

NJAO Update: Additional Practice Management Guidance and Gov. Murphy Suspends All Elective Surgeries Invasive Procedures



The New Jersey
Academy of Ophthalmology
New Jersey Eye MDs

414 River View Plaza | Trenton, New Jersey 08611
P: 609.392.1201 | F: 609.393.9891 | NJAO.org

Dear fellow NJAO member:

I can't believe that its only been a week that I sat down at my desk to write to you. Our world and practices have changed in a short 7 days. Most of us have transitioned to seeing only the most urgent of patients and trying to figure out telemedicine. Surgery, which is the most satisfying endeavor to many of us, has ground to a halt.

Health and safety remains the most important, however. In Bergen county, where I live, many neighbors and friends have tested positive and I know of a number of people in the ICU. An older retired ophthalmologist, near and dear to me, is fighting for his life on a ventilator. So please take this seriously and stay home! At the same time, we need to protect our practices from financial ruin. I'm sure you all have received many emails from your professional organizations, including ours, but I think you will find the included information from our practice management consultant, Patricia Morris, helpful.

Michael Farbowitz, MD
NJAO President

COVID19 - What do we do now? What a difference a week makes...

Valued Warriors,

Here we are a week later and it is remarkable how much has changed in 7 days. Depending on where you are in the country - your locality may be under a shelter in place order, your operations may have been halted, your staff may be furloughed, and you might be making your own hand sanitizer. It is helpful that we are learning more about the virus, and taking action to flatten the curve. However we are also losing people to the virus. It seems to be getting closer to "home". Some of our colleagues in and out of the industry are testing positive. As of 930PM this evening there are more than 33K cases in the US, 336K in the world, approximately 15K deaths - but here is some good news 98K recoveries. I'm not usually paranoid but every time I sneeze I say a silent prayer (and then check my temperature).

So glad to hear that the resources I shared last week were helpful for your operations. Keep the requests for information. Thank you for the feedback on the resources and attachments provided please keep it coming.

Here are more practical suggestions:

Our Staff

- Keep the lines of communication open. Even more important when they are out of the office.
- Staff that are supporting urgent care efforts should have a authorization to travel from your practice to present if stopped by the police or national guard.
- Provide staff with resources for their well-being and their families.
- Employees who show signs of respiratory illness can be asked to leave the practice and stay at home until they are symptom free.
- If an employee discloses they have been in contact with a person that has the diagnosis they should self-quarantine. You can require the employee who has been exposed to the virus to stay at home.

Resource available: Staff travel auth letter

Our Patients

- Follow the guidelines of the CDC, local DOH and Academy - Essential visits only.
- According to statement posted by the AAO, all ophthalmologists should cease providing any treatment other than urgent or emergent care immediately. This includes both office-based care and surgical care.
- Provide sanitizing gel and masks
- Provide social distancing in reception areas 6 feet, remove magazines, keep doors open where possible. Suggest family members wait in the car when possible.
- Identify patients with symptoms and quarantine them or ask them to wear a mask
- Assure them that we are doing all we can to keep them and our staff safe.
- Be liberal with cancel and rescheduling policies

Resources available: Patient selection criteria, door signage (updated)

Our Operations

- Perform more frequent sanitizing of all of your common areas, don't forget door handles, chair arms, clipboards, pens, counter tops and patient hand rails, all diagnostic testing equipment, tables, chairs, patient restrooms, spray the air with disinfecting spray between visits etc.
- Do not over use masks, sanitizer or wipes, we have to make it last.

Resource available: CDC recommendations for infection control

Our Revenue

- Consider tele-health options
- Collect copay and past due balances
- Submit claims clean and quickly
- Manage insurance A/R

Resources available: Tele-health workflow, tele-health billing assistance (AAD).

