) | Establishes time frames for action by department and petitioners as well as requires the filing of an original and two copies of written requests. | It is not feasible to meet the deadline and the requirement for additional copies is unnecessary. | March 24, 2020 |
| L&I BOIS/BLLC | 34 Pa. Code § 403.83(c) | Requires that an order to show cause resulting from an alleged violation of the Uniform Construction Code include a notification that the owner or owner's agent shall submit a written response within thirty days and that the building code official shall serve the order to show cause by certified mail or personal service. | It is not feasible to meet the deadline. Deleting the requirement of certified mail or personal service will permit service by other methods, including electronic methods. | March 20, 2020 |
| L&I BLLC | Child Labor Act 43 P.S. § 40.9(a)(2)(i); § 40.9(a)(3); § 40.9(b)(2)(i) | Requires that minors seeking a work permit personally appear before an issuing officer and to be examined; that the minor sign their work permit in the presence of the issuing | The requirement for personal appearances needs to be deleted so examinations may occur by video. There is also no need for a signature to occur in the issuing | March 27, 2020 |

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| | | officer; that an applicant personally appear for an examination. | officer's presence. These changes allow for compliance with new social distancing guidelines | |
| L&I-WCOA | Section 449 of the Workers' Compensation Act; 77 P.S. § 1000.5 | Requirements for two witness signatures and a notarized signature on a Compromise and Release Agreement under Section 449 of the Workers' Compensation Act (77 P.S. § 1000.5). | Suspending this requirement allows Compromise and Release Agreements to continue to be reviewed and approved by Workers' Compensation Judges without the requirement that the claimant's signature be witnessed by other individuals or notarized. Many notaries are currently closed due to the ongoing COVID-19 pandemic. And the requirement for witnesses to the signature is contrary to the Governor's disaster declaration and is unnecessary. Claimants are still testifying, under oath, during telephone hearings, to their understanding of the document and wish to enter into the agreement. WCOA has established a process for telephone hearings to allow these agreements to continue to be reviewed and approved. | March 23, 2020 |
| L&I-WC | Section 413(c) and (d) of the Workers' Compensation Act; 77 P.S. §§ 774.2 and 774.3 | Requires notifications of modifications to compensation payments by insurer must include an affidavit from the insurer | Justification – Due to the Governor's direction to practice social distancing, and the closure of many notary public offices, the requirement to execute a notarized affidavit is impacting the workers' compensation process. It exposes individuals to a potential unsafe to adhere to these provisions. The suspension of these provisions assists in keeping the workers' compensation system operating. | March 31, 2020 |
| L&I-BOIS/BLLC | Asbestos Occupations Accreditation and Certification Act 63 P.S. § 2104(b)(1); § 2105(d); § 2105.1(e)(1) | Establishes effective period of accreditation of courses as one year, of interim certifications as one year, of license as one year | It is not currently feasible to meet the deadline. | March 31, 2020 |
| L&I-BOIS/BLLC | Lead Certification Act 35 P.S. § 5906(b); § 5906(c) | Requires that certifications be annually renewed; requires persons on lead job site to have photo identification | It is not currently feasible to meet the deadline. PENNDOT driver's licensing centers issue the photo identification cards after the Department provides PENNDOT information proving that a person in | March 31, 2020 |

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| | | | certified to perform lead-based paint activities. However, PENNDOT's drivers licensing centers are closed. Therefore, while the Department can provide a letter that indicates that a person is certified to perform these activities, it cannot provide a photo identification card. Thus, the Department must strike the requirement that a person must have a photo identification card. | |
| PennDOT | 67 Pa.C.S. Chapter 71 | School Bus | School bus drivers are required to have an annual physical examination. | April 8, 2020 Updated to extend to November 30, 2020. |
| PennDOT | 67 Pa. Code § 212.4(e) | Traffic control during emergencies. | This regulation allows PennDOT to suspend existing restrictions or effect temporary restrictions under their jurisdiction without an engineering and traffic study. Temporary restrictions expire at the end of the emergency. | March 6, 2020 |
| PennDOT | 67 Pa. Code Chapters 179, 189, 191, 193 | Commercial motor vehicle operations providing direct assistance in support of emergency relief efforts related to the COVID-19 outbreaks. | Allows PennDOT and local authorities to orally authorize the movement of a vehicle or combination which exceeds the maximum size or weight specified in law, provided a permit is applied for within 72 hours of the operation or movement. | April 17, 2020. Updated to extend to August 14, 2020. |
| PennDOT | 75 Pa.C.S. §§ 1309, 1312, 1505, 1514, 1515 | Expiration of driver's licenses and ID cards. | Allows PennDOT to extend the date for DLs and IDs scheduled to expire during an emergency. Extended until February 22, 2021 for commercial licenses and permits. | Last updated August 31, 2020; December 31, 2020 for commercial products. |
| PennDOT | 75 Pa.C.S. § 4702(d), 1338 | Expiration of vehicle registrations and safety emissions inspections and disability placards | Allows PennDOT to extend the date for vehicle registrations and safety emissions inspections scheduled to expire during an emergency. Ran through June 30, 2020. | May 11, 2020 |

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| Revenue | 72 P.S. § 8809-C | Sets due dates for businesses operating in a Community Revitalization Improvement Zone (CRIZ) to report taxes they paid to zone and state. | Waiver moved the due date of these returns from 6/15/20 to 7/15/20 in initial waiver, and then to 8/31/20. DOR attempting to get reconciliation done by 10/15/20 due date, but was granted a n extension if needed until 12/15/20. | May 11, 2020 May 20, 2020 |
| Revenue | 72 P.S. § 1102 | Requires taxpayers to appeal within 90 days of a notice of settlement of tax liability from the department | Department will consider appeals to be timely filed within 30 days of the reopening of Board of Appeals offices. This will allow taxpayers to not lose appeal rights while offices were closed. | March 21, 2020 |
| Revenue | 72 P.S. § 201 - 215 (various parts) | Sets penalties and interest and other rules for paying tax liabilities and department duties to collect revenue. | Plan created by department to provide more payment flexibility for taxpayers and a less aggressive audit and collection plan for post-COVID operations. | April 15, 2020 |
| Revenue | 72 P.S. § 7903 and 8502 | Requires Insurance Premiums and Mutual Thrift Institutions taxpayers to file returns. | Department policy requires wet signatures on these two tax returns, as they have to be filed via paper return (no electronic filing option yet). For returns filed after 3/6/20, DOR would accept returns as properly files without signature. | April 15, 2020 |
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| Revenue | 75 Pa.C.S. § 9605 | Sets the due date of International Fuel Tax Agreement (IFTA) quarterly returns for truckers operating in multiple states. | Extended the due date of International Fuel Tax Agreement (IFTA) returns for Q1 2020 from 4/30/20 to 6/1/20. | April 15, 2020 |
| Revenue | 72 P.S. § 7217 and 7222 | Requires certain sales tax collectors to make “Accelerated sales tax (AST) payments” | DOR waived the requirement for companies to remit AST payments for April, May, and June 2020. | April 8, 2020 |
| Revenue | 72 P.S. § 7330 and 7325 | Sets due dates for filing Personal Income Tax annual returns | IRS moved 2019 income tax due dates from 4/15/20 to 7/15/20. PA follows automatically, but waiver allows estimated payments to be due at the same time (would be due 4/15 and 6/15 without the waiver) | March 21, 2020 |
| Revenue | 72 P.S. § 214 and 806 | Assesses penalties and interest for late filing of taxes | IRS moved 2019 income tax due dates from 4/15/20 to 7/15/20. PA follows automatically, but waiver allows provides assurance to taxpayers that we will not assess penalties or interest on filings affected by COVID-19 processing delays | March 21, 2020 |

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| Revenue | 61 Pa. Code § 21.5(a) and (c)(1) | Sets due dates for unclaimed winning horse racing tickets from the prior calendar year to be redeemed by patrons at casinos and the subsequent filing of unclaimed tickets with DOR | Due to the closure of casino operations, DOR asked to extend the deadline for tickets to be cashed from 3/31 to 5/31 (and later pushed back to 7/31/20). The due date for casinos to file their list of unclaimed tickets was also extended to 6/10/20 and again until 8/10/20. | March 26, 2020 May 20, 2020 |
| Revenue | 4 Pa.C.S. § 1326.1 | Requires casinos to pay an annual slot machine operation fee of \$10 million/casino per year | By DOR policy, this fee is paid quarterly. The Q1 payment would normally be due 3/31/20. Initially moved due date to 5/31/20 which was extended to 6/15/20. | March 31, 2020 May 28, 2020 |
| Revenue | 72 P.S. § 7217 (a) | Requires Accelerated Sales Tax (AST) Level 2 businesses, which remit \$100,000 or more, to remit 50% of their tax liability for the same month of the previous year | This allows AST level 2 accounts the same option as AST level 1 accounts, notably remitting 50% of the actual tax liability for the current period. The waiver will help many businesses impacted by the pandemic with their tax filing by granting a change now instead of waiting until the next annual cycle begins in January of 2021. | July 24, 2020 |
| OSIG | 55 Pa. Code § 255.4 (for Cash Assistance) and 55 Pa. Code § 255.84 (for Medical Assistance) | Regulations related to collections of overpayments for welfare benefits. | We would not require any payments from welfare recipients who received more benefits than they were owed, and we would not allow anyone to go into delinquency (in which there would be an automatic recoupment through tax refunds and other sources). | March 16, 2020 Rescinded, November 2020 |
| PennDOT | 75 Pa.C.S. § 1610 | Hazardous Material Endorsement | An individual who transports hazardous materials via commercial motor vehicle is required by Federal law, 49 CFR part 1572, to undergo a security threat analysis in order to be issued an HME under 75 Pa.C.S. § 1610. As part of the application process for renewal of an HME, the applicant must complete a security threat analysis no later than sixty (60) days before the current HME expires. The expiration date of an HME for an individual who is a Pennsylvania-licensed commercial driver's license holder and who held a valid, unexpired HME with a determination of no | Last updated September 30, 2020 |

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| | | | security threat on or after March 6, 2020, is extended until October 29, 2020. | |
| DHS | 55 Pa Code §911(a)(2) OCDEL, OCYF, ODP, OMHSAS, And OLTL-BHSL inspections | To protect individuals receiving services in a facility licensed by DHS | DHS reinstated annual licensing inspections. To balance the need to contain COVID-19 with oversight, DHS may apply alternative techniques (e.g. videotelephony and file-sharing applications) for annual inspections that do not require an on-site presence in the licensed setting and when an in-person presence in the facility may contribute to the spread of COVID-19, e.g., a participant, consumer, or staff person has tested positive or is suspected to have COVID-19 in the past 21 days. | Updated: July 24, 2020 |
| DHS-OCYF | 55 Pa. Code § 3130.68(a): Visiting and communication policies | The county agency shall provide opportunity for visits between the child and parents as frequently as possible but no less frequently than once every 2 weeks at a time and place convenient to the parties and in a location that will permit natural interaction, unless visiting is: (1) Clearly not in keeping with the placement goal—for example, in adoption or independent living. (2) Freely refused in writing by the parents. (3) Not in the child’s best interest and is limited or prohibited by court order. | Limited suspension of the regulation while the Governor’s Disaster Proclamation is in effect. Conditions: The county agency must make efforts to provide alternative means of contact no less frequently than once every two weeks and document these efforts. | March 2020 June 5, 2020 |

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| DHS-OCYF | 55 Pa. Code § 3130.68(b): Visiting and communication policies | Except in a circumstance in which the county agency has reason to suspect that a child is at risk of abuse as defined in Chapter 3490 (relating to protective services), the county agency may not reduce the opportunity for visitation between parents and their child in placement to less than once every 2 weeks without prior court approval of the reduction. In a situation of suspected child abuse as described in this subsection, the county agency may reduce visitation without prior court approval if it petitions or files a motion with the court requesting a hearing within 24 hours of the action taken. | Limited suspension of the regulation for the period while the Governor's Disaster Proclamation is in effect. Conditions: Due to limited court operations, the county agency may not be able to obtain court approval for altering the visitation order. The county agency must document any reasons for changing visitation. The county agency must make efforts to provide alternative means of contact and document these efforts. | March 2020 June 5, 2020 |
| DHS-OCYF | 55 Pa. Code § 3130.68(c): Visiting and communication policies | If visitation between parents and their child in placement is cancelled by the county agency, the county agency shall do one of the following: (3) Schedule a make-up visit if the cancellation results in less than two visits per month. The county agency is not required to but may schedule make-up visits if the reason for the cancellation was the parent's decision not to attend an agreed upon visit unless a valid excuse was provided at least 48 hours in advance. (2) Schedule either a make-up visit or reasonable additional visitation if the parents receive more than two visits per month. The county agency is not required to but may schedule make up visits or additional visitation time if the reason for the cancellation was the parent's decision not to attend an agreed upon visit unless a valid excuse was provided at least 48 hours in advance. | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. Conditions: The county agency must make efforts to comply with existing court orders when possible and provide alternative means of contact no less frequently than once every two weeks and document these efforts. | March 2020 June 5, 2020 |
| DHS-OCYF | 55 Pa. Code § 3130.68(d) Visiting and communication policies | The county agency shall provide for the minimum required visits in all cases in which the child's initial placement location has been changed and the change in location makes visitation | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. | March 2020 |

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| | | <p>a hardship on the parent. For this purpose, one of the following circumstances shall be deemed to create a hardship:</p> <p>(3) The parent is a recipient of any form of public assistance, unless the new placement is closer to the parent's home.</p> <p>(2) The parent is not a public assistance recipient and the new placement is 150 miles or more away from the county boundaries.</p> | <p>Conditions: The county agency must make efforts to comply with existing court orders when possible and provide alternative means of contact no less frequently than once every two weeks and document these efforts.</p> | <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3130.68(c) Visiting and communication policies | <p>The county agency shall provide for the minimum visitation required in subsection (d) by doing one of the following:</p> <p>(3) Transporting the child to the county agency.</p> <p>(2) Transporting the child to the parent's home.</p> <p>(3) Providing transportation for the parent to visit the child.</p> | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: While the county agency is not required to transport children or parents for face to face visitation, the agency must make efforts to provide alternative means of contact and document these efforts.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3680.25(g) Staff Orientation and Training | <p>The legal entity shall ensure that staff identified in subsection (b) have 40 hours of training annually. Refresher training necessary to maintain skills in first aid, CPR and passive physical restraint may be included as part of the 40 hours of annual staff training.</p> | <p>Limited suspension of the regulation for staff who have required training due while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: For this time period where the Governor's Disaster Proclamation remains in place, alternate methods for training will be accepted towards meeting the 40 hours of annual training. Certification will be required for alternative training.</p> | <p>March 2020</p> <p>June 5, 2020</p> |

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| DHS-OCYF | 55 Pa. Code § 3680.44(2)(I) Visiting and Communication | <p>If the agency provides full-day services to a child placed by other than a county agency or the child's parents, the agency shall adhere to the following requirements:</p> <p>The agency shall provide opportunity for visits between the child and the parents as frequently as possible but no less than once every 2 weeks.</p> | <p>Limited suspension of the regulation for the period that the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The county agency must make efforts to provide alternative means of contact no less frequently than once every two weeks and document these efforts.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3700.51(c) Medical and dental care | After the initial health appraisal, the FFCA shall ensure that a child has contact with a licensed physician | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for routine medical assessments that are due when telehealth is not available or appropriate. Efforts to explore use of telehealth must be documented in the child's record. Children still must receive the necessary medical services to ensure their health and well-being. Initial appraisals should still be completed within required timeframes for children entering foster care. If the initial appraisal cannot be completed, the efforts made and reasons the appraisal cannot be completed must be documented.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3700.51(d) Medical and dental care | <p>The FFCA shall ensure that a child, 3 years of age or older, receives a dental appraisal by a licensed dentist within 60 days of admission, unless the child has had an appraisal within the previous 6 months and the results of the appraisal are available. The appraisal shall include:</p> <p>(3) Taking or reviewing the child's dental history.</p> | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation</p> | March 2020 |

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| | | <p>(2) Examination of the hard and soft tissue of the oral cavity.</p> <p>(3) X-rays for diagnostic purposes, if deemed necessary by the dentist.</p> | is lifted for initial dental appraisals that are due when telehealth is not available or appropriate. Efforts made to obtain an appraisal must be documented in the child's record. Children still must receive the necessary dental services to ensure their health and well-being. If the initial appraisal cannot be completed, the efforts made and reasons the appraisal cannot be completed must be documented. | |
| DHS-OCYF | 55 Pa. Code § 3700.51(c) Medical and dental care | After the initial appraisals, the FFCA shall ensure that dental examinations are given to children 3 years of age or older at least once every 9 months of placement. | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for required dental examinations that are due when telehealth is not available or appropriate. Efforts to obtain an appraisal must be documented in the child's record. Children still must receive the necessary dental services to ensure their health and well-being. If the appraisal cannot be completed, the efforts made and reasons the appraisal cannot be completed must be documented.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3700.62(b) Foster parent requirements | Foster parents shall pass an initial medical appraisal by a licensed physician prior to being approved. The appraisal must establish that the foster parents are physically able to care for children and are free from communicable disease. Further medical examinations may be required by the agency if the agency has reason to believe that additional medical appraisal is appropriate. | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for a physician's statement when it can be documented that access to routine medical</p> | March 2020 |

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| | | | appointments are unavailable and efforts to explore use of telehealth must be documented in the foster parent's file. | |
| DHS-OCYF | 55 Pa. Code § 3700.67(h) Safety requirements | Drinking water from an individual water source shall be potable as determined by an annual microbiological test conducted by a laboratory certified by the Department of Environmental Resources. | <p>Limited suspension of requirement while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will suspend this requirement for annual tests that are due during the time period in which the Governor's Disaster Proclamation is in place if there are no past concerns with the water being potable.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3700.69(a) Annual reevaluation | The FFCA shall visit and inspect annually each foster family to determine continued compliance with the requirements of § § 3700.62—3700.67 (relating to foster parent requirements; foster child discipline, punishment and control policy; assessment of foster parent capability; foster parent training; foster family residence requirements; and safety requirements). | <p>Limited suspension of regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: FFCA will ensure alternate methods of the in-person safety home inspection, such as video tours, are used so that the entire home is inspected and deemed to be safe.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.4(a) Inspection and certificates of compliance | Each facility to which this chapter applies shall be individually inspected at least once a year, unless otherwise specified by statute. | <p>Full suspension of the regulation while the Governor's emergency declaration is in effect.</p> <p>Conditions: Alternate methods of inspection such as video tours of the premises will be allowable during the time frame where the Governor's emergency declaration is in effect.</p> | March 2020 |

