

Frequently Asked Questions:

Updated May 1, 2020

Order of the Secretary of the Pennsylvania Department of Health Directing Public Health Safety Measures for Businesses Permitted to Maintain In-Person Operation

Recognizing that certain life-sustaining businesses in the Commonwealth must remain open despite the need for strong mitigation to slow the spread of the 2019 Corona virus (COVID-19), the Secretary of Health has ordered certain actions to be taken by employers and the employees of life-sustaining businesses (employees) to protect their health and lives, the health and lives of their families, and the health and lives of the residents of the Commonwealth who depend upon their services.

Q. What sort of situations would mandate a 24-hour wait time, and what sort of situations would allow for a lesser wait time to disinfect surfaces?

A. All businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

Q. Often employees notify management of their pending or confirmed COVID-19 case several days after they have been in the office or business. If the virus is not expected to live for several days on hard surfaces, do businesses still need to do additional cleaning?

A. According to the CDC, if more than 7 days have passed since the person who is sick visited the business or facility, enhanced cleaning and disinfection is not necessary. However, the business should continue routine cleaning. If the person who is sick was onsite at the business or facility within 7 days, then the work site should be cleaned and disinfected.

Q. The Order calls for 50% occupancy, every other register and cleaning every hour. If our business adheres to the social distancing and best practices mentioned in the Order, can we open additional registers if they are less than 6 feet away?

A. The Department of Health (Department) recommends that businesses take as many precautions as possible to ensure employee safety. Disease transmission between employees is likely when working closely together. [The U.S. Department of Labor Occupational Health and Safety Administration \(OSHA\)](#) provides similar recommendations for or businesses in regard to social distancing, including the “every other register” recommendation. However, if all other public health practices have been implemented, including limiting in-person shopping, limiting the number of customers to reduce crowding, installing shields or barriers, performing regular

cleaning and designating a specific shopping time for high risk individuals, then a business may consider opening checkout lanes that are next to each other.

Q. The Order provides for an employee being sent home immediately if they get sick during the work day if exposed to the person who was a probable or confirmed case, and also provides for the cleaning and disinfecting of the surfaces in that employee's workspace, but why does it not mandate a 24 hour waiting period in that case?

A. All life-sustaining businesses are ordered to wait a minimum of 24 hours, or as long as practical, before beginning cleaning and disinfection.

Q. What type of cleaning is required?

A. Facilities must clean and disinfect all spaces, especially commonly used rooms and shared electronic equipment. The Centers for Disease Control and Prevention (CDC) has [established guidance](#) on appropriate cleaning. Businesses should also refer to the Secretary's April 6, 2020 Order Directing Building Safety Measures.

Q. Can a life-sustaining business use a third-party vendor or third-party service for cleaning?

A. Yes, businesses can use an established or new vendor to comply with cleaning requirements.

Q. Certain areas of our facility should never be unmanned even for cleaning. In that situation, if the client is in compliance with CDC Guidelines, would they be allowed to continue to man this critical equipment?

A. Yes. An employer should consider the safety of its facility and employees when making the best decision possible.

Q. If a facility is regulated by the FDA and can't comply because it cannot open up doors and windows in a clean room environment, what should it do?

A. The business should follow FDA regulations and should consider the safety of its facility and employees while complying while making the best decision possible.

Q. Does an entire facility need to be shut down in order to do appropriate cleaning?

A. No. Businesses with a campus of multiple facilities or a building with multiple offices only need to close and clean the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas.

Q. Who is responsible for cleaning costs?

A. The business, unless the lease or other agreement establishes this as a responsibility of the landlord

Q. Is the Commonwealth dictating a particular mask?

A. No. Employers may approve masks obtained or made by employees in accordance with the Department's [guidance](#). Customers may utilize masks obtained or made in accordance with the Department's [guidance](#). Scarves, bandanas, or other face covering will also suffice in place of a mask.

Q. Are there recommendations on where employers can purchase masks for employees?

A. Employers do not need to purchase masks from any specific vendor, but are required to provide masks to employees to wear during business hours. Homemade masks and masks owned by employees are allowable. The Department has published [guidance](#) on how to make cloth masks. Additionally, the Department of Community and Economic Development has created a [Business-2-Business Directory](#), which identifies potential vendors of masks and other Personal Protective Equipment (PPE).

Q. Would a disposable face shield suffice in lieu of a mask?

A. A disposable face shield would suffice in lieu of a mask. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's website.

Q. Does this Order apply to essential workers who are outdoors, and heavy physical activity is part of their job description, such as employee of solid waste companies and landscaping?

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. Do banks and financial institutions need to comply with the masking requirement if there are associated security concerns with face coverings?

A. Yes. Bank employees should wear masks at all times. Customers can be asked to remove their masks to reveal their face and then recover their face after the bank employee has identified the customer. This should take place within a minimum distance of six feet.

Q. Is it acceptable for workers to remove facial coverings for operations where it would be unsafe to keep in place or to be in compliance with safety requirements?

A. Yes. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q: What should employers do when an employee says they have anxiety and any mouth, nose covering can lead to panic attacks or other medical conditions?

A. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. Are masks required while driving for work?

A. If the person is driving alone throughout the trip, no mask is needed in the vehicle, however, should they need to travel through a toll-booth or other drive thru they should be wearing a mask.

Q. Does someone working in a personal office need a mask at all times?

A. Employees isolated in their personal office space, when unshared with any other colleagues, do not need to wear a mask. However, when the employee leaves their individual office or has invited a colleague into their office, they must wear a mask. Additionally, one cannot wear a mask while eating or drinking. At those times, social distancing techniques should be applied.

Q. What about orders that were placed by an employer for masks but will not arrive for some time. How should businesses comply until then?

A. Employers may approve masks obtained or made by employees in accordance with guidance on homemade masks found on the Department's [website](#).

Q. Are masks required by transit operators, bus drivers or others who operate a vehicle?

A. Yes. However, an employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. The Order references CDC guidance on masking, which requires masking only when employees cannot maintain social distancing?

A. The Governor and Secretary of Health have chosen to employ safety measures beyond the CDC. Employees must wear masks at all times except when isolated from others in a private space or when it adversely affects their health.

Q. Which body is responsible for ensuring these actions have been taken at a specific workplace?

A. The Department does not dictate the employer's business structure. The employer is responsible for taking the necessary steps to implement the Secretary's Order **for employees. State enforcement agencies have been directed to begin enforcement of the Order with additional education for and warnings to non-compliant businesses, before moving progressively to more significant enforcement steps if warranted.**

Q. Is there any plan to get this information into the hands of workers so they can ask their employer to take the necessary steps to protect them?

A. The Secretary's Order and [the Department's FAQs](#) are available to the public on the Department's website. Employers are encouraged to share this information with their employees.

Q. Is there a code enforcement hotline for employees to call?

A. No. Complaints will only be taken online. **A webform for employees to submit complaints is available on the Department's [website](#).**

Q. Will there be a waiver process or exceptions?

A. This Order applies to life-sustaining businesses that remain open and already includes limited exceptions related to medical conditions and to occupational safety.

