

### DIRECTOR'S JOURNAL ENTRY

#### **VARIANCE TO AND WAIVER FROM CERTAIN HOSPICE CARE PROGRAM LICENSING REQUIREMENTS**

On March 9, 2020, Governor Mike DeWine issued Executive Order 2020-01D, declaring a State of Emergency in Ohio due to the circumstances presented by COVID-19 and to assist with the State's COVID-19 response. The Executive Order allows state agencies to suspend rules during the time of the emergency. Pursuant to the authority granted to me by Executive Order 2020-01D and under the authority granted to me by paragraph (A) of rule 3701-19-24 of the Ohio Administrative Code, I hereby grant a variance to the following provisions of Chapter 3701-19 of the Ohio Administrative Code:

- Paragraph (A) of rule 3701-19-11 to allow the ongoing assessment of patients to be provided through tele-health.

Additionally, under those same authorities, I hereby grant a waiver from the following provisions of Chapter 3701-19 of the Ohio Administrative Code:

- Paragraph (C)(4) of rule 3701-19-11, relating to the fifteen-day timeframe for plan of care review;
- Paragraph (A) of rule 3701-19-13, relating to the use of volunteers to provide direct patient care services;
- Paragraph (F) of rule 3701-19-16, relating to two-week supervisory visits by a registered nurse to evaluate care provided by an aide; and
- Paragraph (A) of rule 3701-19-19, relating to the provision of physical therapy, occupational therapy, or speech or language therapy.

I take this action because I believe the granting of this variance and these waivers protects the health and safety of both patients and staff. This journal entry is effective when signed and remains in effect until 60 days after Governor DeWine withdraws the state of emergency.

  
Amy Acton, MD, MPH  
Director of Health

  
04/09/2020  
Date

I hereby certify this to be a true and correct copy of the Journal Entry of the Director of the Ohio Department of Health.

4-10-20

Date

Custodian of the Director's Journals  
Ohio Department of Health