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| DHS-OCYF | 55 Pa. Code § 3800.4(b) Inspection and certificates of compliance | A separate certificate of compliance shall be issued for each physical structure that qualifies for a certificate. | Full suspension of the regulation while the Governor's emergency declaration is in effect. Conditions: Alternate methods of inspection such as video tours of the premises will be allowable during the time frame where the Governor's emergency declaration is in effect. | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.32(f) Specific rights | A child shall have the right to visit with family at least once every 2 weeks, at a time and location convenient for the family, the child and the facility, unless visits are restricted by court order. This right does not restrict more frequent family visits. | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. Conditions: The provider must make efforts to provide alternative means of contact no less frequently than once every two weeks and document these efforts. | March 2020 June 5, 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.32(h) Specific rights | A child has the right to communicate and visit privately with his attorney and clergy. | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. Conditions: Providers must ensure alternate methods of communication with attorneys and clergy are available and support private communication. | March 2020 June 5, 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.58(d) Staff training | After initial training, the director and each full-time, part-time and temporary staff person, who will have regular and significant direct contact with children, shall have at least 40 hours of training annually relating to the care and management of children. This requirement for annual training does not apply for the initial year of employment. | Limited suspension of the regulation for staff who have required training due while the Governor's Disaster Proclamation is in effect. | March 2020 June 5, 2020 |

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| | | | Conditions: For this time period where the Governor's Disaster Proclamation remains in place, alternate methods for training will be accepted towards meeting the 40 hours of annual training. Certification will be required for alternative training. | |
| DHS-OCYF | 55 Pa. Code § 3800.58(c) Staff training | Each staff person who will have regular and significant direct contact with children, shall complete training in first aid, Heimlich techniques and cardiopulmonary resuscitation at least every year. If a staff person has a formal certification from a recognized health care organization which is valid for more than 1 year, retraining is not required until expiration of the certification. | <p>Limited suspension of the regulation for staff who have required training due while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: For this time period where the Governor's Disaster Proclamation remains in place, alternate methods for training will be accepted towards meeting the 40 hours of annual training. Certification will be required for alternative training.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3800.88(c) Water | A facility that is not connected to a public water system shall have a coliform water test at least every 3 months, by a Department of Environmental Protection-certified laboratory, stating that the water is safe for drinking. Documentation of the certification shall be kept. | <p>Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will suspend this requirement for 3-month tests that are due during the time period in which the Governor's Disaster Proclamation is in place if there are no past concerns with the water being potable. The certification must be provided within 90 days of the Governor's Disaster Proclamation being lifted.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.102(c) Child bedrooms | No more than four children may share a bedroom. | Limited suspension of regulation when it becomes necessary to implement quarantine procedures for | March 2020 |

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| | | | <p>children in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when circumstances prevent compliance during the time where the Governor's Disaster Proclamation remains in effect.</p> | |
| DHS-OCYF | 55 Pa. Code § 3800.102(g) Child bedrooms | Cots or portable beds are not permitted. This prohibition does not apply for the first 30 days of a child's placement if a facility is given 7 days or less notice of the placement. | <p>Limited suspension of regulation when it becomes necessary to implement quarantine procedures for children in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when circumstance prevent compliance during the time where the Governor's Disaster Proclamation remains in effect.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.103(a) Bathrooms | There shall be at least one flush toilet for every six children. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for children in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time where Governor's Disaster Proclamation remains in place.</p> | March 2020 |

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| DHS-OCYF | 55 Pa. Code § 3800.103(b) Bathrooms | There shall be at least one sink for every six children. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for children in care while the Governor's Disaster Proclamation is in effect.</p> <p>Condition: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time where Governor's Disaster Proclamation remain in place.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.103(c) Bathrooms | There shall be at least one bathtub or shower for every six children. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for children in care while the Governor's Disaster Proclamation is in effect.</p> <p>Condition: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time the Governor's Disaster Proclamation remains in place.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.132(c) Fire drills | A written fire drill record shall be kept of the date, time, the amount of time it took for evacuation, the exit route used, the number of children in the facility at the time of the drill, problems encountered and whether the fire alarm or smoke detector was operative. | <p>Limited suspension of regulation while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The agency has modified the required fire drill to include procedures to outline a verbal practice of the drill that may be reviewed with children and staff as outlined in (a) and (b).</p> | March 2020 |

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| DHS-OCYF | 55 Pa. Code § 3800.132(d) Fire drills | Children shall be able to evacuate the entire building into a public thoroughfare, or to a fire-safe area designated in writing within the past year by a fire safety expert, within 2 ½ minutes or within the period of time specified in writing within the past year by a fire safety expert. The fire safety expert may not be an employee of the facility. | Limited suspension of regulation while the Governor's emergency proclamation is in effect. Conditions: The agency has modified the required fire drill to include procedures to outline a verbal practice of the drill that may be reviewed with children and staff as outlined in 3800.132(a) and 3800.132(b). | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800. 143(a) Child health examination | A child shall have a health examination within 15 days after admission and annually thereafter, or more frequently as specified at specific ages in the periodicity schedule recommended by the American Academy of Pediatrics, "Guidelines for Health Supervision," available from 141 Northwest Point Boulevard, Post Office Box 927, Elk Grove Village, Illinois, 60009-0927. | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for routine health assessments that are due when telehealth is not available or appropriate. Efforts to explore use of telehealth must be documented in the child's record. Children still must receive the necessary medical services to ensure their health and well-being. Initial examinations should still be completed within required timeframes for new admissions. If the initial examination cannot be completed, the efforts made and reason why the initial assessment could not be completed must be documented. The child should still be screened for the Coronavirus in accordance with DHS policy issued to facilities. | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.144(b) Dental care | A child who is 3 years of age or older shall have a dental examination performed by a licensed dentist and teeth cleaning performed by a licensed dentist or dental technician | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. | March 2020 |

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| | | at least semiannually. If a child has not had a dental examination and teeth cleaning within 6 months prior to admission, a dental examination and teeth cleaning shall be performed within 30 days after admission. | Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for semiannual examinations and cleanings that are due when telehealth is not available or appropriate. Efforts to explore use of telehealth must be documented in the child's record. Children still must receive the necessary dental services to ensure their health and well-being. Initial examinations should still be completed within required timeframes for new admissions. If the initial examination cannot be completed, the efforts made and reason why the initial assessment could not be completed must be documented. | |
| DHS-OCYF | 55 Pa. Code § 3800. 145(b) Vision care | Each child who is 3 years of age or older shall receive vision screening within 30 days after admission in accordance with the periodicity schedule recommended by the American Academy of Pediatrics, "Guidelines for Health Supervision," and "Eye Examination and Vision Screening in Infants, Children and Young Adults (RE9625)." | Limited suspension of the regulation while the Governor's Disaster Proclamation is in effect. Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor's Disaster Proclamation is lifted for periodic vision screenings that are due when telehealth is not available or appropriate. Efforts to explore use of telehealth must be documented in the child's record. Children still must receive the necessary physical health services to ensure their health and well-being. Initial examinations should still be completed within required timeframes for new admissions. If the initial examination cannot be completed, the efforts made and reason why the | March 2020 |

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| | | | initial assessment could not be completed must be documented. | |
| DHS-OCYF | 55 Pa. Code § 3800.146(b) Hearing care | Each child who is 3 years of age or older shall receive a hearing screening within 30 days after admission in accordance with the periodicity schedule recommended by the American Academy of Pediatrics, “Guidelines for Health Supervision.” | <p>Limited suspension of the regulation while the Governor’s Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor’s Disaster Proclamation is lifted for periodic hearing screenings that are due when telehealth is not available or appropriate. Efforts to explore use of telehealth must be documented in the child’s record. Children still must receive the necessary physical health services to ensure their health and well-being. Initial examinations should still be completed within required timeframes for new admissions. Initial examinations should still be completed within required timeframes for new admissions. If the initial examination cannot be completed, the efforts made and reason why the initial assessment could not be completed must be documented.</p> | March 2020 |
| DHS-OCYF | 55 Pa. Code § 3800.151 Staff health assessment | A staff person or volunteer who comes into direct contact with the children or who prepares or serves food, shall have a statement signed and dated by a licensed physician, certified registered nurse practitioner or licensed physician’s assistant, within 12 months prior to working with children or food service and every 2 years thereafter, stating that the person is free of serious communicable disease that may be spread through casual contact or that the staff person has a serious communicable disease that may be spread through casual | <p>Limited suspension of the requirement for the 2- year statement while the Governor’s Disaster Proclamation is in effect.</p> <p>Conditions: DHS-OCYF will allow a grace period of up to 90 days after the Governor’s Disaster Proclamation is lifted for a physician’s statement when it can be documented that access to routine medical</p> | March 2020 |

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| | | contact but is able to work in the facility if specific precautions are taken that will prevent the spread of the disease to children. | appointments are unavailable. Efforts to explore use of telehealth must be documented in the staff person/volunteer file. If the physician's statement cannot be completed, the efforts made and reason why it cannot be completed must be documented. The staff person or volunteer should still be screened for the Coronavirus in accordance with DHS policy issued to facilities. | |
| DHS-OCYF | 55 Pa. Code § 3800.205(a) Staff training | If restrictive procedures are used, each staff person who administers a restrictive procedure shall have completed training within the past year in the use of restrictive procedures. | <p>Limited suspension of the requirement when the renewal or new staff fall within the time frame when the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: For this time period where the Governor's Disaster Proclamation remains in place, alternate methods for training will be accepted towards meeting the required training. Certification will be required for alternative training.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3800.257 Bedrooms | A child's bedroom may not be more than 200 feet from a bathtub or shower and a toilet. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for a child/ren in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time where the Governor's Disaster Proclamation remains in effect.</p> | March 2020 |

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| DHS-OCYF | 55 Pa. Code § 3800.283(2) Additional requirements | No more than 12 children may be in a group at any one time. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for a child/ren in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time where the Governor's Disaster Proclamation is in place. Upon notification of the individual circumstance preventing compliance with the regulation, DHS-OCYF Regional Offices will review proposed contingency plans and provide oversight to ensure that the staff to child ratio remains 1 to 8 during the day and 1 to 16 during sleeping hours; the plan promotes prevention of the spread of COVID-19; and the plan is temporary while additional resources are being identified.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS-OCYF | 55 Pa. Code § 3800.283(3) Additional requirements | No more than 12 children may occupy a sleeping unit or area. | <p>Limited suspension of the regulation when it becomes necessary to implement quarantine procedures for a child/ren in care while the Governor's Disaster Proclamation is in effect.</p> <p>Conditions: The DHS-OCYF Regional Office must be notified within 24 hours when a circumstance prevents compliance with the regulation during the time where the Governor's Disaster Proclamation is in place. Upon notification of the individual circumstance preventing compliance with the</p> | <p>March 2020</p> <p>June 5, 2020</p> |

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| | | | regulation, DHS-OCYF Regional Offices will review proposed contingency plans and provide oversight to ensure that the staff to child ratio remains 1 to 8 during the day and 1 to 16 during sleeping hours; the plan promotes prevention of the spread of COVID-19; and the plan is temporary while additional resources are being identified. | |
| DHS-OCYF | 55 Pa. Code § 3130.68(a): Visiting and communication policies | <p>The county agency shall provide opportunity for visits between the child and parents as frequently as possible but no less frequently than once every 2 weeks at a time and place convenient to the parties and in a location that will permit natural interaction, unless visiting is:</p> <p>(1) Clearly not in keeping with the placement goal—for example, in adoption or independent living.</p> <p>(2) Freely refused in writing by the parents.</p> <p>(3) Not in the child’s best interest and is limited or prohibited by court order.</p> | <p>Limited suspension of the regulation while the Governor’s Disaster Proclamation is in effect.</p> <p>Conditions: The county agency must make efforts to provide alternative means of contact no less frequently than once every two weeks and document these efforts.</p> | <p>March 2020</p> <p>June 5, 2020</p> |
| DHS - OCYF | 55 Pa. Code § 3680.22(b)(5) | Requires County Children and Youth Agencies ensure staff who care and supervise children receive physician certification that they do not have communicable diseases no more than 30 days prior to beginning employment. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; | March 25, 2021 |

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| | | | <ul style="list-style-type: none"> • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | |
| DHS - OCYF | 55 Pa. Code § 3700.62(b) | Requires foster parents to pass an initial medical appraisal by a licensed physician prior to approval, including that they are free communicable disease. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | March 25, 2021 |
| DHS - OCYF | 55 Pa. Code: <ul style="list-style-type: none"> • § 3800.151 • § 3800.152 | Requires staff and volunteers with direct contact with children or who prepares/serves food to have a health statement from a physician that they are free from serious | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory</p> | March 25, 2021 |

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| | | communicable disease or that they do not pose a serious threat. | <p>requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | |
| DHS - OCDEL | <p>55 Pa. Code:</p> <ul style="list-style-type: none"> • § 3270.151(c)(2) • § 3280.151(c)(2) • § 3290.151(c)(2) | Requires facility persons providing direct care or food preparation to children to have a health assessment conducted within 12 months of initial service and every 24 months thereafter. This includes Tuberculosis screening. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and | March 25, 2021 |

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| | | | <ul style="list-style-type: none"> Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | |
| DHS-OCDEL | 55 Pa. Code § 3270.11(e) and §3280.11(e) and §20.31 | <p>§3270.11(e); §3280.11(e); A facility will be inspected at least once every 12 months by an agent of the Department.</p> <p>20.31. Annual inspection.</p> <p>An authorized agent of the Department will conduct an on-site inspection of a facility or agency at least once every 12 months.</p> | Full- DHS-OCDEL is conducting annual inspections, but inspections may not align with a 12-month cycle due to the state of disaster emergency. | <p>March 16,2020</p> <p>May 28,2020</p> <p>June 22,2020</p> <p>June 24, 2020</p> |
| DHS-OCDEL | 55 Pa. Code § 3270.61(e) and §3280.61(e) | Measured indoor space excludes space occupied by halls, bathrooms, offices, kitchens and locker rooms | Full- DHS-OCDEL <u>DHS COVID Licensing Message 7.24.20</u> recommends that any child receiving child care in a certified child care facility that is showing symptoms of illness that could potentially be symptoms of COVID-19 (fever, cough, and shortness of breath) should be isolated from other children in care until the child can be picked up. DHS-OCDEL will allow certified child care centers and group homes to use non-measured child care space on the premises of the child care facility to isolate the child as long as the temporary isolation space is free and clear of health and safety hazards and all other regulations can be met regarding supervision and staff to child ratio requirements. Family child care homes need to isolate the child but still maintain supervision until the parent can pick up the child. | March 2020 |

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| DHS-OCDEL | 55 Pa. Code § 3270.62(a); §3270.62(b); § 3280.61(a); 3280.61(b) | §3270.61(a); §3280.61(a); A facility shall provide indoor childcare space for individual and group small muscle activity. §3270.61(b); §3280.61(b); Indoor childcare space may not be used simultaneously as play space. | Limited- DHS-OCDEL will temporarily allow a certified child care center and group home to convert the indoor play space to child care space, as long as the facility has outdoor play space. The allowable number of children in the converted space can be determined by dividing the total square feet in a space by 40. Childcare providers must always meet staff to child ratios. | March 2020 |
| DHS-OCDEL | 55 Pa. Code § 3270.31(e)(4)(i); §3280.31(e)(4)(i); (§3290.31(f)(4)(1) § 3270.33(d) and § 3280.33(c) | §3270.31(e)(4)(i); §3280.31(e)(4)(i); §3290.31(f)(4)(1) <i>First-aid training.</i> Competence is completion of training by a professional in the field of first- aid. First-aid training shall be renewed on or before expiration of certification or every 3 years, as applicable. §3270.33(d); §3280.33(c); One or more facility persons competent in first-aid techniques shall be at the facility when one or more children are in care. | Limited- Child care staff that are currently enrolled in a first-aid training that has been cancelled due to attempts to mitigate the spread of COVID-19, will continue to meet the regulatory requirements under §3270.31(e)(4) (i); §3280.31(e) (4)(i); §3290.31(f)(4)(1) §3270.33(d); §3280.33(c). This provision applies if the staff person's first-aid certificate expires due to the cancellation of the training. Any staff person with a current certificate that expires due to the cancellation must keep on file proof of enrollment in the training and the cancellation notice to be considered compliant with the regulation. Staff whose training was cancelled or whose certificate expired as described above, must schedule first-aid training within 90 days after Governor Wolf lifts the current Proclamation of Disaster Emergency for COVID-19. If a staff person does not have a current first-aid training certificate that expired due to the aforementioned mitigation tactic, or has never taken a first-aid training course, the Department will cite the | March 2020 |

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| | | | provider for non-compliance of the regulation at §3270.33(d) or §3280.33(c). | |
| DHS-OCDEL | 55 Pa. Code § 3270.31(e) and §3280.31(e) § 3290.31(f) | §3270.31(e); §3280.31(e); A staff person shall obtain an annual minimum of 6 clock hours of child care training. §3290.31(f); A staff person shall obtain a biennial minimum of 12 clock hours of child care training. | Full- Staff whose professional development training was cancelled due to mitigate the spread of COVID-19 and have not yet met the requirement of 6 annual clock hours of professional development or biennial minimum 12 clock hours of child care training will not be required to meet this requirement until 90 days after Governor Wolf lifts the current Proclamation of Disaster Emergency for COVID-19. | March 2020 |
| DHS-OCDEL | 55 Pa. Code § 3270.123(a)(3); §3280.123(a)(3); §3290.123(a)(3) | The services to be provided to the family and the child, including the Department's approved form to provide information to the family about the child's growth and development in the context of the services being provided. The operator shall complete and update the form and provide a copy to the family in accordance with the updates regarding emergency contact information in §3270.124(f); §3280.124(f); §3290.123(f) (relating to emergency contact information). | Limited- During COVID-19 many facilities voluntarily closed. The facilities that continued to operate were focused on following guidelines to keep children and staff healthy (i.e., mitigating effects of COVID-19), and therefor may not have been able to update paperwork. The time period to complete a child's service report will be one year from enrollment or one year from the most recent child service report. | March 2020 |
| DHS-OCDEL | 55 Pa. Code § 3270.124(f); §3280.124(f); §3290.124(e); §3270.181(c); §3270.181(e); §3280.181(c) §3280.181(e) | §3270.124(f); §3280.124(f); §3290.124(e) The parent shall update in writing emergency contact information once in a 6-month period or as soon as there is a change in the information. §3270.181(c); §3280.181(c); A parent is required to review and update the emergency contact information and the financial agreement at least once every 6 months or as soon as there is a change in the information. | Limited- During COVID-19 many facilities voluntarily closed. The facilities that continued to operate were focused on following guidelines to keep children and staff healthy (i.e. mitigating effects of COVID-19), and therefore may not have been able to update paperwork. The parent does not need to update, in writing, the emergency contact information once in a six-month period. However, the parent will be reminded to report any change in the information as soon as possible. In addition, when the operator updates emergency information it does not need to | March 2020 |