Q. Where can employees report violations?

A. A [webform](#) for employees to report violations.

Q. If the customer refuses to wear a mask will they be turned away or will the customer be refused service?

A. Yes, with the exception of businesses that provide medication, medical supplies, or food, which must offer another means for the customer to purchase goods if the customer is unable to wear a mask. Those means could include home delivery or contactless curbside pick-up.

However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and **are not required to provide documentation of such medical condition.**

If the customer is refused service, and if the business is not able to provide a mask, the business should consider providing information on mask making, distributing “how to” flyers, or sharing locations where a mask can be purchased. Additionally, businesses should advise the customer of the Secretary’s Order; tell the customer that only those who cannot wear a mask due to a medical conditions may enter the premises without a mask; and advise the customer that almost any face covering would be acceptable. If a customer is belligerent or aggressive, there is no expectation that an employee should force a customer to comply or put themselves in a dangerous situation.

Q. What if someone does not come in with a mask and the business cannot offer an alternative means of serving the customer?

A. Businesses should consider providing masks to their customers or offering resources to customers for information on how to make masks. Consider sharing mask making on social media, distributing “how to” flyers, or sharing locations where masks can be purchased. Customers can also be reminded to wear a scarf or bandana as a mask.

However, individuals who cannot wear a mask due to a medical condition (including children under the age of 2 years per CDC guidance) may enter the premises and are not required to provide documentation of such medical condition.

Q. How do businesses avoid confrontation with customers who do not wear a mask?

A. Businesses should consider how they would deal with a customer who came into their business without a shirt or shoes. Businesses should consider giving customers resources on how to make their own mask or provide a mask.

Additionally, businesses should advise customers of the Secretary’s Order; tell the customer that only persons who cannot wear a mask due to a medical condition do not have to comply with requirement to wear a mask; and advise the customer that almost any face covering would be acceptable. If a customer is belligerent or aggressive, there is no expectation that an employee should force a customer to comply or put themselves in a dangerous situation.

Q. As a manager, how do I handle an employee that refuses to wear a mask? Does this Order mean I can refuse them entry?

A. All employees of life-sustaining businesses, with the exception of those with a medical condition or in the case of safety issues or while sequestered alone in a room, must wear a mask in the workplace. The Department does not dictate to employers how they should manage their workforce if employees refuse to comply with the Secretary's Order.

Q. Are building security desks required to have shields or barriers to separate guard staff?

A. This is not a requirement of the Secretary's Order. However, businesses should consider how much interaction their security staff have with customers or employees. If security staff have significant interactions, the Department recommends having a barrier.

Q. What are the social distancing guidelines for elevator usage?

A. Businesses should use their best judgment based on the square footage of the elevator. The Department recommends that business allow as few people as possible while also being mindful of crowds gathering while waiting for the elevator.

Q. An elevated temperature is just one symptom. Is an elevated temperature enough to send an employee home?

A. Yes, an elevated temperature should prompt sending the employee home. While an elevated temperature is just one symptom, employees should be monitoring for other symptoms as well and should be encouraged to stay home if exhibiting any of those symptoms.

Q. Where should temperature screenings take place?

A. It is best to do screenings as close to the door of a facility or outside, if possible. Businesses should consider taking the temperature of employees in their car as they enter parking lots/garages or inside of a building lobby. If taking temperatures inside, remember to clean high touch surfaces frequently.

Q. Does the Order require the temperature screening of employees who do not physically enter the building?

A. No, it is not required of employees who are working from home or have no contact with other employees, but is recommended.

Q. Is a building owner or management company required to take the temperatures of tenants?

A. Employers are responsible for taking the temperature or implementing a self-screen policy for their employees. The building owner is not required to screen tenants.

Q. If an employee tests positive in a leased facility, what requirements are there in terms of notifying other entities that may occupy leased space?

A. Tenants should notify the building owner that one of their employees has tested positive without sharing personal details. It is recommended that owners notify other tenants that someone within the building has tested positive without sharing personal details and should follow this protocol if one of their employees who works in the building tests positive. Building owners should ensure that common spaces within the building are cleaned according to guidelines.

Q. If an employee tests positive in a leased facility, how does a business go about implementing temperature checks for staff that work in that leased facility, but do not work for the business. Ex/ Cleaning staff.

A. The employer is responsible for implementing temperature screenings or implementing self-screening policies of their employees. In the example, the employer of the cleaning staff is responsible for instituting a temperature screening policy. It is recommended that the employer notify the owner of the leased facility of the presence in the leased facility of an employee who tests positive.

Q. Following an exposure the Order says that “employees” must be screened. Does this mean that essential non-employees, such as contractors and delivery persons do not need to be screened?

A. Non-employees are not subject to temperature checks; these employees should have temperature checks or self-screening policies put in place by their own employer. **If, however, a contractor is physically present in a business as if he or she were an employee and has similar physical contact with employees as if he or she were an employee, the employer should temperature check that contractor.**

Q. If an employer discovers an employee with a confirmed case of COVID-19 has come into the business, does the Order require the employer to institute a temperature check for that person to return to work following their leave period OR does it require temperature screenings of all employees following the first confirmed case?

A. Businesses should implement temperature screening or a self-screen policy for all employees **before they physically enter the worksite** upon discovery that the business has been exposed to

a person who is a case of COVID-19. This would include a temperature screening for the employee with a confirmed case when that employee returns to work after the quarantine period.

Q. The Order provides guidelines for a person with a probable or confirmed case of COVID19. What is considered “probable”?

A. A person is considered to have a probable case of COVID-19 if a person has symptoms (i.e., fever, cough, shortness of breath) and exposure to a high-risk situation, or if the person has a positive antibody test and either symptoms or high-risk exposure.

Q. Do employees need to produce a doctor’s note when diagnosed with or suspected to have COVID-19?

A. The Department does not dictate the employer’s medical leave policy.

Q. Can temperature checks be done through self-screening? (i.e., employees told to take temp at home?)

The Order requires that businesses check the temperature upon discovery that the business has been exposed to a person who is a probable or confirmed COVID-19 case. However, the Department recommends that employers check the temperature and or symptoms of all employees at the beginning of each shift, particularly in those areas of the Commonwealth with high positive case numbers. This can be done in several ways:

If thermometers can be procured:

- **Employers** may take their employees’ temperatures on site utilizing best practices.
- **Employees** may **self-screen** taking their temperature at home with business-provided thermometers or their own personal thermometer.

If thermometers cannot be procured:

- **Employers** may ask their employees to conduct a questionnaire-based screening at the worksite utilizing the Department approved screening tool or equivalent.
- **Employees** may **self-screen** by conducting a questionnaire-based screening at their home utilizing the Department approved screening tool or equivalent.

If utilizing **self-screening**, businesses **must** also establish a policy for employees to report their temperature or symptoms to the employer on a daily basis. This policy should include a provision that would not allow employees with symptoms to come onto the worksite.