Undergirding our Revenue

- At a minimum have enough cash or credit line availability to cover 30 days overhead.
- Look into federal and local small business programs to help you maintain minimal operations

Our Expenses

- Reduce your staff for their safety, and your cash flow
- Review all of your expenses, with reduced patient visits this is the week to look at everything you spend on that you do not need during this time.
- Monitor clinical and office supply purchases
- Negotiate with your vendors on terms for leases and other expenses as appropriate

Reminder to check with your insurance policies for loss of business riders and possible coverage.

Do not hesitate to contact us at Pat@4pmcoe1.com for more details about any of the above suggestions or to request resources referenced above to support your practice. If you contacted us by email or phone you have been added to the exclusive blast with resources attached.

Most importantly stay safe and keep your family and your staff safe.

Regards,

Pat Morris and staff

**GOVERNOR MURPHY SUSPENDS ALL ELECTIVE SURGERIES,
INVASIVE PROCEDURES
TO PRESERVE ESSENTIAL EQUIPMENT AND HOSPITAL
CAPACITY**

TRENTON -- As part of the state's effort to preserve the capacity of the health care system to respond to COVID-19, Governor Phil Murphy today

signed Executive Order No. 109, directing the suspension of all elective surgeries and invasive procedures performed on adults that are scheduled to take place after 5:00 p.m. on Friday, March 27. The Governor's Executive Order applies to all medical and dental operations that can be delayed without undue risk to the current or future health of the patient, as determined by the patient's physician or dentist.

"Our new reality calls for aggressive action to reduce the burden on our health care system and protect our frontline medical responders," said Governor Murphy. "Given the dramatic shortfall in personal protective equipment we face, it's imperative that we work with our partners in health care to strategically preserve supplies and equipment for emergency purposes only."

In addition to the suspension outlined above, Governor Murphy's Executive Order also requires the following:

- * Protecting the capacity of hospitals: Physicians and dentists, who are planning to perform surgery or invasive procedures in their offices, must consider the potential burden of post-surgery complications on local hospitals prior to performing any operation.

- * Explicit exemption for family planning and termination of pregnancies: The order provides that it shall not be interpreted in any way to limit access to family planning services, including termination of pregnancies.

- * Inventory of personal protective equipment to be taken: Any business, non-hospital health care facility, or institution of higher learning in possession of PPE, ventilators, respirators, or anesthesia machines not required for the provision of critical health care services shall undertake an inventory of these supplies and send that information to the State by 5:00 pm on Friday, March 27. The Office of Emergency Management shall establish a process for affected entities to submit this information.

The Order requires facilities to immediately notify patients whose operations have to be suspended.

EXECUTIVE ORDER NO. 109

WHEREAS, through Executive Order No. 102 (2020), which I signed on February 3, 2020, I created the State's Coronavirus Task Force, chaired by the Commissioner of the New Jersey Department of Health ("DOH"), in order to coordinate the State's efforts to appropriately prepare for and respond to the public health hazard posed by Coronavirus disease 2019 ("COVID-19"); and

WHEREAS, in light of the dangers posed by COVID-19, I issued Executive Order No. 103 (2020) on March 9, 2020, the facts and circumstances of which are adopted by reference herein, which declared both a Public Health Emergency and State of Emergency; and

WHEREAS, in accordance with N.J.S.A. App. A:9-34 and -51, I reserved the right to utilize and employ all available resources of State government to protect against the emergency created by COVID-19; and

WHEREAS, as of March 21, 2020, according to the Centers for Disease Control and Prevention ("CDC"), there were more than 292,000 confirmed cases of COVID-19 worldwide, with over 12,000 of those cases having resulted in death; and

WHEREAS, as of March 20, 2020, there were more than 15,000 confirmed cases of COVID-19 in the United States, with at least 201 of those cases having resulted in death; and

WHEREAS, as of March 23, 2020, there were at least 1,914 positive cases of COVID-19 in New Jersey, with at least 20 of those cases having resulted in death; and