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| | | §3270.181(e); § 3280.181(e); If emergency information is updated in a master file, it shall be updated accordingly in other facility records. | update the master file and any other facility records. The emergency contact information shall be updated 90 days after Governor Wolf lifts the current Proclamation of Disaster Emergency for COVID-19. | |
| DHS-OCDEL | 55 Pa. Code § 3270.131(a); §3280.131(a); §3290.131(a) | §3270.131(a); §3280.131(a); The operator shall require the parent of an enrolled child, including a child, a foster child and a relative of an operator or a facility person, to provide an initial health report no later than 60 days following the first day of attendance at the facility. §3290.131(a); The operator shall require the parent of an enrolled child to provide an initial health report no later than 60 days following the first day of attendance at the facility. | Limited- If a medical provider is unavailable, the parent has 90 days after the child's first day of attendance, to provide an initial health report. | March 2020 |
| DHS-OCDEL | 55 Pa. Code § 3270.171(a); §3280.171(a) | §3270.171(a); The operator shall notify local traffic safety authorities annually in writing of the location of the facility and about the program's use of pedestrian and vehicular routes around the day care facility. §3280.171(a); The operator shall notify local traffic safety authorities in writing of the location of the facility and about the program's use of pedestrian and vehicular routes around the group child day care facility. | Limited- Due to the provider not operating during COVID-19, the provider has 90 days after Governor Wolf lifts the current Proclamation of Disaster Emergency for COVID-19 to notify traffic authorities. | March 2020 |
| DHS-OCDEL | Statement of Policy: §3270.3a1; §3280.3a1 | The following Statement of Policy to be Suspended: §3270.3a1; A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes. This clarification does not apply to a legal entity that has a | Limited- Part day school age programs operating during the current Disaster Emergency for COVID-19 must obtain a waiver from DHS-OCDEL to operate. DHS-OCDEL is now reviewing all child care and part day school age program requests utilizing the same submission process. Part day school age programs operating with a waiver may operate for more than 90 | March 2020 |

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| | | <p>certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children in the summer and on school holidays.</p> <p>§3280.3a1; A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes. This clarification does not apply to a legal entity that has a certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children in the summer and on school holidays.</p> | <p>days. However, part day school age programs operating with a waiver for more than 90 days may not operate after September 15, 2020 without renewing their waiver of obtaining a certificate of compliance/license duly issued by the Department.</p> | |
| DHS-OCDEL | <p>55 Pa. Code § 3270.131(b);</p> <p>§3280.131(b); §3290.131(b)</p> | <p>§3270.131(b); §3280.131 (b); §3290.131(b);</p> <p>The operator shall require the parent to provide an updated health report in accordance with the following schedules:</p> <p>(1) At least every 6 months for an infant or young toddler.</p> <p>(2) At least every 12 months for an older toddler or preschool child.</p> | <p>Limited- If a medical provider is unavailable, the parent has 90 days, after Governor Wolf lifts the current Proclamation of Disaster Emergency for COVID-19, to provide an updated health report at least every 6 months for an infant or young toddler or at least every 12 months for an older toddler or preschool age child.</p> | March 2020 |

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| DHS-OCDEL | 55 Pa. Code § 3270.241 and 3280.221 | If a child is required to be enrolled in public or private school under the Public School Code of 1949 (24 P. S. § § 1-101—27-2702) and if the child is not enrolled and if the child is not exempted from enrollment under the Public School Code, a child day care facility may not admit the child for care during the hours when the child is required by law to attend public or private school. | The Department has suspended these regulations on a partial basis because local school districts and private schools are issuing modified schedules and methods of school attendance during the 2020-2021 school year as a strategy to mitigate the spread of COVID-19. During days where school age children are not required to attend face to face instruction at school due to the school entity announcing Hybrid Learning Model or Online/Remote instruction, children may be permitted to receive child care. | August 8, 2020 |
| DHS-ODP | 55 Pa. Code § 2380.21(u) | The facility shall inform and explain individual rights and the process to report a rights violation to the individual, and persons designated by the individual, upon admission to the facility and annually thereafter. | <p>Due to the frequent closure of facilities because of community COVID cases, the annual deadline to inform and explain the information required by these regulations to existing participants and persons designated by these participants is suspended and the deadline is extended to on or before June 30, 2021.</p> <p>The date the above information is provided to the participant and the participant's designated person establishes the date the information must be provided on an annual basis going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2380.33(a) | At least 1 program specialist shall be assigned for every 30 individuals, regardless of whether they meet the definition of individual in § 2380.3 (relating to definitions). | During the time that an individual is not actively receiving CPS services in a facility, the program specialist requirements do not apply to the individual. Additionally, these individuals will not be counted on the program specialist's caseload ratio. | March 17, 2020 |

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| | | | Providers may choose to have program specialists perform program specialist duties for individuals who do not receive CPS services in a CPS facility. If this occurs, the individuals are counted on the program specialist's caseload ratio. | |
| DHS-ODP | 55 Pa. Code § 2380.33(b)(1)-(5) | Program specialist caseload responsibilities. | <p>During the time that an individual is not actively receiving CPS services in a facility, the program specialist requirements do not apply to the individual. Additionally, these individuals will not be counted on the program specialist's caseload ratio.</p> <p>Providers may choose to have program specialists perform program specialist duties for individuals who do not receive CPS services in a CPS facility. If this occurs, the individuals are counted on the program specialist's caseload ratio.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2380.91(a) | An individual shall be instructed in the individual's primary language or mode of communication, upon initial admission and reinstructed annually in general fire safety, evacuation procedures, responsibilities during fire drills, the designated meeting place outside the building or within the fire safe area in the event of an actual fire, and smoking safety procedures if individuals smoke at the facility | <p>Due to the frequent closure of facilities because of community COVID cases, the annual deadline to provide these instructions to existing participants is suspended and the deadline is extended to on or before June 30, 2021.</p> <p>The date the above instruction is provided to the individual establishes the date the information needs to be provided on an annual basis going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2380.111(a) | Each individual shall have a physical examination within 12 months prior to admission and annually thereafter. | CPS facilities are to use the most recent physical examination results available for the individual until June 30, 2021. Individuals must have a complete | March 17, 2020 |

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| | | | physical examination on or before June 30, 2021. Physical examinations may be conducted using remote technology or Telehealth. The date the physical examination is completed establishes the date by which the physical examination must be completed annually going forward. | |
| DHS-ODP | 55 Pa. Code § 2380.181(a) | Each individual shall have an initial assessment within 1 year prior to or 60 calendar days after admission to the facility and an updated assessment annually thereafter. | <p>CPS facilities are to use the most recent assessment information available for the individual until June 30, 2021. Individuals must have a complete assessment completed on or before June 30, 2021.</p> <p>The date the assessment is completed establishes the date by which the physical examination must be completed annually going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2380.182(b) | The initial individual plan shall be developed based on the individual assessment within 90 days of the individual's date of admission to the facility. | <p>If the facility is responsible for developing the individual plan, the individual plan must be updated within 90 days of the date the assessment was completed as described in § 2380.181(a) above.</p> <p>If the facility is not responsible for developing the individual plan (e.g. the individual plan is developed by the individual's supports coordinator in conjunction with the individual plan team), the program specialist will encourage the individual plan team to revise the individual's individual plan within 90 days of the date the assessment was completed as described in § 2380.181(a) above.</p> | March 17, 2020 |

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| DHS-ODP | 55 Pa. Code § 2390.21(u) | The facility shall inform and explain client rights and the process to report a rights violation to the client, and persons designated by the client, upon admission to the facility and annually thereafter. | <p>Due to the frequent closure of facilities because of community COVID cases, the annual deadline to inform and explain the information required by these regulations to existing clients, and persons designated by these clients, is suspended and the deadline is extended to on or before June 30, 2021.</p> <p>The date the above information is provided to the individual and the individual's designated person establishes the date the information must be provided on an annual basis going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2390.33(a) | A minimum of 1 program specialist for every 45 clients shall be available when clients are present at the facility. | <p>During the time that an individual is not actively receiving CPS services in a facility, the program specialist requirements do not apply to the individual. Additionally, these individuals will not be counted on the program specialist's caseload ratio.</p> <p>Providers may choose to have program specialists perform program specialist duties for individuals who do not receive CPS services in a CPS facility. If this occurs, the individuals are counted on the program specialist's caseload ratio.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2390.33(b)(1)-(5) | Program specialist caseload responsibilities. | During the time that an individual is not actively receiving CPS services in a facility, the program specialist requirements do not apply to the individual. Additionally, these individuals will not be counted on the program specialist's caseload ratio. | March 17, 2020 |

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| | | | Providers may choose to have program specialists perform program specialist duties for individuals who do not receive CPS services in a CPS facility. If this occurs, the individuals are counted on the program specialist's caseload ratio. | |
| DHS-ODP | 55 Pa. Code § 2390.87 | Staff, and clients as appropriate, shall be instructed upon initial admission or initial employment and reinstructed annually in general fire safety and in the use of fire extinguishers. A written record of the training shall be kept. | <p>Due to the frequent closure of facilities because of community COVID cases, the annual deadline to provide these instructions to existing participants is suspended and the deadline is extended to on or before June 30, 2021.</p> <p>The date the above instruction is provided to the individual establishes the date the information needs to be provided on an annual basis going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2390.143(a) | A written work performance review shall be completed for a handicapped employment client annually. A copy of the review shall be in the client's file. | <p>Facilities must complete written work performance reviews on or before June 30, 2021.</p> <p>The date performance review is completed establishes the date the information needs to be provided on an annual basis going forward.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 2390.151(a) | Each client shall have an initial assessment within 1 year prior to or 60 calendar days after admission to the facility and an updated assessment annually thereafter. | CPS facilities are to use the most recent assessment information available for the individual until June 30, 2021. Individuals must have a complete assessment completed on or before June 30, 2021. | March 17, 2020 |

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| | | | The date the assessment is completed establishes the date by which the physical examination must be completed annually going forward. | |
| DHS-ODP | 55 Pa. Code § 2390.152(b) | The initial individual plan shall be developed based on the client assessment within 90 days of the client's date of admission to the facility. | <p>If the facility is responsible for developing the individual plan, the individual plan must be updated within 90 days of the date the assessment was completed as described in § 2380.181(a) above.</p> <p>If the facility is not responsible for developing the individual plan (e.g. the individual plan is developed by the individual's supports coordinator in conjunction with the individual plan team), the program specialist will encourage the individual plan team to revise the individual's individual plan within 90 days of the date the assessment was completed as described in § 2380.181(a) above.</p> | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 6400.13 | The maximum capacity specified on the certificate of compliance may not be exceeded. | Full. DHS-ODP's Community Homes are usually single-family dwellings that are integrated into the community. The average number of individuals living in a Community Home is 3. It may become necessary to co-locate individuals when there are insufficient staff to serve individuals at multiple homes resulting directly or indirectly from COVID-19, e.g. staff are sick, quarantined, caring for relatives, etc. Providers may not exceed the written fire safety approval on the home's Certificate of Occupancy (see 20.35) as doing so creates an unacceptable level of fire-safety risk. | March 6, 2020 |

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| DHS-ODP | 55 Pa. Code § 6400.32(g) | An individual has the right to control the individual's own schedule and activities. | Limited. Providers may restrict an individual's right to participate in activities that could reasonably put the individual at risk of contracting COVID-19. <u>This regulatory requirement has been reinstated.</u> | March 6,2020 |
| DHS-ODP | 55 Pa. Code § 6400.32(l) | An individual has the right to receive scheduled and unscheduled visitors, and to communicate and meet privately with whom the individual chooses, at any time. | Limited. Restricting scheduled and unscheduled visitors to prevent the spread of COVID-19 in accordance with DHS-ODP, Department of Health, and CDC guidance will not be considered a violation of an individual's rights. The right to private communication and meeting is not suspended. | March 23,2020 June 5, 2020 |
| DHS-ODP | 55 Pa. Code § 6400.32(p) | An individual has the right to choose persons with whom to share a bedroom. | Limited. Providers may restrict the right to choose persons with whom to share a bedroom when housing/living arrangements are modified due to COVID-19. | March 23,2020 |
| DHS-ODP | 55 Pa. Code § 6400.45(a) | A minimum of one staff person for every eight individuals shall be awake and physically present at the home when individuals are awake at the home. | Limited. This suspension is triggered when the maximum capacity specified on the certificate of compliance is exceeded. A minimum of one staff member must be present in the home and awake at all times while individuals are awake until the provider can secure sufficient staff to meet the required 1:8 ratio. The ratio must be met as soon as sufficient staff are available. Staffing levels may not be reduced such that there is imminent risk of harm to one or more individuals at any time. | March 23,2020 |

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| DHS-ODP | 55 Pa. Code § 6400.45(b) | A minimum of 1 staff person for every 16 individuals shall be physically present at the home when individuals are sleeping at the home. | Limited. This suspension is triggered when the maximum capacity specified on the certificate of compliance is exceeded. A minimum of one staff member must be present in the home and awake at all times while individuals are awake until the provider can secure sufficient staff to meet the required 1:16 ratio. The ratio must be met as soon as sufficient staff are available. Staffing levels may not be reduced such that there is imminent risk of harm to one or more individuals at any time. | March 23,2020 |
| DHS-ODP | 55 Pa. Code § 6400.45(d) | The staff qualifications and staff ratio as specified in the individual plan shall be implemented as written, including when the staff ratio is greater than required under subsections (a), (b) and (c). | Limited. This suspension is triggered when there is insufficient staff to meet the needs specified in the individuals' plans is related directly or indirectly to COVID-19, e.g., staff are sick, quarantined, caring for relatives, etc. Sufficient staff to meet the individuals' needs as specified in the individual plan must be on duty as soon as the provider can secure such staff. Staffing levels may not be reduced such that there is imminent risk of harm to one or more individuals at any time. | March 23,2020 |
| DHS-ODP | 55 Pa. Code § 6400.51(b)(1) | The orientation must encompass the following areas: The application of person-centered practices, community integration, individual choice and supporting individuals to develop and maintain relationships. | <p>Full. The requirements of 6400.51(b)(1) are suspended. All of the other content areas at 6400.51(b) must be provided. Providers are encouraged to conduct remote trainings when possible.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | March 23,2020 |

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| DHS-ODP | 55 Pa. Code § 6400.52(a) | <p>(a) The following shall complete 24 hours of training related to job skills and knowledge each year:</p> <ol style="list-style-type: none"> (1) Direct service workers. (2) Direct supervisors of direct service workers. (3) Program specialists. <p>(b) The following shall complete 12 hours of training each year:</p> <ol style="list-style-type: none"> (1) Management, program, administrative and fiscal staff persons. (2) Dietary, housekeeping, maintenance and ancillary staff persons, except for persons who provide dietary, housekeeping, maintenance or ancillary services and who are employed or contracted by the building owner and the licensed facility does not own the building. (3) Consultants and contractors who are paid or contracted by the home and who work alone with individuals, except for consultants and contractors who provide a service for fewer than 30 days within a 12-month period and who are licensed, certified or registered by the Department of State in a health care or social service field. (4) Volunteers who work alone with individuals. (5) Paid and unpaid interns who work alone with individuals. | <p>Full. The requirement for annual training hours is suspended however, the requirement to provide training is not suspended. See 6400.52(c)(1) below.</p> <p><u>This regulatory requirement was reinstated for training years that end in 2021.</u></p> | March 23,2020 |
| DHS-ODP | 55 Pa. Code § 6400.52(c)(1) | - The annual training hours specified in subsections (a) and (b) must encompass the following areas: The application of person-centered practices, community integration, individual choice and supporting individuals to develop and maintain relationships | <p>Full. The requirements of 6400.52(c)(1) are suspended. All of the other content areas at 6400.52(c) must be provided. Providers are encouraged to conduct remote trainings when possible.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | March 23,2020 |

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| DHS-ODP | 55 Pa. Code §6400.141(a) | Each individual shall have a physical examination within 12 months prior to admission and annually thereafter. | <p>Initial – Limited.</p> <p>Immediately before admission to the home, individuals must be screened for COVID-19 symptoms. A physician must be contacted and the physician’s guidance followed if symptoms are present before the individual can be admitted to the home. Within 12 months prior to or 72 hours after admission, individuals must have a truncated medical examination via telemedicine that includes:</p> <ul style="list-style-type: none"> • A review of previous medical history. • A general physical examination. • Specific precautions that must be taken if the individual has a communicable disease, to prevent spread of the disease to other individuals. • Allergies. • Medical information pertinent to diagnosis and treatment in case of an emergency. • Special instructions for the individual’s diet. • Current medications and administration instructions. <p>Annual – Full.</p> <p>Individuals are not required to receive a physical examination during the COVID-19 pandemic if the purpose of the examination is not related to a change in health status, i.e., the examination is conducted only to meet the requirements of this regulation. Physical examinations stemming from changes in</p> | March 23, 2020 |
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| | | | health status or as ordered by the individual's physician are still required. | |
| DHS-ODP | 55 Pa. Code § 6400.151(a) | A staff person who comes into direct contact with the individuals or who prepares or serves food, for more than 5 days in a 6-month period, including temporary, substitute and volunteer staff, shall have a physical examination within 12 months prior to employment and every 2 years thereafter. | <p>Initial – Limited.</p> <p>Immediately before working with individuals, staff must be screened for COVID-19 symptoms. A physician must be contacted and the physician's guidance followed if symptoms are present. Additionally, within 12 months prior to working with individuals, staff must have a truncated medical examination via telemedicine that includes:</p> <ul style="list-style-type: none"> ▪ A general physical examination. ▪ Verification that the person is free of communicable diseases or specific precautions to be taken if the person has a communicable disease. ▪ Information of medical problems which might interfere with the health of the individuals. <p>Biannual – Full.</p> <p>Staff are not required to receive a physical examination during the COVID-19 pandemic if the purpose of the examination is not related to a change in health status, i.e., the examination is conducted only to meet the requirements of this regulation.</p> | March 23,2020 |
| DHS-ODP | 55 Pa. Code § 6400.169(a) | A staff person who has successfully completed a Department-approved medication administration course, including the course renewal requirements, may administer medications, | Limited. 6400.169(a) provides that a staff person can administer medications to individuals if the staff person successfully completes a Department-approved medication administration course. A | March 23, 2020 |