Additionally, businesses should consider paid leave policies that incentivize workers to stay home when reporting symptoms, including a temperature of 100.4 F or higher. This would alleviate the potential of employees lying to avoid losing pay, or potentially losing jobs.

Daily self-screening is encouraged even if the employee is not scheduled to enter the worksite. For example, if an employee is off for the weekend, performing a self-screening is not required but a matter of good public health.

Q. Is it required that a medical professional administer the temperature screenings?

A. No.

Q. In the event there is a positive test, is there an end date for temperature screening? How long must temperature checks be conducted?

A. Temperature checks and or self-screenings should be conducted for at least 14 days after an exposure. However, the Department recommends that employers, particularly those in areas of the Commonwealth with high positive case numbers, continue to conduct temperature checks as a matter of routine even after that 14 day period.

Q. Do businesses have the authority to issue temperature checks for customers/the general public at a facility?

A. Businesses that are concerned that testing customers would create legal issues should check with their legal counsel.

Q. Is the Order retroactive? If there was a positive case in the building 2 weeks ago, do we now need to do temperature screening?

A. The Secretary's Order is not retroactive. The Department does, however, recommend screening under these circumstances, particularly in those areas of the Commonwealth with high positive case numbers.

Q. If someone arrives at work in one location and is temperature screened, then drives to another work facility, does the person have to temperature screen again?

A. The Secretary's Order does not require an employer to conduct temperature screenings in more than one location under the circumstances described; however, the Department recommends such temperature screenings and or symptom screens be conducted, particularly in those areas of the Commonwealth with high positive case numbers.

Q. If someone begins their workday in another state and drives into Pennsylvania, do they have to temperature check once they get to their work destination in Pennsylvania?

A. The Secretary's Order is only intended to address temperature screening at the employee's starting workplace. If the person was temperature checked at their starting workplace they do not need to be rescreened; however, such screening is recommended, particularly in areas of the Commonwealth with high positive case numbers.

Q. Does the temperature-taking provision only apply after an employer is aware of a potential or actual exposure?

A. The Secretary's Order is only intended to address the circumstances after an employer becomes aware of a potential or actual exposure. The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Q. Is the temperature provision applicable to an entire facility/campus or can it be limited to specific at-risk buildings or sections of a buildings?

A. **Businesses with a campus of multiple facilities or a building with multiple offices only need to screen employees from the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas.** The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Please review the responses above for practices with respect to temperature screening at home.

Q. Do all employees who work in a building need to have their temperatures checked even if they weren't exposed to the individual?

A. **Businesses within a large building of multiple offices only need to screen employees from the area of the building where an individual with a suspected or confirmed positive case of COVID-19 has worked. For example, if the COVID positive person works on a single floor of a building only that floor would need to be screened.**

However, businesses should be mindful of bathrooms, breakrooms, building lobbies and other frequently visited areas. The Department recommends temperature screenings be conducted, at all times, however, particularly in those areas of the Commonwealth with high positive case numbers.

Q. Is there any specific guidance regarding the sourcing/procurement of thermometers?

A. No. Employers should use regular supply opportunities or visit DCED [Business-2-Business](#) portal.

Q. If social distancing can be maintained, can there be an exemption to the mandatory mask requirement?

A. No. Employees of life-sustaining businesses that work in group settings are at risk. Masks should be worn at all times. An employee does not need to wear a mask if it impedes their vision, if they have a medical condition, or if it would create an unsafe condition in which to operate equipment or execute a task.

Q. The Order notes that essential businesses must limit occupancy to no greater than 50% of their certified occupancy. Can you please clarify whether this applies to Funeral Homes? Previous guidance issued in SRN-2020-09 says Funeral Homes are strongly encouraged to limit any services to 10 or fewer people. Does the new Order supersede the State Registrar Notice (SRN) and permit Funeral Homes to allow 50% of their occupancy for viewings?

A. Funeral Homes should follow the guidance from the SRN.

Q. If a company is staggering breaks, but not staggering shift start/stop times, would they then be required to implement those as well?

A. Employers should take all possible steps to encourage social distancing, including staggering shift start/stop times, as well as staggering breaks.

Q. What restrictions are applied to health care workers?

A. The Secretary's Order does not apply to health care workers. The Department has issued guidance for health care workers and health care settings through its Health Alert Network.

Q. Are there any considerations being given to allow compliance as long as businesses are showing they are working aggressively toward achieving compliance?

A. The Governor and the Secretary believe strongly that these provisions will protect employees and save lives. Life-sustaining businesses should take all necessary steps to comply by 8 p.m. Sunday April 19, 2020.

Q. Do retailers need to designate specific shopping time for high-risk persons?

A. The Department recommends that businesses take as many precautions as possible to ensure customer safety including special shopping hours at least once a week. However, if all other public health practices have been implemented, including limiting in person shopping, limiting the number of customers to reduce crowding, installing shields or barriers, performing regular cleaning and only opening every other register, then a business may consider if designated shopping times are necessary. Businesses should keep in mind that six feet is the recommended distance of separation. Infection is more likely to happen when customers and staff are in proximity.

Transportation:

Q: Does the Order apply to airports and freight rail operators?

A. Airports are regulated by the FAA. Freight rail operators are regulated by the FRA. Airports and Freight rail operators should therefore follow guidance from those federal regulators.

Q. Does the Order require transit riders to wear masks? What about riders participating in the Medical Assistance Transportation Program?

A. Transit riders should wear masks unless there is a medical reason that prevents them from wearing a mask, or unless they are unable to provide themselves with a mask or a suitable option (bandanna, scarf, etc.) because of economic reasons. A transit company that is able to provide masks for its customers should make every attempt to do so.

Q. Do these restrictions apply to local governments and courthouses?

A. Local political units were not required to suspend in-person operations under the business closure orders issued by the Governor and the Secretary on March 19, 2020. However, they were advised to curtail in-person operations to the extent practicable and to follow COVID-19 mitigation guidance provided by the Department and the CDC. Similarly, local political units are not required to follow the Secretary's Employee Safety Order; however, they are advised to implement the protocols that it outlines to the extent practicable. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

Q. Do the provisions of the Order apply to state employees?

A. No, the Commonwealth is not a business that is directly covered by the Secretary's Order; however, Governor Wolf has chosen to implement the practices outlined in the Order where possible as an example for the other employers and employees in the Commonwealth.

Q. Does the new Order apply to a manufacturing operation that is closed to the public, and in compliance with all CDC Guidelines?

A. Yes. The wearing of masks is intended to benefit employees as well as the public.

Q. With veterinarian workers not being characterized as health care workers how can they continue to function with social distancing?

A. Veterinary offices should comply with all aspects of the Secretary's Order while attempting to utilize social distancing. It is understood that some veterinary procedures require close contact. Veterinarians should take proper precautions when interacting with customers and colleagues. Veterinarians should also consider limiting their in-person practice to urgent or emergency visits, and forgo elective procedures.

