



April 27, 2020

Florida Surgeon General Issues Emergency Order DOH No. 20-006

The Order waives certain statutes and Florida DOH rules in response to COVID-19.

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On April 24, 2020, Florida Surgeon General Scott Rivkees, MD, issued **Emergency Order 20-006**. This Order, issued in response to the threat posed by COVID-19, waives certain statutes and rules of the Florida Department of Health as follows:

- Allows a pharmacist to order, administer and report the results of a COVID-19 test, including serology tests, authorized by the U.S. Food and Drug Administration, at a licensed pharmacy.
- Allows Volunteer Health Care Provider Program participants who provide services to existing indigent patients through an agreement with a governmental contractor pursuant to s. 766.1115 (“Access to Health Care Act”) to do so without having to immediately complete Form DH 1032 when the services provided are new or otherwise different than the initial referral form on file for the patient. Form DH 1032 must be completed within 30 days of the expiration of this Emergency Order, and healthcare providers

must provide verbal or electronic notice to each patient that the provider is an agent of the government contractor.

- Provides that all Volunteer Health Care Provider Program contracts that expire during the COVID-19 state of emergency shall be extended until the expiration of Executive Order 20-52 (currently set to expire on May 8, 2020, unless extended).
- Suspends FAC Rule 64D-4.007(1)(c) to allow a person applying for initial enrollment or recertification for the AIDS Drug Assistance Program to enroll or be recertified absent an HIV viral load laboratory result less than six months old and an HIV CD4 laboratory result less than 12 months old.

The effective date of this Order corresponds with the effective date of Executive Order 20-52 (March 9, 2020). The suspension of the above statutes/rules applies until the expiration of Executive Order 20-52.

FMA members who have questions regarding this Emergency Order can contact the FMA Legal Department at legal@fmedical.org for assistance.