



Kentucky Begins Reopening Health Care Facilities

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The Kentucky Cabinet for Health and Family Services issued an order April 27, 2020, allowing for certain previously shuttered health care facilities and services to begin treating patients again, subject to multiple requirements and restrictions. This is the “first phase” of Kentucky’s effort to bring the health care industry back online after a prior cabinet order required all non-emergent and non-urgent services to cease as of March 18.

As of April 27, the following medical services resumed:

- Hospital outpatient settings
- Clinics and medical offices
- Physical therapy
- Chiropractor offices
- Optometry offices
- Dental offices (with enhanced aerosol protections)

Notwithstanding these re-openings, they come with a number of strings attached:

- Traditional waiting room arrangements must be changed. Providers must use “nontraditional alternatives.” (Call-ahead registration and waiting in the car until called are given as examples.)
- Social distancing must be maintained in all waiting room settings.
- All facility employees and patients must be screened for COVID-19 symptoms.
- Enhanced facility sanitizing and disinfecting must be used, along with enhanced hand hygiene.
- All providers must wear masks when in contact with patients or staff.
- In high-touch settings, providers must wear single-use gloves, contact surfaces must be cleaned between patients, and all

necessary steps must be taken to reduce body-to-body contact.

- In high aerosol risk settings, providers must wear appropriate PPE and adhere to aerosol mitigation measures.
- Each facility must procure PPE for routine services “via normal supply chains.”
- No visitors except when necessary (e.g., vulnerable populations, small children).
- Use of telehealth is still preferred when clinically possible.

Nonurgent and nonemergent surgeries and invasive procedures still cannot occur, but will be dealt with in a subsequent order.

This order provides a large degree of welcome news for those who have needed nonurgent care and the providers who treat them.

For more information about the resumption of health care services in Kentucky, please contact [James A. Dietz](#) or any attorney in Frost Brown Todd’s [Health Care Innovation](#) industry team.

To provide guidance and support to clients as this global public-health crisis unfolds, Frost Brown Todd has created a [Coronavirus Response Team](#). Our attorneys are on hand to answer your questions and provide guidance on how to proactively prepare for and manage any coronavirus-related threats to your business operations and workforce.

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