Q. Out of which funds available to the Governor will he be reimbursing employees or employers for the costs associated with complying this new Order?

A. Employees and employers will not be reimbursed. The Governor expects everyone to comply with the Secretary's Order to the best of their ability.

Life Sustaining Business Frequently Asked Questions

1. What businesses may maintain in-person operations based on the Red, Yellow and Green Phases of Reopening?

As described further in the Governor's [Process to Reopen Pennsylvania](#) plan, the Commonwealth is employing a regional and industry-specific approach to reopening non-life-sustaining businesses. In counties that have been designated as in the Red Phase, businesses permitted to conduct in-person operations are:

- 1) Those listed as life sustaining according to the Governor's and Secretary's Non-Life Sustaining Business Closure Orders (as amended).
- 2) Those that received an exemption from those Orders from the Department of Community and Economic Development, or
- 3) Those permitted to conduct in-person operations pursuant to a subsequent applicable Order or amendment to those Orders from the Governor and Secretary including:
 1. Construction Industry;
 2. Vehicle Dealerships; and
 3. Real Estate Industry.

In counties that have been designated as in the Yellow Phase, all businesses, except those categories specifically excluded in the Governor's Process to Reopen Pennsylvania Plan and the Governor's and Secretary of Health's orders, are permitted to conduct in-person operations, so long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, available [here](#).

In counties that have been designated as in the Green Phase, all businesses (including those restricted or prohibited in the Yellow Phase) are authorized to conduct unrestricted in-person operations as long as the businesses follow CDC and Department of Health guidelines.

2. How can I determine whether my business is considered a life-sustaining business and can continue in-person operations in Red Phase counties?

Businesses should first refer to the Governor's Order and the list of life-sustaining businesses which is available [here](#). The categories in the list were drawn from the classifications of the North American Industry Classification System (NAICS).

Your industry sector (drawn from the NAICS classifications) appears on the life-sustaining business list. You may have used your business' NAICS code to buy insurance, manage employee benefits, pay taxes or interact with other governmental entities. If

you do not know your NAICS classification, you should review documents relating to those activities for help identifying what classification you fall within.

You can also use the search feature available at www.census.gov/naics. In the "2017 NAICS Search" box on the left side of that page, enter a keyword that describes your kind of business. A list of primary business activities containing that keyword and the corresponding NAICS codes will appear. Choose the one that most closely corresponds to your primary business activity or refine your search to obtain other choices.

If your business' NAICS classification falls within a category that is listed as "life-sustaining" on the list of life-sustaining businesses you may maintain in-person operations provided that you adhere to social distancing restrictions and taking other mitigation measures to ensure the health and safety of employees and patrons.

If your business' NAICS classification does not fall within a category listed as "life-sustaining" you may maintain in-person operations in counties designated as within the Red Phase of reopening if you fall within one of the three categories listed in Answer 1.

In making exemption determinations, the Department of Community and Economic Development (DCED) maintained consistency with an advisory issued by the Department of Homeland Security's Cybersecurity and Infrastructure Security Agency ("CISA Advisory") entitled "Identifying Critical Infrastructure During COVID-19." In analyzing requests for exemptions, DCED utilized CISA Advisory Version 1.1, originally issued on March 19, 2020, as amended on March 23, 2020. Version 1.1 of the CISA Advisory is available [here](#). Subsequent changes to the CISA guidance were not adopted by the commonwealth and were not applied when analyzing requests for exemptions.

The CISA Advisory authorizes in-person activity by businesses and workers necessary for production, operation and maintenance of supply chains of the following critical infrastructure categories:

- materials and products needed for medical supply chains,
- essential transportation,
- energy,
- essential communications,
- food and agriculture,
- chemical manufacturing
- nuclear facilities,
- the operation of dams, water and wastewater treatment,
- emergency services, and
- the defense industrial base.

Exemptions for these activities were only granted to the extent that the activity provides a good or service directly to a critical infrastructure category, as opposed to non-critical operations that may broadly fit within the categories.

3. What categories of businesses are required to continue to suspend in-person operations in the Yellow Phase according to the Governor’s Process to Reopen Pennsylvania Plan?

Under the Process to Reopen Pennsylvania, businesses in the following categories are required to continue to suspend in-person operations, or in the case of restaurants and bars continue to operate on a limited basis (curbside pickup, takeout or delivery) until their county is designated as being in the Green Phase:

- Indoor recreation, health and wellness facilities and personal care services;
- All entertainment;
- Indoor malls; and
- Restaurants and Bars.

4. What type of businesses fall under “indoor recreation,” “health and wellness facilities,” and “all entertainment” categories, that are required to continue to suspend in-person operations in the Yellow Phase?

Indoor Recreation, Health and Wellness Facilities and Personal Care Services and all Entertainment must remain closed in the Yellow Phase.

Indoor recreation includes bowling, arcades, racquetball and other indoor sports or training, go-kart and other racing, laser tag, pool halls, trampoline facilities, indoor mini golf, and other similar facilities.

Health and wellness facilities include gyms, saunas, tattoo and piercing shops, tanning, spas, hair salons, nail salons, entities that provide massage therapy, and other similar facilities.

Entertainment includes casinos, theaters, concerts, museums, zoos and botanical gardens, racetracks, professional, semiprofessional, or amateur/membership sports teams or clubs, amusement and water parks, carnivals, playgrounds, and other similar facilities.

Indoor malls must remain closed. Only tenants with external entrances may open (if they follow the business guidance) as well as pharmacy or health care tenants with either interior or external entrances.

5. Is there a deadline to submit exemption requests?

All exemption requests were required to be submitted no later than 5:00 P.M. on Friday, April 3, 2020.

6. My business is in a category allowed to maintain in-person operations, or I was granted an exemption, what should I do to keep employees safe?

All businesses in all industries and sectors of the economy (including non-profit entities) in the Commonwealth, which are permitted to conduct in-person operations, are required to strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, available [here](#), unless they are otherwise more stringently regulated under separate industry-specific guidance.

7. If a business is classified as non-life-sustaining, but has the ability to operate remotely, must the business close down?

Non-life-sustaining businesses in counties that have been designated as being in the Red Phase of Reopening may continue to operate remotely virtually or by telework (i.e. working from home) conducted individually, and in doing so must follow the social distancing and other COVID-19 mitigation guidance provided by the Pennsylvania Department of Health and CDC.

All businesses in counties that have been designated as being in the Yellow Phase of Reopening that have been operating remotely through individual telework of their employees must continue to telework to prevent the spreading of COVID-19 until the stay at home and business closure orders are fully lifted.

8. Local political units were absent from the list. Should municipalities suspend in-person operations?

Local political units are not required to suspend in-person operations but should curtail in-person operations to the extent practicable and follow COVID-19 mitigation guidance provided by the Pennsylvania Department of Health and the CDC. All decisions should appropriately balance public safety while ensuring the continued delivery of critical infrastructure services and functions.