WHEREAS, in recognition that the CDC has advised that social mitigation strategies for combatting COVID-19 require every effort to reduce the rate of community spread of the disease and that COVID-19 spreads most frequently through person-to-person contact when individuals are within six feet or less of one another, I issued Executive Order No. 107 (2020) on March 21, 2020, the facts and circumstances of which are adopted by reference herein, which ordered steps to mitigate community spread of COVID-19 limiting the unnecessary movement of individuals in and around

their communities and person-to-person interactions in accordance with CDC and DOH guidance and requiring all businesses or non-profits, wherever practicable, to accommodate their workforce for telework or work-from-home arrangements and reduce staff on site to the minimal number necessary to ensure that essential operations can continue; and

WHEREAS, Executive Order No. 107 (2020) required the closure of facilities where personal care services are performed that, by their very nature, result in noncompliance with social distancing guidelines, including but not limited to cosmetology shops; barber shops; beauty salons; hair braiding shops; nail salons; electrology facilities; spas, including day spas and medical spas, at which solely elective and cosmetic medical procedures are performed; massage parlors, tanning salons, tattoo parlors, and public and private social clubs, whether or not they serve alcohol; and

WHEREAS, Executive Order No. 107 (2020) did not limit, prohibit, or restrict in any way the provision of health care or medical services to members of the public, and allowed to remain open health facilities that provide medically necessary or therapeutic services; and

WHEREAS, even as we institute social distancing measures, the number of COVID-19 cases in New Jersey is likely to increase for the immediate future, and, consequently, requires the State to take additional steps to preserve our health care system's capacity to treat those who require emergency or intensive care; and WHEREAS, limiting exposure of healthcare providers, patients, and staff to COVID-19 and conserving critical resources such as ventilators, respirators, anesthesia machines, and Personal Protective Equipment ("PPE") are essential to combatting the spread of the virus; and

WHEREAS, the Centers for Medicare and Medicaid Services have issued guidance to limit non-essential adult elective surgery and medical and surgical procedures, including all dental procedures, to assist in the management of vital healthcare resources (including PPE) during this public health emergency and to limit potential exposure of healthcare providers, patients, and staff to the virus; and

WHEREAS, the United States Surgeon General has encouraged hospitals

and healthcare systems to consider stopping elective procedures; and

WHEREAS, limiting non-essential adult elective surgery and invasive procedures, whether medical or dental, will assist in the management of vital healthcare resources during this public health emergency; and

WHEREAS, while certain surgeries and invasive procedures are medically appropriate, they are not time-sensitive and a postponement will not endanger the health of the patient, and at the same time, these procedures, whether undertaken in a hospital, ambulatory surgery center or provider office, necessarily draw upon the skill and time of critical health care professionals and involve the use of equipment and supplies that may be needed to treat those who are critically ill; and

WHEREAS, the Constitution and statutes of the State of New Jersey, particularly the provisions of N.J.S.A. 26:13-1 et seq., N.J.S.A. App. A: 9-33 et seq., N.J.S.A. 38A:3-6.1, and N.J.S.A. 38A:2-4 and all amendments and supplements thereto, confer upon the Governor of the State of New Jersey certain emergency powers, which I have invoked;

NOW, THEREFORE, I, PHILIP D. MURPHY, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. Beginning at 5:00 p.m. on Friday, March 27, 2020, all "elective" surgeries performed on adults, whether medical or dental, and all "elective" invasive procedures performed on adults, whether medical or dental, are suspended in the State. An "elective" surgery or invasive procedure, for purposes of this Order, is defined as any surgery or invasive procedure that can be delayed without undue risk to the current or future health of the patient as determined by the patient's treating physician or dentist. An "elective" surgery or invasive procedure does not include the administration of vaccines.

2. Providers planning or determining whether to perform surgery and invasive procedures in their offices must also consider any possible post-operation complications that may place additional stress on local hospitals that do not have the capacity to accept transfers and need to coordinate any

possible postoperation admissions with local hospitals prior to performing surgeries or invasive procedures. Ambulatory surgery centers are to coordinate any possible post-surgery admissions with local hospitals prior to performing any surgery or invasive procedure.