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| | | <p>injections, procedures and treatments as specified in § 6400.162 (relating to medication administration).</p> | <p>“standard” medication administration course is required to administer medications in Community Homes. In order to ensure that individuals who require assistance with medication receive such assistance, new or untrained staff may administer medications after they:</p> <ol style="list-style-type: none"> 1. Complete DHS-ODP’s Modified Medication Administration Training Course, available on www.MyDHS-ODP.org (https://www.myDHS-ODP.org/course/index.php?categoryid=11), and 2. Receive training from the provider on the use of the provider’s medication record for documenting the administration of medication, and 3. Are observed administering medications four times by a Certified Medication Administration Trainer or Certified Medication Administration Observer, unless a trainer or observer is not available due to COVID-related conditions. Observation may be conducted in-person or remotely using video interface technology; remote observation is encouraged to maintain social distancing, and 4. Are observed applying proper handwashing and gloving techniques one time by a Certified Medication Administration Trainer or Certified Medication Administration Observer, unless a trainer or observer | |
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| | | | <p>is not available due to COVID-related conditions. Observation may be conducted in-person or remotely using video interface technology; remote observation is encouraged to maintain social distancing.</p> <p>Providers must retain record of staff's completion of the Modified Medication Administration Training Course by retaining a copy of the certificate of completion.</p> | |
| DHS-ODP | 55 Pa. Code § 6400.186 | The home shall implement the individual plan, including revisions. | <p>Limited. Any service or requirement in the individual plan that can be provided should be provided. Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. Such services or requirements include but are not limited to; community activities, staffing ratios, staffing qualifications, community participation supports, friend or familial visits inside or outside the home.</p> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6400.188(b) | The home shall provide opportunities and support to the individual for participation in community life, including volunteer or civic-minded opportunities and membership in National or local organizations. | <p>Limited. Providers may restrict an individual's right to participate in activities that could reasonably put the individual at risk of contracting COVID-19.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6400.188(c) | The home shall provide services to the individual as specified in the individual plan. | <p>Limited. Any service or requirement in the individual plan that can be provided should be provided. Providers will not be held responsible if they cannot</p> | March 23, 2020 |

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| | | | provide a service or requirement because of factors associated with COVID-19. Such services or requirements include but are not limited to: community activities; staffing ratios; staffing qualifications; community participation supports; familial visits inside or outside the home. | |
| DHS-ODP | 55 Pa. Code § 6400.189(b) | Day services shall be provided at a location other than the residential home where the individual lives, unless one of the following applies: (1) There is written annual documentation by a licensed physician that it is medically necessary for the individual to complete day services at the residential home. (2) There is written annual documentation by the plan team that it is in the best interest of the individual to complete day services at the residential home. | Full. The requirements of 6400.189(b) are suspended. All Community Participation Support facilities licensed under Chapter 2380 and Chapter 2390 are currently closed in response to the COVID-19 pandemic. | March 17, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.14 | The maximum capacity specified on the certificate of compliance may not be exceeded. | Full. DHS-ODP's Life Sharing homes are private homes of an individual or a family in which residential care is provided to one or two individuals with an intellectual disability or autism. The maximum capacity of some homes is one (1). It may become necessary to co-locate individuals when there are insufficient staff to serve individuals at multiple homes resulting directly or indirectly from COVID-19, e.g., staff are sick, quarantined, caring for relatives, etc. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.32(g) | An individual has the right to control the individual's own schedule and activities | Limited. Providers may restrict an individual's right to participate in activities that could reasonably put the individual at risk of contracting COVID-19. <u>This regulatory requirement has been reinstated.</u> | March 23, 2020 |

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| DHS-ODP | 55 Pa. Code § 6500.32(l) | An individual has the right to receive scheduled and unscheduled visitors, and to communicate and meet privately with whom the individual chooses, at any time. | Limited. . Restricting scheduled and unscheduled visitors to prevent the spread of COVID-19 in accordance with DHS-ODP, Department of Health, and CDC guidance will not be considered a violation of an individual's rights . The right to private communication and meeting is not suspended. | March 23, 2020 June 5, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.32(p) | An individual has the right to choose persons with whom to share a bedroom. | Limited. Providers may restrict the right to choose persons with whom to share a bedroom when housing/living arrangements are modified due to COVID-19. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.44(d) | Supervision as specified in the individual plan shall be implemented as written when the supervision specified in the individual plan is greater than required under subsections (a), (b) and (c). | Limited. This suspension is triggered when there is insufficient staff to meet the needs specified in the individuals' plans is related directly or indirectly to COVID-19, e.g., staff are sick, quarantined, caring for relatives, etc. Sufficient staff to meet the individuals' needs as specified in the individual plan must be on duty as soon as the provider can secure such staff. Staffing levels may not be reduced such that there is imminent risk of harm to one or more individuals at any time. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.44(e) | The staff qualifications and staff ratio as specified in the individual plan shall be implemented as written, including when the staff ratio is greater than required under subsections (a), (b) and (c). | Limited. This suspension is triggered when there is insufficient staff to meet the needs specified in the individuals' plans is related directly or indirectly to COVID-19, e.g., staff are sick, quarantined, caring for relatives, etc. Sufficient staff to meet the individuals' needs as specified in the individual plan must be on | March 23, 2020 |

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| | | | duty as soon as the provider can secure such staff. Staffing levels may not be reduced such that there is imminent risk of harm to one or more individuals at any time. | |
| DHS-ODP | 55 Pa. Code § 6500.47(b)(1) | The orientation must encompass the following area: The application of person-centered practices, community integration, individual choice and supporting individuals to develop and maintain relationships. | Full. The requirements of 6500.47(b)(1) are suspended. All of the other content areas at 6500.47(b) must be provided. Providers are encouraged to conduct remote trainings when possible. <u>This regulatory requirement has been reinstated.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.48(a) | The primary caregiver and the life sharing specialist shall complete 24 hours of training related to job skills and knowledge each year. | Full. The requirement for annual training hours is suspended however, the requirement to provide training is not suspended. <u>This regulatory requirement was reinstated for training years that end in 2021.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.48(b)(1) | The annual training hours specified in subsection (a) must encompass the following areas: The application of person-centered practices, rights, facilitating community integration, individual choice and supporting individuals to develop and maintain relationships | Full. The requirements of 6500.48(b)(1) are suspended. All of the other content areas at 6500.48(b) must be provided. Providers are encouraged to conduct remote trainings when possible. | March 23, 2020 |

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| | | | <u>This regulatory requirement has been reinstated.</u> | |
| DHS-ODP | 55 Pa. Code § 6500.121(a) | An individual shall have a physical examination within 12 months prior to living in the home and annually thereafter | <p>Initial – Limited.</p> <p>Immediately before admission to the home, individuals must be screened for COVID-19 symptoms. A physician must be contacted and the physician’s guidance followed if symptoms are present before the individual can be admitted to the home. Additionally, individuals must have a truncated medical examination via telemedicine that includes the following within 12 months prior to or 72 hours after admission:</p> <ul style="list-style-type: none"> • A review of previous medical history. • A general physical examination. • Specific precautions that must be taken if the individual has a communicable disease, to prevent spread of the disease to other individuals. • Allergies. • Medical information pertinent to diagnosis and treatment in case of an emergency. • Special instructions for the individual’s diet. • Current medications and administration instructions. <p>Annual – Full.</p> <p>Individuals are not required to receive a physical examination during the COVID-19 pandemic if the</p> | March 23, 2020 |

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| | | | purpose of the examination is not related to a change in health status, i.e., the examination is conducted only to meet the requirements of this regulation. Physical examinations stemming from changes in health status or as ordered by the individual's physician are still required. | |
| DHS-ODP | 55 Pa. Code § 6500.125(a) | Family members and persons living in the home shall have a physical examination within 12 months prior to the individual living in the home. | <p>Initial – Limited.</p> <p>Family members and persons living in the home who move into the home after the date of this guidance must be screened for COVID-19 symptoms immediately before moving into the home. A physician must be contacted and the physician's guidance followed if symptoms are present. Family members and persons living in the home who move into the home after the date of this guidance must have a truncated medical examination via telemedicine that includes the following within 12 months prior to living in the home:</p> <ul style="list-style-type: none"> ▪ A general physical examination. ▪ Verification that the person is free of communicable diseases or specific precautions to be taken if the person has a communicable disease. <p>Information of medical problems which might interfere with the health of the individuals.</p> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.156 | The home shall implement the individual plan, including revisions. | Limited. Any service or requirement in the individual plan that can be provided should be provided. | March 23, 2020 |

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| | | | Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. Such services or requirements include but are not limited to; community activities, staffing ratios, staffing qualifications, community participation supports, friend or familial visits inside or outside the home. | |
| DHS-ODP | 55 Pa. Code § 6500.158(b) | The life sharing home shall provide opportunities to the individual for participation in community life, including volunteer or civic-minded opportunities and membership in National or local organizations. | Limited. Providers may restrict an individual's right to participate in activities that could reasonably put the individual at risk of contracting COVID-19. <u>This regulatory requirement has been reinstated.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.158(c) | The life sharing home shall provide services to the individual as specified in the individual's individual plan | Limited. Any service or requirement in the individual plan that can be provided should be provided. Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. Such services or requirements include but are not limited to: community activities; staffing ratios; staffing qualifications; community participation supports; familial visits inside or outside the home. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6500.159(b) | Day services and activities shall be provided at a location other than the home where the individual lives, unless one of the following exists: (1) There is written annual documentation by a licensed physician that it is medically necessary for the individual to complete day services at the home. | Full. The requirements of 6500.159(b) are suspended. All Community Participation Support facilities licensed under Chapter 2380 and Chapter 2390 are currently closed in response to the COVID-19 pandemic. | March 23, 2020 |

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| | | (2) There is written annual documentation by the plan team that it is in the best interest of the individual to complete day services at the home. | | |
| DHS-ODP | 55 Pa. Code § 6100.85(c) | The provider shall deliver the HCBS in accordance with the individual plan. | Limited. Any service or requirement in the individual plan that can be provided should be provided. Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.142(b)(1) | The orientation must encompass the following areas: The application of person-centered practices, community integration, individual choice and assisting individuals to develop and maintain relationships. | Full. The requirement to provide this content is suspended. All of the other content areas at §§ 6100.142(b)(2)-(5) must be provided. <u>This regulatory requirement has been reinstated.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.143(a) | The following shall complete 24 hours of training related to job skills and knowledge each year: (1) Direct service professionals and life sharers who provide an HCBS or base-funding service to the individual. (2) Direct supervisors of direct service professionals. | Full. The requirements to provide the minimum numbers of annual training hours is suspended. <u>This regulatory requirement was reinstated for training years that end in 2021.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.143(b) | The following shall complete 12 hours of training each year: (1) Management, program, administrative, fiscal, dietary, housekeeping, maintenance and ancillary staff persons, except for persons who provide dietary, housekeeping, maintenance or ancillary services and who are employed or | Full. The requirements to provide the minimum numbers of annual training hours is suspended. <u>This regulatory requirement was reinstated for training years that end in 2021.</u> | March 23, 2020 |

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| | | <p>contracted by the building owner and the licensed facility does not own the building.</p> <p>(2) Consultants and contractors who are paid or contracted by the provider and who work alone with individuals, except for consultants and contractors who provide an HCBS or base-funding service for fewer than 30 days within a 12-month period and who are licensed, certified or registered by the Department of State in a health care or social service field.</p> <p>(3) Volunteers who work alone with individuals.</p> <p>(4) Paid and unpaid interns who work alone with individuals.</p> | | |
| DHS-ODP | 55 Pa. Code § 6100.143(c)(1) | The annual training hours specified in subsections (a) and (b) must encompass the following areas: The application of person-centered practices, community integration, individual choice and assisting individuals to develop and maintain relationships. | <p>Full. The requirement to provide this content is suspended. All of the other content areas at §§ 6100.143(c)(2)-(6) must be provided.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.182(g) | An individual has the right to control the individual's own schedule and activities. | <p>Limited. Providers may restrict an individual's right to participate in activities that could reasonably put the individual at risk of contracting COVID-19.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | March 23, 2020 |

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| DHS-ODP | 55 Pa. Code § 6100.182(g) | An individual has the right to receive scheduled and unscheduled visitors, and to communicate and meet privately with whom the individual chooses, at any time. | Limited. Restricting scheduled and unscheduled visitors to prevent the spread of COVID-19 in accordance with DHS-ODP, Department of Health, and CDC guidance will not be considered a violation of an individual's rights. The right to private communication and meeting is not suspended. | March 23, 2020 June 5, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.183(e) | An individual has the right to choose persons with whom to share a bedroom. | Limited. Providers may restrict the right to choose persons with whom to share a bedroom when housing/living arrangements are modified due to COVID-19. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.186(a) | The provider shall facilitate and make accommodations to assist an individual to visit with whom the individual chooses, at the direction of the individual. | Limited. Providers may only limit facilitation and accommodation of in-person visits and only for purposes of preventing the spread of COVID-19. Other types of visits, e.g., visits through telecommunication technology, must be facilitated and accommodated. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.186(b) | The provider shall facilitate and make accommodations to involve the persons designated by the individual in decision-making, planning and activities, at the direction of the individual. | Limited. Providers may only limit facilitation and accommodation of in-person involvement and only for purposes of preventing the spread of COVID-19. Other types of involvement, e.g., visits through telecommunication technology, must be facilitated and accommodated. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.186(c) | The provider shall facilitate the involvement of the individual's relatives and friends, unless the individual indicates otherwise. | Limited. Providers may only limit facilitation and accommodation of in-person involvement and only for purposes of preventing the spread of COVID-19. Other types of involvement, e.g., visits through | March 23, 2020 |

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| | | | telecommunication technology, must be facilitated and accommodated. | |
| DHS-ODP | 55 Pa. Code § 6100.224 | The provider identified in the individual plan shall implement the individual plan, including revisions. | Limited. Any service or requirement in the individual plan that can be provided should be provided. Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. Such services or requirements include but are not limited to; community activities, staffing ratios, staffing qualifications, community participation supports, friend or familial visits inside or outside the home. | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.261 | The provider shall provide the individual with the assistance necessary to access the community in accordance with the individual plan. | Limited. Provider's may restrict an individual's right to participate in community activities if such activity may increase the likelihood of COVID-19 exposure. Providers should make every attempt to identify if remote activities are available, for example, a virtual tour of a local zoo. Outdoor activities on the premise of the home or neighborhood is encouraged. Providers will not be held responsible if they cannot provide a service or requirement because of factors associated with COVID-19. <u>This regulatory requirement has been reinstated.</u> | March 23, 2020 |
| DHS-ODP | 55 Pa. Code § 6100.441(a) | A provider shall submit a written request to the Department on a form specified by the Department and receive written approval from the Department prior to increasing or | Limited. Use of the Department's form is not required. The Department may provide verbal approval at its discretion. | March 23, 2020 |

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| | | decreasing the Department-approved program capacity of a service location. | | |
| DHS-ODP | 55 Pa. Code § 6100.441(c) | The program capacity, as specified in writing by the Department, may not be exceeded. Additional individuals funded through any funding source, including private-pay, may not be provided services in the service location to exceed the Department-approved program capacity. | Full. It may become necessary to co-locate individuals when there are insufficient staff to serve individuals at multiple service locations resulting directly or indirectly from COVID-19, e.g., staff are sick, quarantined, caring for relatives, etc. | March 23, 2020 |
| DHS – ODP | <p>55 Pa. Code</p> <ul style="list-style-type: none"> • § 2380.111(c)(5) • § 2380.113(c)(2) • § 6400.141(c)(6) • § 6400.151(c)(2) • § 6500.121(c)(6) • § 6500.125(c)(2) | Requires individuals, staff, and family members to have a physical examination, including a negative Tuberculosis result. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | March 25, 2021 |
| DHS OLTL | <p>55 Pa. Code § 2600.42</p> <p>55 Pa. Code § 2800.42</p> | A resident has the right to receive visitors in person. | In-person visitation was restricted due to COVID-19 pandemic. Guidance was updated on June 26, 2020. | <p>March 29, 2020</p> <p>June 26, 2020</p> |

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| DHS-OLTL | 55 Pa. Code § 2600.51 | Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act. | Limited. A facility may extend a provisional hire for the sole reason that FBI clearances/checks are not available. The facility must document the reason why the FBI clearance/check was not available. Providers shall obtain the FBI clearances/checks within 60 days from the date the suspension of the regulation is lifted. This only relates to licensing requirements and does not change any other law. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.57 (b) | Direct care staff persons shall be available to provide at least 1 hour per day of personal care services to each mobile resident. | Limited. Providers shall notify their Bureau of Human Services Licensing (BHSL) regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.57 (c) | Direct care staff persons shall be available to provide at least 2 hours per day of personal care services to each resident who has mobility needs. | Limited. Providers shall notify their regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.64 (c) | An administrator shall have at least 24 hours of annual training relating to the job duties. The Department-approved training sources listed in subsection (a) fulfills the annual training requirement for the first year. | Full. The administrator shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.65 (e) | Direct care staff persons shall have at least 12 hours of annual training related to their job duties. | Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.65 (f) | Training topics for the annual training for direct care staff persons shall include the following: (1) Medication self-administration training | Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |

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| | | <p>(2) Instruction on meeting the needs of the residents as described in the preadmission screening form, assessment tool, medical evaluation and support plan.</p> <p>(3) Care of residents with dementia and cognitive impairments.</p> <p>(4) Infection control and general principles of cleanliness and hygiene and areas associated with immobility, such as prevention of decubitus ulcers, incontinence, malnutrition and dehydration. (5) Personal care service needs of the resident.</p> <p>(6) Safe management techniques</p> <p>Care for residents with mental illness or an intellectual disability, or both, if the population is served in the home.</p> | | |
| DHS-OLTL | 55 Pa. Code § 2600.65 (g) | <p>Direct care staff persons, ancillary staff persons, substitute personnel and regularly scheduled volunteers shall be trained annually in the following areas:</p> <p>(1) Fire safety completed by a fire safety expert or by a staff person trained by a fire safety expert. Videos prepared by a fire safety expert are acceptable for the training if accompanied by an onsite staff person trained by a fire safety expert.</p> <p>(2) Emergency preparedness procedures and recognition and response to crises and emergency situations.</p> <p>(3) Resident rights.</p> <p>(4) The Older Adult Protective Services Act</p> <p>(5) Falls and accident prevention.</p> <p>New population groups that are being served at the residence that were not previously served, if applicable.</p> | Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.104 (b) | Dishes, glassware and utensils shall be provided for eating, drinking, preparing and serving food. These utensils must be clean, and free of chips and cracks. Plastic and paper plates, | Limited. Facilities may use plastic and paper plates, utensils and cups for meals for infection control purposes. | March 29, 2020 |

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| | | utensils and cups for meals may not be used on a regular basis. | | |
| DHS-OLTL | 55 Pa. Code § 2600.104 (e) | <p>Breakfast, midday and evening meals shall be served to residents in a dining room except in the following situations:</p> <p>(1) Service in the resident's room shall be available at no additional charge when the resident is unable to come to the dining room due to illness</p> <p>When room service is available in a home, a resident may choose to have a meal served in the resident's room. This shall be provided at the resident's request and may not replace daily meals in a dining room.</p> | <p>Limited. Facilities will be expected to follow guidance provided by Department of Health (DOH).</p> <p>https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p> | <p>March 29, 2020</p> <p>June 26, 2020</p> |
| DHS-OLTL | 55 Pa. Code § 2600.132(a) | An unannounced fire drill shall be held at least once a month. | Full. The suspension of the regulation shall lift upon the date the Disaster Proclamation is lifted by the Governor. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.132(b) | A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept. | Full. The annual fire safety inspection and fire drill conducted by a fire safety expert must be completed within 60 of the date the Disaster Proclamation is lifted by the Governor. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.141 (b) (1) | A resident shall have a medical evaluation at least annually. | Limited. If the resident's primary care physician determines that the medical evaluation can be conducted at a later date, then the facility can postpone the medical evaluation to the date determined by the physician; provided that, the medical evaluation must be performed no later than 90 days after the Emergency Declarations is lifted. The facility shall document the primary care physician's determination in the resident's record for subsequent review. | March 29, 2020 |

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| DHS-OLTL | 55 Pa. Code § 2600.190 (a) | A staff person who has successfully completed a Department-approved medications administration course that includes the passing of the Department's performance-based competency test within the past 2 years may administer oral; topical; eye, nose and ear drop prescription medications and epinephrine injections for insect bites or other allergies | Limited. Staff who have been previously trained may continue to administer oral; topical; eye, nose and ear drop prescription medications; and epinephrine injections for insect bites or other allergies for up to 90 days beyond the staff's training renewal date. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.190 (b) | A staff person is permitted to administer insulin injections following successful completion of a Department-approved medications administration course that includes the passing of a written performance based competency test within the past 2 years, as well as successful completion of a Department-approved diabetes patient education program within the past 12 months. | Limited. Staff who have been previously trained may continue to administer insulin injections for up to 90 days beyond the staff's training renewal date. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.221 (a) | The administrator shall develop a program of activities designed to promote each resident's active involvement with other residents, the resident's family and the community. | Limited. Facilities will be expected to follow guidance provided by DOH. https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf | March 29, 2020 June 26, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.236 | Each direct care staff person working in a secured dementia care unit shall have 6 hours of annual training specified in 2600.65 (relating to direct care staff person training and orientation.) | Full. The training shall be completed within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.237 (a) | The following activities shall be offered at least weekly: (1) Gross motor activities, such as dancing stretching and other exercise. | Limited. Facilities will be expected to follow guidance provided by DOH. | March 29, 2020 |

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| | | <p>(2) Self-care activities, such as personal hygiene.</p> <p>(3) Social activities, such as games, music and holiday and seasonal celebrations.</p> <p>(4) Crafts, such as sewing, decorations and pictures.</p> <p>(5) Sensory and memory enhancement activities, such as review of current events, movies, story-telling, picture albums, cooking, pet therapy and reminiscing</p> <p>Outdoor activities, as weather permits, such as walking, gardening and field trips.</p> | https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf | June 26, 2020 |
| DHS-OLTL | 55 Pa. Code § 2600.56 | The administrator shall be present in the home an average of 20 hours or more per week, in each calendar month. | Limited. In the event that an administrator is required to manage multiple facilities because another administrator has been quarantined or isolated, BHSL will not cite failure to meet this requirement. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.51 (a) | Criminal history checks and hiring policies shall be in accordance with the Older Adult Protective Services Act. | Limited. The Department will not issue a licensing citation for an OAPSA violation where the facility can demonstrate compliance with the OAPSA FBI criminal history record guidance found at https://www.aging.pa.gov/service-provider-quicklinks/covid-19-provider-guidance/Documents/COVID-19%20FBIcrimbackgroundchecksguidance-update-4-7.pdf and the other requirements of 6 Pa. Code §15.146. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.57 (b) | Direct care staff persons shall be available to provide at least 1 hour per day of personal care services to each mobile resident. | Limited. Providers shall notify their BHSL regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL. | March 29, 2020 |

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| DHS-OLTL | 55 Pa. Code § 2800.57 (c) | Direct care staff persons shall be available to provide at least 2 hours per day of personal care services to each resident who has mobility needs. | Limited. Providers shall notify their regional office via email of any anticipated or actual staff shortages and of their plan to mitigate the staff shortage for approval by the regional director for BHSL. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.64 (c) | An administrator shall have at least 24 hours of annual training relating to the job duties. The Department-approved training sources listed in subsection (a) fulfills the annual training requirement for the first year. | Full. The administrator shall complete the training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.65 (h) | Direct care staff persons shall have at least 16 hours of annual training relating to their job duties. | Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.65 (i) | <ul style="list-style-type: none"> (1) Medication self-administration training (2) Instruction on meeting the needs of the residents as described in the preadmission screening form, assessment tool, medical evaluation and support plan. (3) Care of residents with dementia and cognitive impairments. (4) Infection control and general principles of cleanliness and hygiene and areas associated with immobility, such as prevention of decubitus ulcers, incontinence, malnutrition and dehydration. (5) Assisted living service needs of the resident. (6) Safe management techniques (5) Care for residents with mental illness or an intellectual disability, or both, if the population is served in the home. | Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.65 (j) | Direct care staff persons, ancillary staff persons, substitute personnel and regularly scheduled volunteers shall be trained annually in the following areas: | Full. The direct care staff shall complete the training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |

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| | | <p>(1) Fire safety completed by a fire safety expert or by a staff person trained by a fire safety expert. Videos prepared by a fire safety expert are acceptable for the training if accompanied by an onsite staff person trained by a fire safety expert.</p> <p>(2) Emergency preparedness procedures and recognition and response to crises and emergency situations.</p> <p>(3) Resident rights.</p> <p>(4) The Older Adult Protective Services Act</p> <p>(5) Falls and accident prevention.</p> <p>New population groups that are being served at the residence that were not previously served, if applicable.</p> | | |
| DHS-OLTL | 55 Pa. Code § 2800.104(b) | Dishes, glassware and utensils shall be provided for eating, drinking, preparing and serving food. These utensils must be clean, and free of chips and cracks. Plastic and paper plates, utensils and cups for meals may not be used on a regular basis. | Limited. Facilities may use plastic and paper plates, utensils and cups for meals for infection control purposes. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.104 (e) | <p>Breakfast, midday and evening meals shall be served to residents in a dining room except in the following situations:</p> <p>(1) Service in the resident's room shall be available at no additional charge when the resident is unable to come to the dining room due to illness</p> <p>When room service is available in a home, a resident may choose to have a meal served in the resident's room. This shall be provided at the resident's request and may not replace daily meals in a dining room.</p> | <p>Limited. Facilities will be expected to follow guidance provided by Department of Health (DOH).</p> <p>https://www.health.pa.gov/topics/Documents/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p> | <p>March 29, 2020</p> <p>June 26, 2020</p> |

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| DHS-OLTL | 55 Pa. Code § 2800.132(a) 132 (b) | An unannounced fire drill shall be held at least once a month. | Full. The suspension of the regulation shall lift upon the date the Disaster Proclamation is lifted by the Governor. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.132(b) | A fire safety inspection and fire drill conducted by a fire safety expert shall be completed annually. Documentation of this fire drill and fire safety inspection shall be kept. | Full. The annual fire safety inspection and fire drill conducted by a fire safety expert must be completed within 60 of the date the Disaster Proclamation is lifted by the Governor. | March 29, 2020 |
| DHS - OLTL | 55 Pa. Code § 2800.141(a)(11) | Requires residents to have a medical evaluation, including a Tuberculin skin test. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | March 25, 2021 |
| DHS-OLTL | 55 Pa. Code § 2800.141(b)(1) | A resident shall have a medical evaluation at least annually. | Limited. If the resident's primary care physician determines that the medical evaluation can be conducted at a later date, then the facility can postpone the medical evaluation to the date determined by the physician; provided that, the | March 29, 2020 |

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| | | | <p>medical evaluation must be performed no later than 90 days after the</p> <p>Emergency Declarations is lifted. The facility shall document the primary care physician's determination in the resident's record for subsequent review.</p> | |
| DHS-OLTL | 55 Pa. Code § 2800.190 (a) | <p>A staff person who has successfully completed a Department-approved medications administration course that includes the passing of the</p> <p>Department's performance-based competency test within the past 2 years may administer oral; topical; eye, nose and ear drop prescription medications and epinephrine injections for insect bites or other allergies.</p> | Limited. Staff who have been previously trained may continue to administer oral; topical; eye, nose and ear drop prescription medications; and epinephrine injections for insect bites or other allergies for up to 90 days beyond the staff's training renewal date. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.190 (b) | <p>A staff person is permitted to administer insulin injections following successful completion of a Department-approved medications administration course that includes the passing of a written performance based competency test within the past 2 years, as well as successful completion of a Department-approved diabetes patient education program within the past 12 months.</p> | Limited. Staff who have been previously trained may continue to administer insulin injections; for up to 90 days beyond the staff's training renewal date. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.221 (a) | <p>The residence shall develop a program of daily activities designed to promote each resident's active involvement with other residents, the resident's family and the community and provide the necessary space and equipment for the activities in accordance with 2800.98 and 2800.99</p> <p>(relating to indoor activity space; and recreation space). The residence shall offer the opportunity for the resident's active participation in the development of the daily calendar.</p> | <p>Limited. Facilities will be expected to follow guidance provided by DOH.</p> <p>https://www.health.pa.gov/topics/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p> | March 29, 2020 |

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| DHS-OLTL | 55 Pa. Code § 2800.236 (a) | Each direct care staff person working in a special care unit for residents with Alzheimer's disease or dementia shall have 8 hours of initial training within the first 30 days of the date of hire and a minimum of 8 hours of annual training related to dementia care and services, in addition to the 16 hours of annual training specified in 2800.65 (relating to staff orientation and direct care staff person training and orientation. | Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 2800.236 (b) | Each direct care staff person working in a special care unit INRBI shall have 8 hours of initial training within the first 30 days of the date of hire and a minimum of 8 hours of annual training related to brain injury, in addition to the 16 hours of annual training specified in 2800.65 and any continuing education required for professional licensing. | Full. The direct care staff shall complete the annual training within 90 days from the date the suspension of the regulation is lifted. | March 29, 2020 |
| DHS-OLTL | 55 Pa. Code § 2800.237 (a) | <p>The following activities shall be offered at least weekly:</p> <ul style="list-style-type: none"> (1) Gross motor activities, such as dancing stretching and other exercise. (2) Self-care activities, such as personal hygiene. (3) Social activities, such as games, music and holiday and seasonal celebrations. (4) Crafts, such as sewing, decorations and pictures. (5) Sensory and memory enhancement activities, such as review of current events, movies, storytelling, picture albums, cooking, pet therapy and reminiscing <p>Outdoor activities, as weather permits, such as walking, gardening and field trips.</p> | <p>Limited. Facilities will be expected to follow guidance provided by DOH.</p> <p>https://www.health.pa.gov/topics/Diseases%20and%20Conditions/COVID-19%20Interim%20Nursing%20Facility%20Guidance.pdf</p> <p><u>Guidance</u></p> | <p>March 29, 2020</p> <p>June 26, 2020</p> |
| DHS-OLTL | 55 Pa. Code §1187.172; §1187.176 | A bed increase request must include ownership information, project overview, financial information, compliance history, and certification and authority | To approve temporary bed increases in response to an increased need for nursing facility beds during the COVID-19 pandemic in place of review | June 5, 2020 |

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| DHS-OIM | 55 Pa. Code § 123.22 | <i>Application interview</i> —A face-to-face interview between an applicant and an eligibility worker which is scheduled within 13-calendar days after receipt of an application. The purpose of the application interview is to gather and record information and to secure verification needed to establish eligibility. | Limited - The application interview will be conducted by phone and not face-to-face. | March 13, 2020 |
| DHS-OIM | 55 Pa. Code § 123.22 55 Pa. Code § 225.24(c)(1)(i) | <i>Authorization date of cash assistance</i> —The date on which a decision of eligibility is made. | Limited - Cash will still be authorized but it will now be authorized the date all verification for eligibility is established <u>except</u> for the receipt of a signed AMR | March 13, 2020 |
| DHS-OIM | 55 Pa. Code § 133.1(b) | A reapplication is timely as long as it is completed within the calendar month in which it is due. | Full - Reapplication will be completed once the emergency has ended TANF reapplications can be extended 6 months and a full reapplication will be completed at the next 6 month mark following the extension. | March 18, 2020, Revised April 8th and May 19 th and January 15, 2021 |
| DHS-OIM | 55 Pa. Code § 181.3(a) | The applicant/recipient or a person acting on his behalf is required to report and verify earned and unearned income, allowable deductions, such as work and personal expenses, and medical expenses used in determining eligibility for MA. | Full - Self-attestation will be used if the client is unable to provide verification due to COVID- 19 | March 23, 2020 Revised January 15, 2021 |
| DHS-OIM | 55 Pa. Code § 275.3(b) | <i>Time limitations on right to appeal.</i> An applicant or recipient must exercise his right of appeal within the following time limits. Appeals which do not meet the following time limitations will be dismissed without a hearing: Thirty days from the date of written notice of a decision or action by a County Assistance Office, administering agency or | Full - MA appeals will be accepted up to 90 days. | March 18, 2020, Revised April 8th and May 19th |

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| | | <p>service provider except for food stamps which time limits are indicated in paragraph (4).</p> <p>(2) Sixty days from the date of a decision or action by a County Assistance Office, administering agency or service provider when they did not send written notice because the notice was not required or 60 days from their failure to act except for food stamps which time limits are indicated in paragraph (4).</p> | | |
| DHS-OIM | 55 Pa. Code § 275.4 (a)(3)(v)(C)(I) | When an applicant/recipient responds to a written notice by requesting a hearing within the specified time period as described in § 133.4 (relating to procedures), the agency receiving the hearing request will date stamp the form upon receipt, review the complaint as required in this paragraph, and forward the appeal to the Office of Hearings and Appeals within 3 working days from the time the appeal is received from scheduling a fair hearing. In cases in which a hearing is requested within the specified time period, assistance will be continued pending the hearing decision unless the client waives continuation of benefits. | Full - The continuation of benefits will be granted in every case if the individual requests it. | March 18, 2020, Revised April 8th and May 19th |
| DHS-OIM | 55 Pa. Code § 178.3 | Verification of ownership, the value of resources and the disposition of resources is required of an applicant/recipient or the person acting on his behalf including, but not limited to, guardians and trustees. | Full - Self-attestation will be used if the client is unable to provide verification due to COVID-19. | March 23, 2020 Revised January 15, 2021 |
| DHS-OIM | 55 Pa. Code § 133.84 (c)(1) | <p>Eligibility will be redetermined as frequently as warranted by the circumstances of the individual case, but no less frequently than the following:</p> <p>(1) At least every 12 months</p> | Full - Redeterminations will be done as timely as possible, but may be completed in excess of 12 months due to COVID-19 | March 23, 2020 |

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| DHS-OIM | <p>55 Pa. Code § 133.84 (d)</p> <p>55 Pa. Code § 142.23(g)</p> | <p>A partial redetermination will be required as follows:</p> <p>(1) Every 6 months for aged, blind and disabled cases.</p> <p>(2) Within 5 days of anticipated changes in circumstances about which there is advance information on hand.</p> <p>(3) Within 10 days following the receipt of information indicating a possible change in eligibility</p> <p>(g) <i>Failure to submit a timely and complete Monthly Reporting Form.</i> If the recipient fails to submit a timely and complete Monthly Reporting Form, assistance is suspended and a Late/Incomplete Notice, as set forth in § 133.4 (relating to procedures), is sent to the recipient in time to be received by the regular payment date. The CAO may contact the recipient to clarify information contained on the Monthly Reporting Form</p> | <p>Full - Partial redeterminations will not be done. This will be requested as part of the Medicaid Disaster SPA.</p> | <p>March 23, 2020</p> <p>March 18, 2020, Revised April 8th and May 19th</p> |
| DHS-OIM | 55 Pa. Code § 133.23(c) | <p>(c) <i>Redetermination contacts.</i> Redetermination contacts with the client may be in the home or in the office, depending on the preference of the client. Office and home visits shall be scheduled with the client.</p> | <p>Full - Personal interviews are being conducted by phone, to comply with Social Distancing and CAO closures to the public under the Governors direction during the emergency declaration.</p> | March 13, 2020 |
| DHS-OIM | <p>55 Pa Code § 133.1(a) and</p> <p>55 Pa.Code § 133.23(a)(1)(ii) and 133.23(a)(3)</p> | <p>A reapplication form approved by the Department shall be completed in its entirety and verification of items of need and resources is required at the time of reapplication.</p> | <p>Limited – Budgets due for renewal are not to be closed for failure to provide a renewal packet or verifications.</p> <p><u>This regulatory requirement has been reinstated.</u></p> | <p>Effective March 18, 2020, Revised April 8th and May 19th</p> <p>Reinstated September</p> |