Common Enforcement Questions

9. If a business has been granted an exemption, how can the business demonstrate that fact to an enforcement agency?

Businesses approved for an exemption will receive written confirmation, which they may share with an enforcement agency to confirm authorization to maintain operations.

10. How will this order be enforced? Will there be warnings before fines or other enforcement actions?

The closure of non-life sustaining businesses is a measure that has been taken to control the spread of a communicable disease, COVID-19, and has been ordered by the Governor and the Secretary of Health. The closures are enforceable through criminal penalties, under the Disease Control and Prevention Law of 1955 and the Administrative Code of 1929.

While other criminal penalties in those laws, as well as under the Crimes Code and the Liquor Code, may apply, the following are the most directly applicable provisions for enforcement of the Orders: 71 P. S. § 1409 and 35 P.S. § 521.20(a).

We strive to ensure enforcement of the orders will be consistent throughout the Commonwealth. We also expect that any discipline for violation of the orders will be progressive discipline that begins with a warning to any suspected violator. Furthermore, enforcement should be prioritized to focus on businesses where people congregate.

11. How should municipalities and local governments exercise their enforcement authority in supporting the Governor's order?

State and local officials should use best judgment in exercising their authorities and issuing implementation directives and guidance. Similarly, critical infrastructure industry partners must use best judgment, informed by the list and CISA Advisory to ensure continued operations of critical infrastructure services and functions. All such decisions should appropriately balance public health and safety while ensuring the continued delivery of critical infrastructure services and functions.

Common Questions About General Business Categories

12. May non-life sustaining business which are required to suspend in-person operations retain essential personnel to process payroll and insurance claims, maintain security, and engage in similar limited measures on an occasional basis?

Yes, but telework (i.e. working from home) should be employed whenever possible, and social distancing must be observed.

13. I requested an exemption, and specifically referenced the portion of my business that supports the health care industry. Does my exemption apply to all my activities?

No. If you received an exemption in response to a request in which you specifically identified a particular element of your business as essential to health care or another life-sustaining operation, that waiver only relates to those activities that you specifically identified.

14. May businesses continue fulfilling mail, phone and online orders?

In-person public facing locations must suspend in-person operations. Mail, phone and online order may continue to be fulfilled by essential staff so long as payment is made by mail, phone or online and the order is delivered to the customer at the customer's home. In fulfilling orders telework should be employed whenever possible, and social distancing must be observed.

15. I am a contractor engaging in emergency repairs who received an exemption or was told that I do not require an exemption. May I perform non-essential work?

In both Red and Yellow Phase counties, construction is permitted as authorized by the Governor's and Secretary of Health's April 20, 2020 amendments to their business closure orders and in strict compliance with the Administration's construction guidance, available [here](#).

16. I have a "one person" operation that operates out of my home, with no customer access or physical facility. May I maintain in-person operations?

Yes. You may continue to work as you have no physical location. In-home businesses should suspend any in-person elements in which customers must come to the home business, unless engaged in life-sustaining business.

17. If a manufacturing business is in a classification that is not to maintain in-person operations, but is in the process of converting to a manufacturing process that is

authorized to maintain in-person operations in order to address COVID-19, what should they do?

In this particular circumstance, please submit your information to the newly developed [Pennsylvania Manufacturing Call to Action Portal](#). Questions about the Portal can be directed to RA-DCEDPAMCTAP@pa.gov.

Common Questions About Specific Business Categories

18. May I complete my customer's construction project?

In both Red and Yellow Phase counties, construction is permitted as authorized by the Governor's and Secretary of Health's April 20, 2020 amendments to their business closure orders and in strict compliance with the Administration's construction guidance, available [here](#).

19. Are childcare programs required to suspend in-person operations?

Childcare programs in Pennsylvania must suspend in-person operations unless they meet one of the following criteria:

- A Family Child Care Home;
- A Group Child Care Home operating in a residence;
- A Child Care Center or Group Child Care Home operating outside a residence that has received a Waiver to provide care for children of employees of life-sustaining businesses from the Department of Human Services, Office of Child Development and Early Learning (OCDEL); or,
- A Part-day school age program that has received an exemption from the Governor's and Secretary's orders or a waiver to remain open from OCDEL to provide care for children of employees of life-sustaining businesses. As of April 6, 2020, all Waiver requests should be submitted to OCDEL for review.

A map of childcare programs approved to operate in Pennsylvania is available [here](#).

In counties that have been designated as being in the Yellow Phase of Reopening, childcare programs may conduct in-person operations as long as they strictly adhere to guidelines.

20. May hotels and motels maintain in-person operations?

Hotels and motels are not required to suspend in-person operations. Hotels may not operate any dine-in food services; all food services must be a takeout or delivery only option.

21. May restaurants, bars, breweries, distillers and wineries continue to provide to-go sales of alcohol?

All restaurants, bars, breweries, distillers and wineries should continue to adhere to PLCB guidance. Currently to-go and delivery sales are authorized but licensees may not allow the service or consumption of food or alcohol on the licensed premises. PLCB licensees should check the PLCB website for further updates.

22. May notary and title services maintain in-person operations?

In counties designated as being in the Red or Yellow Phase of Reopening, notary and title offices may maintain in-person operations as required to allow notaries and title service providers to participate in court functions deemed essential by a president judge per the Pennsylvania Supreme Court's order of March 18, 2020, or similar federal court directive. Notaries and title service providers may access their offices to effectuate such functions and directives; or for healthcare-related matters.

In addition, notaries who prior to the Governor's and Secretary's orders offered services in a business location that is authorized to maintain in-person operations under the orders (such as banks and other depository financial institutions) may continue to offer in-person services at those locations.

Notaries may also provide services utilizing audio-visual technology as an alternative to in-person notarization as authorized by Senate Bill 841, signed by the Governor on April 20, 2020. Guidance on remote notarization is available [here](#).

In counties that have been designated as being in the Yellow Phase of Reopening, notary and title offices may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

23. May law offices maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, law offices remain generally closed and lawyers and staff should continue to perform all work remotely to the extent possible, however lawyers and staff may access physical offices on a limited

basis as necessary to render legal services that cannot practically be completed through the use of advanced communication technology, and which are being rendered to comply with a court directive or deadline, or to meet client needs that are critical to the client's health or safety, including, but not limited to, matters of healthcare, incompetence, incapacitation, end-of-life decision making, government benefits necessary to sustain life and access healthcare and income, or legal functions necessary for the operation of government at all levels. Any in-person activity shall be subject to the Orders of Secretary of Health providing for building safety measures (issued April 5, 2020) and business safety measures (issued April 15, 2020), including any amendments, and related Department of Health guidance.

In counties that have been designated as being in the Yellow Phase of Reopening, law offices may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

24. May bail bondsmen maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, bail bond offices may maintain in-person operations only as required to allow bail bondsmen to participate in court functions deemed essential by a president judge per the Pennsylvania Supreme Court's order of March 18, 2020, or similar federal court directive, and bail bondsmen may access their offices to effectuate such functions and directives.