3. Each hospital or ambulatory surgery center shall establish written guidelines to ensure adherence to the provisions of this Order, a copy of which shall be provided to DOH. In establishing such guidelines, the hospital or ambulatory surgery center shall include a process for consultation with the treating provider about a designation that the surgery or invasive procedure is elective under the terms of this Order.

4. Nothing in this Order shall be construed to limit access to the full range of family planning services and procedures, including terminations of pregnancies, whether in a hospital, ambulatory surgery center, physician office, or other location.

5. The Commissioner of DOH shall have the authority to issue binding guidance, in consultation with the Director of the Division of Consumer Affairs, on any of the provisions contained in Paragraphs 1 through 4.

6. All elective surgeries or invasive procedures, whether medical or dental, already scheduled for after 5:00 p.m. on Friday, March 27, 2020, are to be cancelled or postponed indefinitely. Facilities are to immediately notify all patients and providers that have scheduled elective surgeries or invasive procedures that these operations cannot proceed as scheduled under the terms of this Order.

7. Any business or non-hospital health care facility, including but not limited to dental facilities, construction facilities, research facilities, office-based healthcare or veterinary practices, and institutions of higher learning, in possession of PPE, ventilators, respirators, or anesthesia machines that are not required for the provision of critical health care services should undertake an inventory of such supplies and send that information to the State by no later than 5:00 p.m. on Friday, March 27, 2020. The Office of Emergency Management shall establish a process by which entities subject to this provision can submit this information.

8. The Director of the Division of Consumer Affairs, which houses over fifty professional licensure bodies, is authorized and empowered in his or her sole discretion, but in consultation with the Commissioner of DOH, to issue orders restricting or expanding the scope of practice for any category of healthcare professional or veterinarian licensed by a board in the Division of Consumer Affairs, including but not limited to, orders restricting elective surgeries, procedures, and examinations, or for further limiting the scope of practice, or the location for the delivery of service of other licensees subject to regulation by any licensing board or committee within the Division of Consumer Affairs. The Director of the Division of Consumer Affairs is also authorized and empowered in his or her sole discretion, but in consultation with the Commissioner of DOH, to waive any restriction on the entry or reentry into practice (or any restriction on the prescription of controlled dangerous substances or on access to the prescription monitoring program) of any person who has received training for employment in a healthcare profession or who has retired from practice.

9. Any actions taken by the Commissioner of DOH or the Director of the Division of Consumer Affairs pursuant to this Order shall not be subject to the requirements of the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq.

10. Paragraph 17 of Executive Order No. 107 (2020) is hereby superseded to the extent it is inconsistent with this Order.

11. It shall be the duty of every person or entity in this State or doing business in this State and of the members of the governing body and every official, employee, or agent of every political subdivision in this State and of each member of all other governmental bodies, agencies, and authorities in this State of any nature whatsoever, to cooperate fully in all matters concerning this Executive Order.

12. Penalties for violations of this Executive Order may be imposed under, among other statutes, N.J.S.A. App. A:9-49 and -50.

13. This Order shall take effect immediately.

GIVEN, under my hand and seal this 23rd day of March, Two Thousand and Twenty, and of the Independence of the United States, the Two Hundred

and Forty-Fourth.

/ s / Philip D. Murphy
Governor

Attest:

/ s / Matthew J. Platkin
Chief Counsel to the Governor

Q#D fdghp | #i#R skwkdq r#rj | / 747#U lyhu#Y lnz #S#d / #Wuhqwrq/#Q#B ; 944

VdihXqvxevfuleh0 #fkdvC z ru#z gh0z he1frp

Iruz du#k l#hp dlp i# Xsqdwh#Sur ilh#i# Derxw#rxu#vhuy lfh#sury lghu

Vhqwe | #p urvqdc qmsv1lfrp #q#f#r#erudwlrq#z lk#



Wu | #np dl#p dunhwqj #iru#h#h#e#gd | \$