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| | | | | 2020 for TANF and SNAP. |
| DHS-OIM | 55 Pa. Code § 133.23(a)(2)(ii) | <i>Reapplication Interview</i> - This redetermination shall include at least one interview with the person who is the payment name for the budget group | Limited - Budgets due for renewal are not to be closed for failure to complete an interview | Effective March 13, 2020 Reinstated September 2020 for TANF and SNAP. |
| DHS-OIM | 55 Pa. Code § 141.21(m) 55 Pa. Code § 201.1 55 Pa. Code § 201.4(1)(iv)) | (m) Furnish required verification as directed by the CAO of eligibility factors in accordance with Chapter 125 (relating to the application process) prior to application interview. <i>Client as the primary source of information.</i> Regulations concerning the client as the primary source of information are as follows: (1) The client will be the primary source of information in establishing eligibility for financial assistance. As a condition of eligibility the client will be required, to the extent that he is able, to substantiate the information he has provided by documentary evidence or other means as may serve to establish the truth of his statements. (iv) When the evidence a client supplies is inadequate, or is incomplete, inconsistent, or indeterminate in view of other evidence, the worker will inform the client that additional evidence will be required. Together, the worker and client | Limited - Good cause is granted when third party verification sources are inaccessible or closed due to COVID pandemic. | March 14, 2020 |

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| | | will determine acceptable sources for further evidence. If the evidence provided by the client is still unacceptable, the worker will consult a collateral source of information using a copy of the authorization to release information form when required | | |
| DHS-OIM | 55 Pa. Code § 125.21(b) | (b) <i>Verification.</i> Conditions of eligibility, need, which includes need for special need allowances, and resource items will be verified at the application interview and prior to authorizing cash assistance and at the time of each redetermination, complete or partial, as specified in Chapter 133 (relating to redetermining eligibility). | Limited - Good cause is granted when third party verification sources are inaccessible or closed due to the pandemic. | March 23, 2020 |
| DHS-OIM | 55 Pa. Code § 125.21(b)(1) 55 Pa. Code § 187.25(a)(5) 23 Pa. C.S. § 4378(a) | (1) If necessary verification is pending from a third party including certification of cooperation from the Domestic Relations Section of the Court of Common Pleas and the client has cooperated in the verification attempt, initial authorization of cash assistance will not be delayed more than 30-calendar days from the date of receipt of a completed, signed application. (5)The CAO will waive the cooperation requirements when the CAO, the court of common pleas or the DRS determines that good cause exists. 4378. Assistance recipients to seek support. (a) Seeking support required. --Prior to authorization, every applicant for assistance whose circumstances include the reported absence of a legally responsible relative from the household or the presence of a putative father shall appear before the domestic relations section or other applicable division of the court of common pleas. Upon the | Limited - Good cause is granted when third party verification sources are inaccessible or closed due to the pandemic. | March 20, 2020 |

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| | | request of a family court or domestic relations section, the secretary is authorized to waive the requirement of personal appearance before a family court or domestic relations section if another procedure would be as efficient and effective. Subject to Federal approval, only when necessary, assistance shall not be authorized by the department until it has been certified that the applicant has cooperated in determining paternity and enforcing support. | | |
| DHS-OIM | <p>55 Pa. Code § 187.23(d)</p> <p>55 Pa. Code § 187.25(a)(5)</p> <p>23 Pa. C.S. § 4378(a)</p> | <p>(d) <i>Cooperation prior to authorization.</i> Except as provided in paragraphs (3) and (4), every applicant or recipient of cash assistance shall cooperate in establishing paternity and obtaining support. The applicant or recipient shall:</p> <p>(1) Appear before the DRS or other applicable division of the court of common pleas and provide to the CAO certification from the DRS of cooperation by the applicant or recipient of cash assistance in establishing paternity and in obtaining support.</p> <p>(a)(5) The CAO will waive the cooperation requirements when the CAO, the court of common pleas or the DRS determines that good cause exists.</p> <p>4378. Assistance recipients to seek support.</p> <p>(a) Seeking support required.--Prior to authorization, every applicant for assistance whose circumstances include the reported absence of a legally responsible relative from the household or the presence of a putative father shall appear before the domestic relations section or other</p> | Limited - The personal appearance requirement at a Domestic Relations Section (DRS) is suspended when DRS offices are closed to the public during the emergency declaration. Applicants are referred to DRS electronically at authorization unless good cause is established. | March 14, 2020 |

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| | | applicable division of the court of common pleas. Upon the request of a family court or domestic relations section, the secretary is authorized to waive the requirement of personal appearance before a family court or domestic relations section if another procedure would be as efficient and effective. Subject to Federal approval, only when necessary, assistance shall not be authorized by the department until it has been certified that the applicant has cooperated in determining paternity and enforcing support. | | |
| DHS-OIM | 55 Pa. Code § 125.21(b)(2) | (2) Verification subsequent to authorization shall be provided within 30-calendar days following the authorization date. If the client is cooperating in the verification attempt and the delay in securing the information is due to a third party, assistance will continue until documentation is secured. Cooperation and progress on securing the documentation shall be reassessed every 30-calendar days. | Full - The County Assistance Office will assess needed verifications within a reasonable time following the end of the emergency declaration. | March 23, 2020 |
| DHS-OIM | 55 Pa. Code § 133.23(a)(3) | (i) For TANF and GA budget groups, verification of the items of need and resources in paragraph (2) is required at the time of reapplication. The maximum time lapse for the client to provide needed verification is 15 working days following the reapplication interview, except for verification of incapacity or disability. | Full - The County Assistance Office will assess needed verifications within a reasonable time following the end of the emergency declaration. | March 23, 2020 |
| DHS-OIM | 55 PA Code § 133.1(b) | A reapplication is timely as long as it is completed within the calendar month in which it is due. | Full – Completion will occur once the emergency has ended. | March 23, 2020 Reinstated September 2020 for TANF and SNAP. |

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| DHS-OIM | 55 Pa. Code § 133.23(a)(1)(ii) | (ii) A reapplication form approved by the Department shall be completed in its entirety by the payment name at each reapplication interview. | Limited - Interviews are being conducted by phone. Redetermination forms are to be returned prior to the interview date. | March 14, 2020 |
| DHS-OIM | 55 Pa. Code § 133.23(a)(1)(iii) | (iii) The client, regardless of age, who is the payment name for the budget group shall complete and sign the reapplication form prior to or during the reapplication interview and provide the information necessary for the completion of the redetermination as a condition of continued eligibility for cash assistance. Recipients who are 18 years of age or older and emancipated minors 17 years of age or younger shall sign the reapplication form during the reapplication interview or within 15 working days of the interview date. Failure to sign shall result in ineligibility of the person required to sign the form. | Limited - Interviews are being conducted by phone, the signed redetermination is requested prior to the interview. There are existing procedures to obtain a signature post an interview. | March 14, 2020 |
| DHS-OIM | 55 Pa. Code § 133.23(a)(1)(v)(B) | (v) A complete redetermination is required as often as appropriate to the individual budget but at least as frequently as the following: (B) Every 12 months for TANF budgets required to monthly report. | Full – Redetermination packets are sent, the attempt to conduct the interview is taken, and there is still an attempt to acquire verifications. If verifications are unattainable because the source of verification is inaccessible or closed due to the pandemic, redeterminations are processed with self-attestation. If the verification is obtainable by the recipient and the recipient still does not provide the verification or return the required forms with signature, the | March 23, 2020 |

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| | | | redetermination case is closed. MA cases remain open per federal law. For MA cases only, if the redetermination is complete but the budget would close due to over the income limit, the redetermination would not be processed until after the emergency declaration has passed. (This is not valid for TANF – OPS 20-03-03 – Revised) | |
| DHS-OIM | 55 Pa. Code § 133.23(a)(1)(viii) | (viii) A recipient or other individual who fails or refuses, without good cause, to sign or cooperate in the completion of an AMR or who fails, without good cause, to comply with the AMR shall be subject to the penalties described in § 125.1(g) and (h). | Limited - AMR signatures will not delay benefit start date. Compliance with AMR, once signed is still required. | March 14, 2020 |
| DHS-OIM | 55 Pa. Code § 275.4(b)(1) and (c)(2) | (b) <i>Time limits</i> . Time limits will be in accordance with the following: (1) Final administrative action must be taken in hearings within the following time limits: 60 days from the date of an appeal from an agency decision affecting food stamps, and 90 days from the date of an appeal from an agency decision affecting cash assistance, medical assistance, or social service. (2) In cases where the appellant is responsible for delaying the hearing process, as described in subsection (e), the time limit for final administrative action will be extended by the length of the delay. For example, if the appellant requests a continuance of a hearing for 10 days, final administrative action will then be required within 70 days for food stamps or within 100 days for other assistance. In those cases that have | Waiver is being submitted to Food and Nutrition Service to waive the time limits for when a SNAP appeal hearing must be heard. | Waiver expired in October 2020. |

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| | | been delayed for this reason, the hearing officer will send written notification to the Office of Hearings and Appeals. | | |
| DHS-OMAP | 55 Pa. Code § 1101.42 (a) | In order to be eligible to participate in the MA Program, Commonwealth-based providers shall be currently licensed and registered or certified or both by the appropriate State agency, complete the enrollment form, sign the provider agreement specified by the Department, and meet additional requirements described in this chapter and the separate chapters relating to each provider type. The Department may at its discretion refuse to enter into a provider agreement. Each individual practitioner or medical facility shall have a separate provider agreement with the Department. | Limited. The requirement that providers shall be currently licensed and registered or certified or both by the appropriate State agency consistent with DOS/DOH is suspended. | March 1, 2020 May 6, 2020 |
| DHS-OMAP | 55 Pa. Code § 1101.42 (a) | (4) Except for the exclusions specified in paragraphs (2) and (3), each MA service furnished by a provider to an eligible recipient is subject to copayment requirements. | Limited. To suspend cost-sharing for testing services (including in vitro diagnostic products), testing-related services, and treatments for COVID-19, including vaccines, specialized equipment and therapies, for any quarter in which the temporary increased FMAP is claimed. | March 1, 2020 |
| DHS-OMAP | 55 Pa. Code § 1101.42 (a) | Prior authorization is required as specified in § 1101.67 (relating to prior authorization) for the first 45 days of use of oxygen and related equipment unless the physician certifies that the recipient is adequately prepared to use oxygen equipment and the physical surroundings in the home are suitable for its use. Prior authorization is not required for continuing use after the initial 45 days providing continued use is prescribed by the practitioner. | Limited. Remove prior authorization requirement to facilitate the receipt of oxygen and related equipment. | March 1, 2020 |
| DHS-OMAP | 55 Pa. Code § 1101.42 (a) | Payment for durable medical equipment and surgical supplies is limited to a maximum of \$600 unless prior authorized by | Limited. Suspend prior authorization for DME and surgical supplies that surpass \$600. | March 1, 2020 |

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| | | the Department as specified in § 1101.67 (relating to prior authorization). | | |
| DHS-OMAP | 55 Pa. Code § 1121.53 (c) | (c) Payment for prescriptions is limited to quantities consistent with the medical needs of the patient not to exceed a 34-day supply or 100 units, whichever is greater. Prescriptions may be refilled as long as the total authorization does not exceed a 6 months' or five refill supply, whichever comes first, from the time of original filling of the prescription. Refills shall be authorized by the prescriber at the time the prescription is ordered, and the quantity dispensed on the refills may exceed the quantity prescribed on the initial prescription only if noted at the time the licensed prescriber orders the initial prescription. | Limited. For COVID-19, DHS will allow 90-day supply. | March 1, 2020 |
| DHS-OMAP | 55 Pa. Code § 1245.54 (3) | Payment will not be made for the following services regardless of where or to whom they are provided: (3) Ambulance transportation to a clinic, rural health clinic, hospital, skilled nursing facility or intermediate care facility not enrolled in the MA Program, except in an emergency situation. An emergency situation is when an item or service is required to sustain the life of a person or is critical to the health of a person. | Full. To ensure beneficiaries could receive ambulance transportation to a clinic, RHC, hospital, SNF or ICF, even if not enrolled. Ambulance transportation may also be needed for non-emergency transport to these locations based on COVID-19 protocols. | May 6, 2020 |
| DHS-OMAP | 55 Pa. Code § 1249.52 (a)(1) | (a) Home health agencies are reimbursed for services furnished to MA recipients within the MA Program Fee Schedule limits if the following conditions are met and documented in the recipient's medical record: (1) The services are ordered by and included in the plan of treatment established by the recipient's attending physician. | Limited. Suspend requirement that a physician must prescribe home health care. This would alleviate a potential dearth of prescribers (allowing podiatrists and CRNPs to prescribe, for example). | March 1, 2020 May 6, 2020 |

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| DHS-OMAP | 55 Pa. Code § 1249.52 (a)(6) | <p>(a) Home health agencies are reimbursed for services furnished to MA recipients within the MA Program Fee Schedule limits if the following conditions are met and documented in the recipient's medical record:</p> <p>(6) The Department has prior authorized the services.</p> | Limited. Home Health Agencies can provide services to recipients for the first 28 days of service with no authorization. Subsequent services would require a Prior Authorization and/or Program Exception to continue home health services. | March 1, 2020 |
| DHS-OMAP | 55 Pa. Code § 1249.53 (a)(1) | <p>(a) Skilled nursing care is a covered home health service and is reimbursable under the MA Program if the following conditions are met:</p> <p>(1) The services are ordered by and included in the plan of treatment established by the recipient's attending physician.</p> | Limited. Suspend requirement that a physician must prescribe skilled nursing care home health care. This would alleviate a potential dearth of prescribers (allowing podiatrists and CRNPs to prescribe, for example). | March 1, 2020 |
| DHS-OMAP | 55 Pa. Code § 1249.54 (a)(3) | <p>(a) Home health aide service is a covered home health service and is reimbursable under the MA Program if the following conditions are met:</p> <p>(3) The assignment of a home health aide to a case shall be made in accordance with a written plan of treatment established by the recipient's attending physician. The plan shall indicate the recipient's need for personal care services. The specific personal care services to be furnished by the home health aide shall be determined by a registered nurse and not by the home health aide. If skilled care is not required, the recipient's attending physician shall certify that the personal care services furnished are medically necessary.</p> | Limited. Suspend requirement that a physician must prescribe home health aide home health care. This would alleviate a potential dearth of prescribers (allowing podiatrists and CRNPs to prescribe, for example). | <p>March 1, 2020</p> <p>May 6, 2020</p> |
| DHS-OMHSAS | 55 Pa. Code § 1155.33(a)(5) | The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an | Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, have also been suspended. Verbal | March 6, 2020 |

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| | Payment conditions for ABA services | individual who meets the qualifications of a clinical director in 5240.81 (relating to staff qualifications). | consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible | |
| DHS-OMHSAS | 55 Pa. Code § 1155.34 (a)(1) Payment conditions for Group services | There is a written order for services based on a face-to face interaction with the child, youth or young adult | Limited Suspension: A written order continues to be required but the interaction with the child, youth or young adult may occur via telehealth during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1155.34 (a)(2) Payment conditions for Group services | A face-to-face assessment has been completed by a graduate level professional within 15 days of the initiation of group services and prior to completing the ITP in accordance with 5240.95 (relating to assessment) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment. | Limited Suspension: Method of contact for assessment may include telehealth. Staff Qualifications are not waived. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1155.34(a)(5) Payment conditions for group services | The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in 5240.12 (relating to staff qualifications). | Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. . | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1155.35 (a)(1) Payment conditions for EBT delivered through individual services, ABA services or group services | There is a written order for EBT that meets the requirements of 1155.32(a)(1), 1155.33(a)(1) or 1155.34(a)(1) (relating to payment conditions for individual services; payment conditions for ABA services; and payment conditions for group services). | Limited Suspension: A written order continues to be required, but the interaction with the child, youth or young adult may occur via telehealth during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1155.35 (a)(2) | A face-to-face assessment has been completed by an individual with the qualifications required by the EBT within | Limited Suspension: Method of contact for assessment may include telehealth. | March 6, 2020 |

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| | Payment conditions for EBT delivered through individual services, ABA services or group services | 15 days of the initiation of services and prior to completing the ITP in accordance with 5240.102 (relating to assessment and individual treatment plan) or a face-to-face assessment has been reviewed and updated within 12 months of the previous face-to-face assessment. | Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period. | |
| DHS-OMHSAS | 55 Pa. Code § 1155.35 (a)(5) | The ITP and all updates have been reviewed and signed by the youth, young adult, or parent or legal guardian of the child or youth, the staff person who completed the ITP and an individual who meets the qualifications of a clinical director in § 5240.12 (relating to staff qualifications). | Limited Suspension: Signature requirements, including signatures for service plans/treatment plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1223.14 (2) | Payment will not be made for the following types of services regardless of where or to whom they are provided: (2) Clinic visits, psychotherapy, diagnostic psychological evaluations, psychiatric evaluations and comprehensive medical evaluations conducted over the telephone, that is, any clinic service conducted over the telephone. | Full Suspension: Services may be delivered via telehealth if clinically appropriate to do so. Telephone may be used if video technology is not available. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 1223.52. Payment conditions for various services | (a)(6)(i) Within 15 days following intake, the clinic's supervisory physician shall review and verify each patient's level of care assessment, psychosocial evaluation and initial treatment plan prior to the provision of any treatment beyond the 15th day following intake. ... | Limited Suspension: Initial Treatment plans can be completed within 60 days of intake during this emergency. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5100.54 Manual of rights for persons in treatment | Article I: 4. Right to Have Visitors. (a) Every patient has the right to receive visitors of his own choice daily.... | Limited Suspension: Suspend the right of individuals to have visitors in-person. Provider must facilitate other means of visitation including Skype/WebEx/teleconference. | March 6, 2020 |