In counties that have been designated as being in the Yellow Phase of Reopening, bail bond offices may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

25. May pet stores offer in-person ancillary services, such as grooming or training?

In counties designated as being in the Red Phase of Reopening, pet stores may remain open solely to sell pet supplies or provide veterinary services. Pet stores with kennels and pet boarding operations may maintain in-person operations related to these services.

In counties that have been designated as being in the Yellow Phase of Reopening, pet stores may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19

Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

26. May appliance stores maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, appliance stores may not maintain in-person sales operations either at their physical locations or off-site, but in-home emergency repairs may continue. See also the notes as to cell phone sale and repair stores below.

In counties that have been designated as being in the Yellow Phase of Reopening, appliance stores may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

27. May golf courses maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, golf course operators may permit individuals access to the property so long as there are no gatherings of any kind and appropriate social distancing of six feet between individuals is strictly abided.

Golf carts may be utilized, but must be single occupant only, unless the occupants share a residence. No employees are allowed for purposes of facilitating play; however, operations such as landscape maintenance and other “services to building and dwellings” may continue as necessary to prevent deterioration of property condition. Restaurant activity is limited to take-out or delivery only and use of facilities for banquets or similar gatherings remains prohibited.

In counties that have been designated as being in the Yellow Phase of Reopening, golf courses may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

28. May marinas maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, marinas, boatyards, and recreational marine manufacturers may provide services where such facilities adhere to strict social distancing and sanitization protocols. Operation of such facilities for the purposes of personal or commercial use or operation of boats or other watercraft is

permissible; however, chartered watercraft services (including fishing charters with more than two clients) or rental services remain prohibited. Restaurant activity is limited to take-out or delivery only, and use of facilities for banquets, regattas, or similar gatherings remains prohibited.

In counties that have been designated as being in the Yellow Phase of Reopening, marinas may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

29. I operate as a fishing guide, what in-person operations may continue?

In counties designated as being in the Red Phase of Reopening, walk-in fishing guiding is permitted as long as you are able to minimize personal contact and abide by social distancing and masking guidelines, including maintaining six feet between individuals. Guiding from a boat may be done if you limit clients to two or less and are able to abide by social distancing and masking guidelines, including maintaining six feet between individuals at all times. Charter boat guiding for more than two clients remains prohibited.

In counties that have been designated as being in the Yellow Phase of Reopening, fishing guides may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

30. May sporting goods, hunting, fishing and tackle stores maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, sporting goods stores, hunting fishing and tackle stores may not maintain in-person operations but may maintain self-service operations.

In counties that have been designated as being in the Yellow Phase of Reopening, sporting goods, hunting, fishing and tackle stores may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

31. May bicycle sale and repair shops maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, bike shops may not maintain in-person sales, but repair work may continue.

In counties that have been designated as being in the Yellow Phase of Reopening, bike sale and repair shops may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

32. May firearm dealers maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, firearms dealers may operate physical businesses on a limited basis to complete only the portions of a sale/transfer that must be conducted in-person under the law, subject to the following restrictions: 1) all such sale/transfers will be conducted by individual appointment during limited hours only so as to minimize social interactions and congregating of persons; 2) the dealer will comply with social distancing, sanitization of applicable area between appointments, and other mitigation measures to protect its employees and the public.

In counties that have been designated as being in the Yellow Phase of Reopening, firearms dealers may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, (including the requirement to telework where possible) available [here](#).

33. May cell phone sale and repair stores maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, cell phone repair stores may continue to repair cell phones and similar household goods. Electronics and appliance stores and sales kiosks must suspend in-person operations per the Governor's and Secretary's orders.

In counties that have been designated as being in the Yellow Phase of Reopening, cell phone sale and repair stores may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

34. May long-term care providers continue in-person operations?

Yes, all long-term care entities are life-sustaining and are permitted to maintain in-person operations as an individual and family service.

35. May car dealerships maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, motor vehicle dealers with a valid, current license from the Pennsylvania Department of State's Board of Vehicle Manufacturers, Dealers, and Salespersons who participate in the Pennsylvania Department of Transportation's Online Registration Program (OLRP) may resume limited online sales operations, so long as they strictly adhere to guidance issued by the Pennsylvania Department of Transportation, and social distancing guidance provided by the Department of Health.

Other previously authorized activities at automobile dealerships, such as repairs to passenger and commercial vehicles, may continue.

In counties that have been designated as being in the Yellow Phase of Reopening, vehicle dealerships may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

36. May garden centers maintain in-person operations?

In counties designated as being in the Red Phase of Reopening, garden centers are not authorized to maintain in-person operations, and this applies to both independent garden centers, as well as those attached to large retail chain or grocery stores. This prohibition does not apply to establishments primarily engaged in retailing farm supplies, such as animal (except pet) feed.

In counties that have been designated as being in the Yellow Phase of Reopening, garden centers may conduct in-person operations as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

37. May residential real estate businesses conduct in-person operations including showings, appraisals, inspections, final walk throughs and closings?

Residential real estate transactions may continue in limited circumstances as authorized in Guidance issued by the Department of State available [here](#).

38. May apartment leasing offices maintain in-person operations?

Only emergency housing and emergency maintenance qualify as life-sustaining services in this sector. Virtual and telework operations (e.g. work from home) must be the primary option when available. In counties designated as being in the Red Phase of Reopening, in-person work at a business site is only to be performed on the most limited basis possible to deliver the services or goods of a life-sustaining business.

In counties that have been designated as being in the Yellow Phase of Reopening, apartment leasing offices may conduct in-person operations for properties within the Yellow Phase county, as long as they strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

39. May I offer my residential property for short term rental?

In counties designated as being in the Red Phase of Reopening, short term rentals of any unit, group of units, dwelling, building, or group of buildings within a single complex of buildings which is advertised or held out to the public as a place regularly rented to guests, or which is rented to guests more than three times in a calendar year for periods of less than 30 days or 1 calendar month, whichever is less, or rented through a home-share website are not authorized. This prohibition does not apply to the following:

- Hotels, motels, inns, resorts, non-transient public lodging establishments, or time share projects; or
- Rental stays where guests are currently staying in a vacation rental or have previously booked a stay and are scheduled to check-in no later than April 1, 2020; or
- Rentals to persons performing military, emergency, governmental, health or infrastructure response, or travelers engaged in non-vacation commercial activities.

In counties that have been designated as being in the Yellow Phase of Reopening, residential properties may be offered for short term rental as long as in doing so the owners strictly adhere to the requirements of the Guidance for Businesses Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public (including the requirement to telework where possible), available [here](#).

40. May I operate a Game of Skill in my business?

The commonwealth's consistent position is that so-called Games of Skill are illegal gambling devices and not authorized anywhere in the commonwealth. Operation of these machines during the current health emergency encourages people to congregate unnecessarily and is prohibited under the Governor's Order of March 19, 2020. Any business operating, servicing or otherwise maintaining a Game of Skill, is subject to enforcement which may include an order to suspend otherwise authorized in-person operations.

