

**ADMINISTRATIVE ORDER NO.: 2022-01****DATE: JANUARY 11, 2022****SUBJECT: AUTHORIZATION FOR THE USE OF CRISIS STANDARDS OF CARE BY HEALTH CARE FACILITIES DURING THE SECOND COVID-19 DECLARED PUBLIC HEALTH EMERGENCY**

By virtue of the authority vested in me by the COVID-19 Response Emergency Amendment Act of 2020 (D.C. Act 23-247, effective March 17, 2020, and any subsequent COVID-19 legislation; and Mayor's Order 2022-008 issued on January 11, 2022, it is hereby **ORDERED**:

**I. PURPOSE**

The purpose of this Administrative Order is to authorize the use of crisis standards of care to be used by health care facilities operating in the District of Columbia during the COVID-19 public health emergency declared in the District of Columbia on January 11, 2022.

**II. FINDINGS AND ORDER**

The Director of the Department of Health (Director), as the lead in the District's efforts in containment and mitigation of COVID-19, has determined that it is in the best interest of the health, safety and welfare of District residents and other persons to authorize the use of crisis standards of care in the District of Columbia. The authorization of crisis standards of care is intended to permit a change in usual health care operations as a result of a major emergency declaration, such as COVID-19. It will allow health care providers to appropriately allocate and use scarce medical resources.

The Director makes the following findings:

1. On January 11, 2022, the Mayor declared a second public health emergency, limited in scope to specific actions related to health care capacity.
2. The resurgence of COVID-19 cases due to the Delta, Omicron, and other possible variants can potentially overwhelm District of Columbia health care facilities and their personnel, undermining their ability to deliver patient care in their usual and customary manner, using normal and traditional standards of care.
3. Crisis standards of care may be referred to as alternate standards of care, alternative standards of care, modified means of delivery of services, or other similar names to describe the allocation and use of scarce medical resources. For purposes of this Administrative Order, the term "crisis standards of care" shall encompass each of these terms.

4. Each District licensed health care facility has an emergency operation plan, as required by District and federal laws or regulations, that should include any deviations from the normal standard of care.
5. It is in the best interests of District of Columbia residents and other persons that crisis standards of care be authorized to ensure the best care possible during this catastrophic event.

Based on the above findings, the Director makes the following Order:

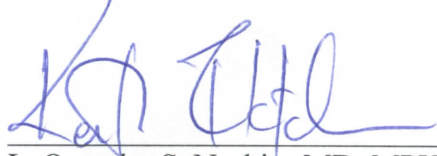
1. Health care facilities that have invoked their emergency operation plans in response to this public health emergency are hereby authorized to implement their crisis standards of care plans. Each facility's crisis standards of care shall be deemed approved by the District, to be executed by health and allied professionals, or other licensed, registered, or certified professionals providing services in a health care facility in response to the District's COVID-19 declared public health emergency.
2. For the duration of the declared public health emergency, these crisis standards of care shall serve as the standards of care and the degree of care owed to patients by licensed, registered, or certified health care professionals as set forth in each health care facility's respective emergency plan.
3. All health care professionals and their assisting personnel executing the crisis standards of care plan shall do so in good faith, ethically, fairly, and equitably without regard to the patient's disability, insurance status, or ability to pay.
4. The implementation of crisis standards of care does not affect the District of Columbia COVID-19 vaccination mandate for all licensed, registered, and certified health professionals and unlicensed health workers authorized to provide health care services in the District of Columbia.

### III. DURATION OF ORDER

This Order shall remain in effect during the shorter of (1) the period of Public Health Emergency as declared by the Mayor in Mayor's Order 2022-008 as extended by any subsequent Mayor's Order, unless earlier rescinded or superseded, and (2) the applicability period of any COVID-19 legislation.

### IV. EFFECTIVE DATE

This Order shall become effective immediately.



LaQuandra S. Nesbitt, MD, MPH  
Director