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| | | (b) Established visiting hours shall attempt to meet the needs of individual patients and visitors... | | |
| DHS-OMHSAS | 55 Pa. Code § 5200.22 (a)(3), 5200.22(a)(4) | <p>The psychiatrist must provide 50% of the required psychiatric time at the psychiatric outpatient clinic.</p> <p>The remaining 50% of the psychiatric time may be provided by:</p> <ul style="list-style-type: none"> (i) An advanced practice professional. (ii) A psychiatrist off-site by the use of tele-behavioral health. (iii) A combination of subparagraphs (i) and (ii). | Limited Suspension: Suspension of % limit for telehealth, 100% of psych services may be delivered via telehealth if clinically appropriate to do so. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5200.31(b) | <p>(b) For each individual receiving services.....</p> <ul style="list-style-type: none"> (1) The mental health professional.... sign and date the initial treatment plan. (2) If the individual is receiving psychotherapy and other clinical services.....sign and date the initial treatment plan. (3) If the individual is receiving medication management services only..... sign and date the initial treatment plan. (4) For individuals under an involuntary outpatient commitment...sign and date the initial treatment plan <p>(c) The treatment plan must be based upon the assessment and shall:</p> <ul style="list-style-type: none"> (4) For children and adolescents under 14 years of age, ...with the consent of parents or guardians | Limited Suspension: Signature requirements, including signatures for treatment plans and written consent have been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |

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| | <p>55 Pa. Code § 5200.31(c)</p> <p>55 Pa. Code § 5200.31(d)</p> <p>55 Pa. Code § 5200.41(a)</p> | <p>(d) The treatment plan shall be reviewed and updated throughout the duration of treatment as follows:</p> <p>(1) For individuals under an involuntary outpatient commitment..... signed by the psychiatrist as part of the oversight of treatment services provided.</p> <p>(3) The treatment plan update shall be signed and dated by</p> <p>(4) The mental health professional or mental health worker shall request the individual to sign and date the treatment plan update.</p> <p>(a) The record must include the following:</p> <p>.....</p> <p>(4) Appropriately signed consent forms.</p> | | |
| DHS-OMHSAS | 55 Pa. Code § 5200.52 (c) | (c) Treatment plans shall be updated at a minimum every 180 days. | Limited Suspension: Treatment plans that are created during this disaster emergency declaration period will | March 6, 2020 |

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| | | | have 90 additional days after the currently required 180 days, to update treatment plans. | |
| DHS-OMHSAS | 55 Pa. Code § 5210.7 Program Standards | (b) <i>General description.</i> (2) When adolescents are treated in the adult program, a specialized program appropriate to their needs shall be developed including arrangements for education. ... | Full suspension of the requirement to provide education. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5210.21 (b) | Staff/patient ratio. Adult partial hospitalization programs shall have a minimum of one full-time equivalent (FTE) clinical staff member to every six patients. | Full suspension of the requirement for staffing ratios. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5210.31 (b) | Staff/patient ratio. Children and youth partial hospitalization programs require a minimum of one FTE clinical staff member for every five patients. | Full suspension of the requirement for staffing ratios. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5210.25 Contents and review of a comprehensive treatment plan. 55 Pa. Code § 5210.35 Contents and review of a comprehensive treatment plan | 5210.25. Contents and review of a comprehensive treatment plan. The treatment plan shall include the following: (4) Be maintained and updated with signed daily notes, and be kept in the patient's medical record or a form developed by the facility; (5) Be developed within the first 5 days of service and reviewed by the treatment team a minimum of once every 20 days of service to the individual patient and modified as appropriate. 5210.35. Contents and review of a comprehensive treatment plan – (4) Be maintained and updated with signed daily notes, and be kept in the patient's medical record on a form developed by the facility; (b) Treatment plans for children and youth partial hospitalization programs shall be developed | Limited suspension for both 5210.25 and 5210.35: Signature requirements, including signed daily notes, signatures for service plans/treatment plans and written consent, are suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |

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| | | within the first 5 days of service and reviewed by the treatment team and psychiatrist a minimum of once every 20 days of service and modified as appropriate. | | |
| DHS-OMHSAS | 55 Pa. Code § 5210.28. Size of program. 55 Pa. Code § 5210.38. Size of program. | 5210.28. Size of program. Adult partial programs shall operate a minimum of 3 full days a week and shall have a minimum program capacity of 15 patients. 5210.38. Size of program. Children and youth partial hospitalization programs shall operate a minimum of 3½ days a week and shall have a minimum program capacity of 10 patients. | Full suspension of the requirement for size of program and days/hours of operation. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5210.37 Linkages with educational programs. | Basic education and, in particular, special education are an essential and required part of service for emotionally disturbed children and youth... | Full Suspension: The requirement to provide education is suspended, but providers are encouraged to use best efforts to satisfy this education requirement through remote learning means. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5210.39 | Patients in partial hospitalization programs shall receive a minimum of 3 hours of planned treatment programs per hospitalization day... | Full Suspension: Minimum number of hours of planned treatment programming per hospitalization day is suspended, but providers are encouraged to achieve this 3-hour planned treatment requirement to the extent feasible while still complying with the current social distancing guidelines. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5221.23 Staffing patterns and limits. | (b) The number of cases in a caseload shall be based on the intensity of the need for service but may not exceed 30. (d) A supervisor may supervise no more than seven intensive case managers. A supervisor shall maintain a minimum of three contacts one meeting per week with intensive case managers with additional supervision depending upon the | (b) Full Suspension (d) Limited Suspension: Suspension of this regulation applies only to the requirement for a supervisor to maintain a minimum of three contacts one meeting | March 6, 2020 |

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| | | <p>performance of the case manager, the activity of the caseload and administrative judgment.</p> <p>(e) If there are less than seven intensive case managers providing intensive case management, supervisory staff time shall be at least proportionate to the ratio of one full-time supervisor to seven intensive case managers.</p> | <p>per week depending upon the performance of the case manager, the activity of the caseload and administrative judgment. The meetings that do occur may be conducted through telehealth or telephone during the emergency declaration period.</p> <p>(e) Full Suspension</p> | |
| DHS-OMHSAS | 55 Pa. Code § 5221.31. Mental Health Intensive Case Management -Responsibilities of providers. | (6) Providing intensive case management services as needed in the place where the consumer resides or needs the service. | Limited Suspension: Services may be provided via telehealth/telephone as needed. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5221.33. Intensive case management records - statement of policy. | <p>(3) Written service plan.</p> <p>The initial plan shall:</p> <p>(i) Be developed within 1 month of registration and reviewed at least every 6 months.</p> <p>(iv) Be signed by the consumer, the family if the consumer is a child, the intensive case manager....</p> <p>(4) Documentation of Services...</p> <p>(i) (E) Case notes. The case notes shall: Be dated and signed by the individual providing the service</p> <p>(iii) Encounter Forms</p> | <p>Limited Suspension: During the emergency declaration period, the written service plan shall be-reviewed as needed, but at least annually. Telehealth may be utilized to develop the initial plan and for the subsequent reviews during this emergency.</p> <p>Limited Suspension: The requirements for signatures of consumers and case managers in case notes, encounter forms and service plans have been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible.</p> | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5230.23. Access to individual record. | An individual may review, provide written comments and sign daily entries in the individual record. | Full Suspension: Individual's signature requirements are suspended; providers are however strongly encouraged to obtain electronic signatures when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.51 Staff Qualifications | (b) A psychiatric rehabilitation specialist shall have one of the following: (1) A bachelor's degree and 2 years work experience in mental health direct service, 1 year of which must be work experience in PRS. CPRP certification shall be attained within 2 years from the date of hire as a psychiatric rehabilitation specialist. | Full suspension of the requirement that individuals receive CPRP certification within 2 years from the date of hire as a psychiatric rehabilitation specialist. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation Association. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.52. General staffing requirements. | (a) A PRS agency shall staff the service according to the following: (1) The location of services is consistent with the agency service description. (2) The service may range from individual service to group service. (3) The service and the choice of service locations shall be determined by the IRP of the individual. | Full suspension of locations of service in service description. Services may be provided through telehealth. | March 6, 2020 |
| DHS-OMHSAS | 55 . Code § 5230.52. General staffing requirements. | (g) When a PRS agency operates more than one PRS facility, the PRS director shall be present at each licensed PRS facility an average of 7.5 hours per week in a calendar month. | Limited suspension of the PRS Director being present. PRS director may be present via audio video technology. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.52. General staffing requirements. | (h) A minimum of 25% of the FTE staff complement shall meet the qualifications of a psychiatric rehabilitation specialist provided under § 5230.51(b) (relating to staff qualifications) within 1 year of initial licensing. | Full suspension of the requirement that 25% of the FTE staff complement meet qualifications of a psychiatric rehabilitation specialist within 1 year of initial licensing. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation | March 6, 2020 |

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| | | | Association which would not allow a psychiatric rehabilitation specialist to obtain certification. | |
| DHS-OMHSAS | 55 Pa. Code § 5230.52. General staffing requirements. | (i) A minimum of 25% of the FTE staff complement shall have CPRP certification within 2 years of initial licensing. | Full suspension of the requirement that 25% of the FTE staff complement shall have a CPRP certification within 2 years of initial licensing. CPRP testing and exam has been suspended by the Psychiatric Rehabilitation Association which would not allow a psychiatric rehabilitation specialist to obtain certification. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.53. Individual services. | A PRS agency shall provide individual services in a PRS facility or in the community on a one staff to one individual (1:1) ratio. | Full suspension of the provision of service in facility or in the community. Services can be provided via telehealth. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.54. Group services | A PRS agency shall provide group services in a PRS facility or in the community. | Full suspension of Group Services. Services can be provided via telehealth. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.55. Supervision | <p>(c) A PRS director or psychiatric rehabilitation specialist designated as a supervisor shall meet with staff individually, face-to-face, no less than two times per calendar month.</p> <p>(d) A PRS director or psychiatric rehabilitation specialist designated as a supervisor shall provide group supervision utilizing the following methods:</p> <p>(1) Monitoring active PRS delivery.</p> <p>(2) Discussing approaches to assist individuals in goal attainment.</p> <p>(3) Conducting staff meetings.</p> | Full suspension of the face to face requirement and group supervision. Supervision can be provided via Telehealth. | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5230.56. Staff Training Requirements | (1) Staff providing services in a PRS agency shall complete a Department-approved 12-hour psychiatric rehabilitation orientation course no later than 1 year after hire. This course shall be credited to the annual training requirement listed under paragraph (2) for the calendar year in which it is completed. | Full suspension of the requirement that staff shall complete a 12-hour psychiatric rehabilitation orientation course no later than 1 year after hire. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.61. Assessment | <p>(b) The assessment shall be completed in collaboration with the individual and must:</p> <p>(6) Be signed by the individual and staff.</p> <p>(7) Be updated annually and when one of the following occurs.</p> <ul style="list-style-type: none"> i. The individual requests an update. ii. The individual completes a goal. iii. The individual is not progressing on stated goals. | <p>Full suspension of individuals' signature requirement. Providers are however strongly encouraged to obtain electronic signatures when possible.</p> <p>Full suspension of any assessment updates that are due within the time frame of this emergency.</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.62. Individual rehabilitation plan. | <p>(a) A PRS staff and an individual shall jointly develop an IRP that is consistent with the assessment and includes the following:</p> <p>...</p> <p>(7) Dated signatures of the individual, the staff working with the individual and the PRS director.</p> | Limited Suspension: Signature requirements, including signatures for rehabilitation plans and written consent, have been suspended. However, verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5230.62 (b), (c), (1), (2),(3) | <p>b. A PRS agency shall complete an IRP by day 20 of admittance, but no more than 60 days after initial contact.</p> <p>c. A PRS agency and an Individual shall update IRP at least 90 days and when</p> <ol style="list-style-type: none"> 1. A goal is complete. 2. No significant progress is made. 3. An individual requests a change. | Full suspension of the requirement for completion or updates to the IRP within the timeframes required by the regulation, but providers should use best efforts to comply with the regulatory time frames. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.62 (d). Individual rehabilitation plan. | <p>(d) An IRP update must include a comprehensive summary of the individual's progress that includes the following:</p> <p>...</p> <p>(5) The dated signature of the individual.</p> <p>(6) Documentation of the reason if the individual does not sign.</p> | Limited Suspension: Signature requirements, including signatures for rehabilitation plans and written consent, have been suspended. However, verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5230.63. Daily entry | <p>A PRS agency shall include an entry for the day service that was provided in the record of an individual as follows:</p> <p>...</p> <p>(4) Includes the signature of the individual, or if the individual does not sign, documents the reason.</p> | Full suspension of individuals' signature requirement although providers are strongly encouraged to obtain electronic signatures when possible . | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.14(e) | <p>(e) Each staff member is required to have a physical examination within 6 months prior to employment and every 2 years thereafter.</p> <p>(1) The examination report must include screening for tuberculosis and other communicable diseases, a statement from the physician that the staff member has no contagious</p> | Limited suspension of the requirement that each staff member obtain a statement from a physician that the staff member has no contagious disease. A certified registered nurse practitioner (CRNP) or physician assistant (PA), rather than a physician, may certify that | March 6, 2020 |

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| | | diseases, and information on any medical problems, which might interfere with the health of the clients. | a staff member does not have any contagious disease and sign the health appraisal for the client. | |
| DHS - OMHSAS | 55 Pa. Code: <ul style="list-style-type: none"> • § 5310.14(e)(1) • § 5320.41(1) | Requires providers to ensure staff, direct-care and support staff are screened for communicable diseases, including Tuberculosis. | <p>Following CDC guidance related to vaccination and TB testing may put providers out of compliance. The Department has temporarily issued a limited suspension of the timing of the TST regulatory requirements. Compliance with the TST requirements will be achieved if the licensee, individual, or staff person meets the following:</p> <ul style="list-style-type: none"> • Consults with their physician regarding the recent administration of the COVID-19 vaccination and upcoming TST; • Obtains documentation of the COVID-19 vaccine administration, including the date of administration or written documentation from the individual's or staff person's physician of the necessity to defer TST; and • Follows physician recommendations as it relates to TST as soon as possible after completing a COVID-19 vaccine schedule. | March 25, 2021 |
| DHS-OMHSAS | 55 Pa. Code § 5310.32(c)(2) | <p>(c) The CRRS staff shall obtain the following information about each client prior to the client's enrollment in the CRRS.</p> <p>(2) A health appraisal signed by a licensed physician, which includes:</p> <p>(i) A review of health history.</p> <p>(ii) A complete physical examination dated not more than 6 months prior to client's enrollment.</p> | <p>Limited suspension of the requirement that each client must receive a health appraisal signed by a licensed physician prior to the client's enrollment to the CRR.</p> <p>If a client is unable to see a physician, the client may receive a health appraisal from a licensed medical professional, such as a CRNP or PA. If a client is unable to obtain a health appraisal prior to their enrollment to the CRR, the client may obtain a health appraisal up</p> | March 6, 2020 |

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| | | (iii) Drug or alcohol history. (iv) Recommendations pertaining to medication and limitations of the client's activities or diet. | to 15 days after enrollment. Documentation of attempts to see a physician must be kept. | |
| DHS-OMHSAS | 55 Pa. Code § 5310.33 (a) | (a) The community residential rehabilitation service (CRRS) staff shall develop with each client an individualized written client residential service plan upon the client's enrollment in the CRRS. | <p>Limited suspension of the requirement that staff shall develop with each client an individualized written client residential service plan upon the client's enrollment in the CRRS.</p> <p>This will allow providers to continue to serve all clients appropriately in the event of staffing shortages and not spend valuable staff time completing documentation.</p> <p>During the emergency declaration period, providers will have seven (7) calendar days to complete the psychosocial evaluation and initial residential service plan. The provider must document the reasons why the individual residential service plan was not completed upon enrollment.</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.33 (d) | (d) The CRRS staff shall evaluate the client's adjustment to the program within 30 days of enrollment and modify the service plan as needed. The residential service plan must be reviewed and updated every 60 days thereafter | Limited suspension of the requirement that CRRS staff shall evaluate the client's adjustment to the program within 30 days of enrollment and modify the service plan as needed and the residential service plan must be reviewed and updated every 60 days thereafter, during the emergency declaration period. Instead, OMHSAS would allow 35 and 65 days, respectively. The program must document the reason(s) why the | March 6, 2020 |

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| | | | updates were not completed within the timeframes listed in the regulation. | |
| DHS-OMHSAS | 55 Pa. Code § 5310.33 (e) | (e) Each client in a CRRS must spend a major portion of his time out of the residence. The goal of such involvement outside the residence is to increase the client's use of community resources and participation in community activities which the client can continue to use upon program termination. The method for achieving this goal must be reflected in each client's residential services plan. | Full suspension of the requirement that each client in a CRRS must spend a major portion of his time out of the residence. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.41 Staffing and training. (a) | (a) The community residential rehabilitation service (CRRS) must have staff sufficient in number and qualifications to carry out the functions of CRRS which include supervision, personal assistance, and psychosocial rehabilitation services as indicated in the CRRS program description. | Limited suspension, provided due diligence is taken to maintain direct-care staffing requirements as outlined in the provider's program description. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not be in compliance with this regulation. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.41(f) | (f) A mental health professional shall supervise the client service plan process and shall sign each individual residential service plan and service plan review. | Limited suspension of the requirement that a mental health professional shall sign each individual residential service plan and service plan review. Providers are however strongly encouraged to have the mental health professional sign the service plan electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.51. Case record. (b) (4) (ii) (iv) | (b) Each case record must include the following information: (4) The following program information must be in the case record: (ii) Individual's residential service plan, dated and signed. | Limited Suspension: Client signature requirements, including those for residential plans, have been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |

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| | | (iv) Service plan reviews and other reports of performance and progress which must be dated and signed. | | |
| DHS-OMHSAS | 55 Pa. Code § 5310.72 (a). Safety procedures. | (a) The community residential rehabilitation service (CRRS) staff shall arrange for the local fire department or another outside safety consultant to inspect and approve each physical site for fire safety and to determine the number, location and type of fire extinguishers and smoke detectors. This fire safety inspection shall be done for initial occupancy and then at least every 2 years thereafter. All inspections must be documented. | Limited suspension, provided due diligence is taken to obtain fire safety inspection within the timeframe required by the regulation and documentation is kept regarding inability to obtain required services timely. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.72(d) Safety procedures | (d) Fire drills at each CRRS site must be: (1) Held every 2 months. (2) Held during the night at least semiannually. (3) Recorded, including date, time, time required for evacuation, and number of persons taking part. | Limited suspension, provided due diligence is taken to hold fire drills within the required timeframes and documentation is kept regarding inability to hold required fire drills. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5310.73(d)(2) | (e) Each CRRS site shall meet the following requirements for client residential living areas or spaces: (2) Bedrooms shall be either single or double occupancy. A single occupancy room shall have 80 square feet or more of floor space. A double occupancy room shall have 60 square feet or more of floor space for each client. | Limited suspension of the requirement that a single occupancy room shall have 80 square feet or more of floor space and that a double occupancy room shall have 60 square feet or more of floor space for each client in the event that a client must be moved or isolated/self-quarantined while participating in the program due to the program's adherence to CDC guidelines to COVID-19-related symptoms. This will allow programs to maintain compliance with room space requirements, if the need to isolate any | March 6, 2020 |

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| | | | resident arises, but the building layout does not support the CDC recommended space. | |
| DHS-OMHSAS | 55 Pa. Code § 5310.81(b)(3)(iii) Medication | <p>(b) CRRS programs shall establish and implement written policies and procedures regarding medications which meet legal restrictions regarding administration of medication. Medication policies and procedures shall include:</p> <p>(3) The circumstances under which the CRRS stores medications for clients. Storing medications is subject to the following limitations:</p> <p>(iii) Medications shall be kept in their original prescription containers.</p> | Limited Suspension: All prescribed medications for the week may be put into a weekly pill container for the beneficiary. Medications should still be stored and locked in a locked room. Visual monitoring of resident self-administration should continue. Signatures confirming resident self-administration should continue to be obtained by staff and residents. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code §§ 5310.82(c)(1), 5310.82 (c)(5) | <p>c) In the unusual circumstance where CRRS staff rather than clients purchase and prepare the food, the following additional requirements apply:</p> <p>(1) Each client shall be involved in the meal planning, shopping, food preparation, service and kitchen chores as evidenced in task schedules and in the client's individual service plan.</p> <p>(5) Menus shall be prepared for 1 week in advance and must be retained on file for at least 8 weeks.</p> | Full suspension of the requirement that (1) each client shall be involved in the meal planning, shopping, food preparation, service and kitchen chores as evidenced in task schedules and in the client's individual service plan, and (5) menus shall be prepared for 1 week in advance. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.41. | <p>The provider shall require and document preemployment and biennial physical examinations for direct-care and support staff to include screening for:</p> <p>(1) Tuberculosis</p> <p>(2) Hepatitis</p> | Limited Suspension: If CRNP or PA signs off that they examined the staff member and feels comfortable to verify that the staff member is free of communicable diseases, without ordering the extra tests to verify, that is sufficient prior to hire; the staff member has a 90-day grace period to complete the screening requirements. Staff already working for a program | March 6, 2020 |

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| | | | may also have a 90-day grace period for their biennial physical exams and screenings. | |
| DHS-OMHSAS | 55 Pa. Code § 5320.42. (3)(4)(5) (8) | <p>The provider of LTSR services shall:</p> <p>(3) Have a minimum of two direct-care staff persons awake and on duty within the LTSR whenever 10 to 16 residents inclusive are on the premises. A third direct-care staff person shall be either onsite or available to respond onsite within 30 minutes.</p> <p>(4) Have a minimum of two direct-care staff, awake and on duty within the LTSR whenever fewer than 10 residents are on the premises.</p> <p>(5) Have sufficient psychiatric time available to meet the psychiatric needs of the resident. At least 1/2 hour of psychiatric time per resident per week is required.</p> <p>(8) Employ substitute staff with equivalent qualifications when staff are absent so that minimum direct-care staffing requirements are always met.</p> | <p>Limited suspension for (3) and (4). A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with these regulatory provisions.</p> <p>Limited suspension of the requirement that the psychiatrist is available to meet with each resident a minimum of ½ hour per week. It can be 15 minutes per week instead</p> <p>Limited suspension of the requirement that substitute staff have equivalent qualifications to absent staff. Please see regulation 5320.43(c) below regarding direct-care staff qualifications. However, the substitute staff must receive adequate training to provide service to program residents.</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.43(c) | (c) A mental health worker shall be a person who has completed 12 semester hours of college training in a mental health related field or has at least a high school diploma or equivalency and 6 months of formal training in mental health or a related field. | Full suspension of the requirement that a mental health worker shall have completed 12 semester hours of college training in a mental health related field. The staff member may be working on fulfilling that requirement at the time of hire. Staff may also have at least a high school diploma OR equivalency with 4 months of formal training in mental health. Staff members with these qualifications will have an extra | March 6, 2020 |

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| | | | 24 hours of “shadowing” a seasoned staff member, which will be documented as a part of their orientation and completed prior to working independently on the floor. | |
| DHS-OMHSAS | 55 Pa. Code § 5320.45(4) | <p>The program director shall oversee orientation and training of the staff, including:</p> <p>4) Written documentation that ongoing training includes review and update of all policies and procedures including those listed under topics for orientation.</p> | Full suspension of the requirement that staff are retrained on all policies and procedures along with all topics listed under orientation requirements (5320.45.3) annually. Training should focus on CDC recommendations and service provision, along with any new policies and procedures. Regular training of standard topics may commence after emergency declaration is lifted. All onboarding staff must still review all topics required under 5320.45(3). | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.51. (2)(4) | <p>The interdisciplinary treatment team shall:</p> <p>(1) Complete an initial assessment on admission by the interdisciplinary team of the resident’s mental, physical and social needs including a mobility assessment.</p> <p>(2) Develop an initial treatment plan, within 72 hours, based on the initial assessment by the interdisciplinary team.</p> <p>(4) Develop a comprehensive treatment plan within 10 days of admission.</p> | <p>Limited suspension of the requirement that an initial assessment be completed on admission (1), an initial treatment plan be developed within 72 hours (2), and that a comprehensive treatment plan be developed within 10 days of admission (4) by the interdisciplinary treatment team. Programs will be given a 7 calendar-day grace period to complete the initial assessment and the initial treatment plan. Programs will be given a 10 calendar-day grace period to complete the comprehensive treatment plan. The due dates will be as follows:</p> <ul style="list-style-type: none"> • Initial assessment: by day 7 with all required treatment team signatures. • Initial treatment plan: by day 10 with all required treatment team signatures. | March 6, 2020 |

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| | | | <ul style="list-style-type: none"> Comprehensive treatment plan: by day 20 with all required treatment team signatures. | |
| DHS-OMHSAS | 55 Pa. Code § 5320.52. (4)(i) | <p>The interdisciplinary treatment team shall review treatment plans at least every 30 days or more frequently as the resident's condition changes. A report of the review and findings and the resident's progress toward meeting program goals and objectives shall be documented by the interdisciplinary team in the resident's record.</p> <p>(4) Reassessment of each resident's mental, physical and social needs, including a mobility assessment as follows:</p> <p>(i) Annually</p> | <p>Limited suspension of the requirement that the interdisciplinary treatment team review treatment plans at least every 30 days and that a reassessment of each resident's mental, physical, and social needs be completed annually (4). Programs will be given a 10 calendar-day grace period to complete 30 calendar-day updates and the annual reassessment. The due dates will be as follows:</p> <ul style="list-style-type: none"> 30-day updates: at least every 40 days with all required treatment team signatures. <p>Annual reassessment: 30 calendar-day grace period from the date it is due. (assessments due 4/1/20 will not be due until 5/1/20).</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.53. | <p>(a)(5) Recording of physicians' orders in each resident's clinical record that is reviewed, renewed and signed by the physician every 30 days.</p> <p>(c) Pharmaceutical services shall include:</p> <p>(1) A written quarterly review of the drug regimen of each resident by a licensed pharmacist and the findings submitted to the program director and prescribing physicians</p> | <p>Full suspension, of requirement that the recording of the physician's orders in each client's clinical record is signed by the physician every 30 days, although the providers are strongly encouraged to obtain the signature electronically when possible.</p> <p>Full suspension of the requirement for a written quarterly review of the drug regimen of each resident by a licensed pharmacist and the findings submitted to the program director and prescribing physicians.</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.54(a) | (a) The use of seclusion is prohibited in LTSRs. | Full suspension of the requirement that the use of seclusion is prohibited in the LTSR only if there is a | March 6, 2020 |

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| | | | <p>documented reason to believe the resident has a communicable disease or COVID-19 related symptoms.</p> <p>Self-isolation for the health, safety, and well-being of other residents and staff (within reason and ability) is not seclusion. LTSR programs should follow CDC guidelines if they believe a resident has COVID-19-related symptoms.</p> <p>The LTSR must document attempts for the resident to see a physician to be tested within 24 hours of the first documented symptoms.</p> | |
| DHS-OMHSAS | 55 Pa. Code § 5320.74(1) | <p>The LTSR provider shall:</p> <p>(1) Develop written arrangements for providing routine and emergency medical and dental care for residents.</p> <p>(3) Have first aid supplies available and adhere to current Centers for Disease Control and the Department of Health's recommendations for universal precautions in the administration of first aid and CPR.</p> | <p>Limited suspension of the requirement for annual and routine exams and medical and dental care for residents. Documentation of the appointment scheduling in the resident's record will illustrate the closest date available to the due date that the medical or dental provider was able to serve the resident.</p> <p>Limited suspension of the requirement that LTSR programs strictly adhere to current Centers for Disease Control and the Department of Health's recommendations for universal precautions, related to the care of residents who have displayed symptoms of COVID-19. All attempts to attain PPE's and facemasks, along with any other supply requirement, will be documented.</p> | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5320.82. Fire protection and safety. | <p>(a) The program director shall arrange for the local fire department or another outside safety consultant to inspect and approve each LTSR site for fire safety and to determine the number, location and type of fire extinguishers and smoke detectors required. This fire safety inspection shall be done before initial occupancy and repeated at least every 2 years thereafter. Inspections shall be documented.</p> <p>(e) Fire drills at each LTSR site shall be documented and held at least every 2 months; nighttime drills shall be conducted semiannually</p> | <p>(a) Limited suspension of the annual requirement of fire safety inspections provided due diligence is taken to obtain fire safety inspection within the timeframe required by the regulation and documentation is kept regarding inability to obtain required services timely. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.</p> <p>(e) Limited suspension, provided due diligence is taken to hold fire drills within the required timeframes and documentation is kept regarding inability to hold required fire drills. A conditional plan must be reviewed and approved by OMHSAS if the provider anticipates they will not meet compliance with this regulation.</p> | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5320.83(b) | (b) A single occupancy room shall have at least 80 square feet of floor space. Bedrooms for two persons shall have at least 60 square feet of floor space per person and have sufficient floor space to accommodate the items required in §5320.84 (relating to furnishings and equipment). | Limited suspension of the requirement that a single occupancy room shall have 80 square feet or more of floor space and that a double occupancy room shall have 60 square feet or more of floor space for each client in the event that a client must be moved or isolated/self-quarantined while participating in the program due to the program's adherence to CDC guidelines to COVID-19-related symptoms. This will allow programs to maintain compliance with room space requirements, if the need to isolate any resident arises, but the building layout does not support the CDC recommended space. | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5240.3 (c) Provider eligibility | An IBHS agency that holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, shall obtain a license under this chapter when the license expires. | Limited Suspension: Delay of enforcement. An IBHS agency that holds an outpatient psychiatric clinic, a psychiatric partial hospitalization program or a family-based mental health license issued by the Department as of October 19, 2019, shall obtain a license by 1/17/2021. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.3(d) Provider eligibility | An IBHS agency that is approved to provide ABA services shall obtain a license under this chapter within 180 days of October 19, 2019. | Limited Suspension: 180-day delay of enforcement. An IBHS agency that is approved to provide ABA services shall obtain a license by 10/15/2020. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.3(e) Provider eligibility | An unlicensed IBHS agency that is currently approved to provide BHRS shall obtain a license under this chapter within 1 year of October 19, 2019. | Limited Suspension: 90-day delay of enforcement. An unlicensed IBHS agency that is currently approved to provide BHRS shall obtain a license by January 17, 2021. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.21(a) Assessment | Within 15 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by an individual qualified to provide behavior consultation services or mobile therapy services. | Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.22 (a) Individual Treatment Plan | A written ITP shall be completed within 30 days after the initiation of a service and be based on the assessment | Limited suspension to completing the ITP within 30 days. It may be completed within 45 days during the emergency declaration period. | March 6, 2020 |

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| | | completed in accordance with 5240.21 (relating to the assessment). | | |
| DHS-OMHSAS | 55 Pa. Code § 5240.22 (h) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent of legal guardian of the child or youth, and the staff person who completed the ITP. | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.22 (i) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in 5240.12 (relating to staff qualifications). | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code §§ 5240.72(b)(2), 5240.72(b)(3) Supervision of staff who provide individual services | Onsite supervision and direct observation requirements for individuals providing BHT services. | Limited Suspension: Onsite supervision and direct observation requirements are suspended during the emergency declaration period. The provision of supervision via video technology is acceptable to meet the regulation during the emergency declaration. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.72 (e) Supervision of staff who provide individual services | ...two-way audio and video transmission must meet HIPAA standards per public law No 104-191. | Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services' Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html . | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code §§ 5240.82(b)(2), 5240.82 (c)(2), 5240.82 (c)(3) Supervision of staff who provide ABA services | Onsite supervision and direct observation requirements for individuals providing BHT-ABA services | Limited Suspension: Onsite supervision and direct observation requirements are suspended during the emergency declaration period. The provision of supervision via video technology is acceptable to meet the regulation during the emergency declaration. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.82 (g) Supervision of staff who provide ABA services |two-way audio and video transmission must meet HIPAA standards per public law No 104-191. | Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services' Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html . | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.85(a) Assessment | Within 30 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by an individual qualified to provide behavior consultation services or mobile therapy services. | Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 30 days. It may be completed within 60 days during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.86 (a) Individual Treatment Plan | A written ITP shall be completed by an individual qualified to provide behavior analytic services or behavior consultation-ABA services within 45 days after the initiation of a service and be based on the assessment completed in accordance with 5240.85 (relating to the assessment). | Limited suspension to completing the ITP within 45 days. It may be completed within 75 days during the emergency declaration period. | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5240.86(h) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent of legal guardian of the child or youth, and the staff person who completed the ITP. | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.86(i) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in 5240.81 (relating to staff qualifications). | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.92(f) Supervision of staff who provide group services | two-way audio and video transmission must meet HIPPA standards per public law No 104-191. | Limited Suspension: Providers that deliver services through telehealth must comply with federal Department of Health and Human Services' Office of Civil Rights (OCR) guidance regarding compliance with Health Insurance Portability and Accountability Act (HIPAA) as outlined in https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html . | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.96(h) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by the youth, young adult or parent or legal guardian of the child or youth, and the staff person who completed the ITP. | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |

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| DHS-OMHSAS | 55 Pa. Code § 5240.96(i) Individual Treatment Plan | The ITP and all updates shall be reviewed, signed and dated by an individual who meets the qualifications of a clinical director in § 5240.12 (relating to staff qualifications). | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.97(d) | Requirement for Group Services to be provided in school, community settings, and community like settings. | Limited Suspension: Subject to OMHSAS's approval, group services can be delivered via telehealth. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.101(b) EBT initiation requirements | Prior to the initiation of EBT, the IBHS agency shall obtain written consent to receive the EBT identified in the written order from the youth, young adult or parent or legal guardian of a child or youth. | Limited Suspension: Signature requirements, including signatures for treatment plans/service plans and written consent, have also been suspended. Verbal consent must be documented at the time of service and providers are strongly encouraged to obtain signatures electronically when possible. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.96(a) Individual Treatment Plan | A written ITP shall be completed within 30 days after the initiation of group services and be based on the assessment completed in accordance with 5240.95 (relating to assessment). | Limited suspension to completing the ITP within 30 days. It may be completed within 45 days during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.95(a) Assessment | Within 15 days of the initiation of services and prior to completing an ITP, a face-to-face assessment shall be completed for the child, youth or young adult by a graduate level professional. | Limited Suspension: Method of contact for assessment may include telehealth during the emergency declaration period. Limited suspension to completing the assessment within 15 days. It may be completed within 30 days during the emergency declaration period. | March 6, 2020 |
| DHS-OMHSAS | 55 Pa. Code § 5240.102(a)(b)(c) | Timelines for assessment, and ITPs in individual, ABA and Group sections. | Refer to responses to the following provisions: • 1155.32 (a)(2) Payment conditions for individual services (assessment) | March 6, 2020 |

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| | Assessment and individual treatment plan | | <ul style="list-style-type: none"> • 1155.32(a)(5) Payment conditions for individual services (ITP) • 1155.33 (a)(2) Payment conditions for ABA services (assessment) • 1155.33(a)(5) Payment conditions for ABA services (ITP) • 1155.34 (a)(2) Payment conditions for Group services (assessment) • 5240.21(a) Assessment (Individual Services) • 5240.22 (a) Individual Treatment Plan (Individual Services) • 5240.22 (h) Individual Treatment Plan (Individual Services) • 5240.22 (i) Individual Treatment Plan (Individual Services) • 5240.85 (a) Assessment (ABA) • 5240.86 (a) Individual Treatment Plan (ABA) • 5240.86(h) Individual Treatment Plan 5240.86(i) Individual Treatment Plan (ABA) | |
| PSP | Lethal Weapons Training Act, 22 P.S. § 41 et seq. (Act 235); 37 Pa. Code Section 21.19 | Individuals may apply to become certified as Privately Employed Agents pursuant to the Lethal Weapons Training Act, 22 P.S. § 41 et seq. (Act 235). Once applicants are approved, they shall select a certified training school from a list provided by me. Under 37 Pa. Code Section 21.19, written approval to attend a certified training program will be valid for 6 months from date of issue. | <p>Certified training schools are not operating due to the guidelines published by the Pennsylvania Department of Health and The Centers for Disease Control (CDC) concerning combatting and mitigating the spread of COVID-19.</p> <p>Thus, the waiver extends the 6 month certification period.</p> | March 6, 2020 |