41. May commercial bus lines serving scheduled routes within the commonwealth continue operations?

Intrastate bus operators offering scheduled route service and regulated by the Public Utility Commission as a common carrier must suspend intrastate operations. This requirement does not apply to public transit bus operations.

42. Are there locations currently maintaining in-person operations for the purpose of processing of fingerprints for background checks?

Yes. A list of Identogo locations that are maintaining in person operations is available [here](#) More information regarding FBI fingerprint checks is available [here](#).

43. Are lactation consultants considered life sustaining workers?

Yes, Lactation Consultants certified through an accredited board, such as Internationally Board Certified Lactation Consultants (IBCLCs) or Certified Lactation Counselors (CLCs) are clinical health care providers that assess and care for breastfeeding families. Lactation Consultants are life-sustaining workers and may continue practicing during the COVID-19 Stay-at-Home order. Telehealth should still be prioritized when possible, but in person services may continue if social distancing and proper infection control protocols are followed. For more information on [social distancing](#) and [breastfeeding resources](#) during COVID-19, visit the [Department of Health website](#).

44. When can workforce development training resume?

The following workforce development training programs may resume statewide beginning May 8: nurse aid and direct care training programs; police academy training; emergency medical services (EMS) training; emergency medical technician (EMT) training; and fire training programs. Each program must be structured around ongoing

social distancing, universal masking, and/or other public health guidance so as not to result in a spike of cases and new stay-at-home and closure orders.



REVISED Guidance on COVID-19 for Dental Health Care Personnel in Pennsylvania

May 8, 2020

The Department of Health (Department) is revising healthcare community guidance to reflect Governor Wolf’s strategic phased reopening plan, particularly related to performing non-urgent procedures. There is still no data available to assess the risk of COVID-19 transmission during dental procedures; however, there is a better understanding of which procedures have increased risk of transmission and how to utilize Personal Protective Equipment (PPE) to reduce the risk. Therefore, the Governor and the Secretary of Health have revised their business closure orders issued on March 19, 2020, as subsequently amended, to remove the prohibition on “elective,” i.e., non-urgent and non-emergent, dental procedures.

All providers licensed by the Pennsylvania State Board of Dentistry should adhere to the following operating protocols state-wide.

Each dental provider should apply their clinical judgment along with their knowledge of the incidences of COVID-19 cases in their area, the needs of their patients and staff, and the availability of necessary supplies to assess whether to re-engage in the provision of non-urgent and non-emergent dental care. For example, if a clinician determines that lack of treatment will result in irreversible damage to a patient, the clinician should pursue treatment with the appropriate level of PPE per [Occupational Health and Safety Administration \(OSHA\)](#) and [CDC Interim Infection Prevention and Control Guidance for Dental Settings During the COVID-19 Response guidance relative to PPE](#). Providers should routinely consult the CDC guidance when providing care, noting that recommendations and guidance could change frequently.

Providers may perform non-aerosolizing, non-urgent and non-emergent care only if proper PPE, per OSHA guidance, is available for all dental care practitioners, including dental hygienists. Procedures that create a visible spray that contain [large particle droplets of water](#) should not be performed because they are considered aerosol generating; however, as a last resort when clinically necessary, aerosol generating procedures are allowed, only if proper PPE, per OSHA guidance, is available for all dental care practitioners including dental hygienists, since not all patients who have COVID-19 are symptomatic, i.e., they could be [asymptomatic or pre-symptomatic](#). The Department of Health and the Pennsylvania Emergency Management Agency are not currently prioritizing dental practices for PPE distribution, so proper PPE must be secured by the practice.

If infection control protocols outlined by the CDC and OSHA cannot be followed, the procedure should not be done.



All patients should be screened for symptoms of COVID-19, such as temperature over 100.4 degrees Fahrenheit, cough or other symptoms, before arriving at the practice, social distancing should be maintained while in the practice, and patients should wash or sanitize hands frequently and wear a mask when not undergoing treatment. Tele-dentistry should continue to be employed when possible as patients might be able to be treated virtually with antibiotics and pain medication. Please remember to continue to use proper [opioid guidelines in the dental practice](#), per clinical judgment.

PATIENTS SUSPECTED OF CONFIRMED TO HAVE COVID-19

The Department is aware that many dental practices will not be able meet the stringent infection prevention and control requirements for treating patients suspected or confirmed to have COVID-19. If emergency dental care is medically necessary for a patient who has, or is suspected of having, COVID-19, airborne precautions (an isolation room with negative pressure relative to the surrounding area and use of an N95 filtering disposable respirator for persons entering the room) should be followed. In these cases, dental treatment should be provided in a hospital or other facility that can treat the patient using the appropriate precautions.

ADDITIONAL RESOURCES:

- Check the [CDC](#) and the [Pennsylvania Department of Health](#) websites regularly for updates.
- Visit the [Pennsylvania Department of Labor and Industry](#) website for valuable information regarding unemployment compensation for DHCP staff.
- **In order to stay up-to-date with this and other public health issues, please sign up for the Pennsylvania Health Alert Network (PA-HAN) at <https://han.pa.gov/>**

BACKGROUND

Contact tracing is the process of reaching out to anyone who came into close contact with an individual who is positive for COVID-19. Contact tracing helps monitor close contacts for symptoms and to determine if they need to be tested. Contact tracing is a key strategy for preventing the further spread of infectious diseases such as COVID-19.

WHAT DOES THIS PROCESS LOOK LIKE?

- In contact tracing, public health staff work with a case to help them recall everyone they have had close contact with during the time they were infectious.
- Public health staff then inform individuals who have had close contact (e.g. “close contacts”) that they have potentially been exposed to COVID-19. Close contacts are only told that they may have been exposed to someone who has COVID-19; they are not told who may have exposed them.
- Close contacts are given education, information and support so they understand their risk. They receive information on what they should do to separate themselves from others who have not been exposed, how to monitor themselves for illness, and are made aware that they could possibly spread the infection to others, even if they do not feel sick.
- Close contacts will be asked to quarantine themselves and are encouraged to stay home and maintain social distancing through the end of their infectious period, which is about 14 days, in case they become sick. They should monitor themselves by checking their temperature twice a day and watch for any other symptoms of COVID-19. Public health staff will check in with these contacts to make sure they are self-monitoring and have not developed symptoms.
- If a close contact develops symptoms, they should isolate themselves and let public health staff know. The close contact will be evaluated to see if they need medical care. A test may be necessary unless the individual is already in a household or long-term care facility with a confirmed case, then the close contact would be considered a probable case without a test.

WHAT TERMS SHOULD I KNOW WHEN IT COMES TO CONTACT TRACING?

- A **case** is a patient who has been diagnosed with COVID-19. A case should isolate themselves, meaning they should stay away from other people who are not sick to avoid spreading the illness.
- A **close contact** is an individual who had close contact with a case while the case was infectious. A close contact should quarantine themselves, meaning they should stay at home to limit community exposure and self-monitor for symptoms.
- A **contact of a close contact** is an individual who had or continues to have contact with a close contact. A contact of a close contact should take all regular preventative actions, like washing hands, covering coughs and sneezes, and cleaning surfaces frequently. A contact of a close contact should be alert for symptoms.

RESOURCES FOR MORE INFORMATION

For more information on wearing or making a mask, visit: <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Stop-the-Spread.aspx>

For more information on COVID-19, visit the Department of Health’s website, www.health.pa.gov, or the [CDC’s website](https://www.cdc.gov).

Help is available, contact the Crisis Text Line by texting **PA to 741-741**



GUIDANCE ON VETERINARY PRACTICES AMID COVID-19 PANDEMIC

MAY 08, 2020

On March 19, 2020, Governor Wolf and the Secretary of Health ordered the closure of all non-life sustaining businesses to mitigate the spread of COVID-19. The Governor's Order is available [here](#) and the Secretary of Health's Order is available [here](#). All life-sustaining businesses maintaining physical operations during the COVID-19 pandemic must follow the Secretary of Health's [worker safety order](#), effective April 15, 2020.

Veterinary medicine services are life-sustaining businesses and have been permitted to continue to operate under the Governor's Order. The designation of veterinary medicine as a life-sustaining business does not eliminate the need for veterinarians to promote public health practices and align with efforts to mitigate the spread of COVID-19. There are measures veterinarians can take to protect the health of their staff and the public. The Pennsylvania Departments of Health, Agriculture, and State appreciate the cooperation of the veterinary community and have developed the following guidance for veterinary practices during the COVID-19 pandemic.

Guidance for Veterinary Practices

The Pennsylvania State Board of Veterinary Medicine (State Board) has temporarily adopted the American Veterinary Medical Association's (AVMA's) COVID-19 guidelines, including the following:

- [Minimizing COVID-19 Exposure and Social Distancing in Veterinary Practice](#)
- [Guidelines for Use of Personal Protective Equipment \(PPE\)](#)
- [COVID -19: What Veterinarians Need to Know](#)

The temporary adoption of the guidelines was communicated through a special notice issued by the State Board, which can be found [here](#). Additionally, information regarding the use of telemedicine during the COVID-19 pandemic and the temporary suspension of some continuing education requirements can be found on the State Board's [website](#). With the Governor's authorization as conferred in the Proclamation of Disaster Emergency issued on March 6, 2020, the Pennsylvania Department of State suspended requirements related to [telemedicine](#) and [reactivation of retired practitioners](#). The State Board considers these guidelines as standards of care for practices during the COVID-19 pandemic.

Veterinarian practices should adhere to the State Board's guidance and recommendations from the AVMA and follow the guidance related to phased reopening, explained below, when determining whether to conduct a procedure. The [Patient Assessment](#) flowchart from the Pennsylvania Veterinary Medical Association (PVMA) and the [Triage Flowchart](#) from the American Veterinary



Medical Association (AVMA) are considered best practices. The State Board considers these guidelines as standards of care during the COVID-19 pandemic.

Failure to recognize and institute measures for appropriate social distancing, and the preservation of PPE during the emergency disaster declaration may constitute unprofessional conduct and be subject to disciplinary action by the State Board.

Non-Essential, Routine or Elective Surgical Procedures, including Spay/Neuter

As recommended by the AVMA, for the safety of clients and staff, non-essential services and routine or elective surgical procedures should be postponed. Routine procedures are defined as those that can be postponed for at least three months without undue risk to an animal's current or future health. Production medicine and surgery are deemed essential.

Examples of non-essential services include: wellness exams, routine vaccinations (except as specified below), routine heartworm tests for animals with a history of prevention and testing, routine spay/neuter surgeries, routine dental cleanings (e.g., no expectation of extractions), routine senior bloodwork, reproduction cases (excepting production animals), stable chronic cases that are due for a recheck (e.g., rechecking an ultrasound or echocardiogram, neurology recheck, orthopedic examination, etc.), and most rehabilitation appointments.

Pennsylvania's Dog Law requires shelters and rescues to have dogs and cats spayed/neutered prior to adoption. In consultation with the Pennsylvania Department of Health and the Pennsylvania Veterinary Medical Association (PVMA), effective April 2, 2020, the Pennsylvania Department of Agriculture has temporarily [waived](#) this requirement due to concerns over the spread of COVID-19. This action will allow conservation of PPE and limit risk of exposure to COVID-19 for veterinarians. Shelters must keep a running list of pets adopted during the COVID-19 pandemic, provide a copy to the Pennsylvania Department of Agriculture, and follow up with adopted pet owners to ensure the procedure takes place. As previously indicated by the Pennsylvania Department of Agriculture, adoptive pet owners will have up to 120 days from the time of adoption (timeframe to be re-evaluated as necessary) to have a procedure completed.

Administration of Vaccinations

In consultation with the Pennsylvania Department of Agriculture and the Bureau of Dog Law, the Pennsylvania Department of Health is recommending the following protocols be followed regarding vaccines:

- Core vaccines required by a dog or cat under one year of age are considered essential to ensure immunity against diseases such as Parvo, Panleukopenia, Distemper, Rabies, etc. and can be administered. First time rabies vaccines for all dogs are considered essential. Timing



of these immunization should be based on potential risk to animal health tempered with risk of human-to-human exposure.

- For equine practitioners, vaccination against West Nile Virus, Eastern Equine Encephalitis/Western Equine Encephalitis/Tetanus, or other diseases that in the veterinarian's medical opinion may be deadly or have long-term negative health effects, can be administered in addition to rabies vaccine. Timing of these immunization should be based on potential risk to animal health tempered with risk of human-to-human exposure. Necessary foal and pregnant mare vaccinations and vaccinations for high-risk patients (e.g., adult horse with no prior botulism vaccination moved to high-risk premises) can also be administered. Individual animal health issues must be considered when deciding which vaccines to administer and when. Diagnostic testing such as, but not limited to, Equine Infectious Anemia and Equine Piroplasmosis Testing required for interstate movement may be completed. Strictly, vaccination clinics or equine health clinics should not be conducted in counties under phase red of the emergency period, as these may lead to congregating of owners, increasing the potential for COVID-19 transmission. Social distancing must be maintained whenever possible by veterinarians and owners when conducting vaccinations in barns or other settings.
- If an animal is older than one year of age and has no discernible vaccine history, core vaccines for that animal may be considered essential and may be administered at the discretion of the veterinarian.
- Kennel owners certified by Pennsylvania Department of Agriculture to administer their own rabies vaccinations should continue to do so, following their regular schedule.
- "Boostering" of rabies vaccination in an animal previously inoculated should be reserved only for cases where confirmed or suspected rabies exposure has occurred. This only applies to rabies boosters as first time rabies vaccinations for all dogs are considered essential. Neither first time nor booster rabies vaccines should be administered at places other than the location of the veterinary practice, such as vaccination clinics. Pet owners who are concerned about delaying a rabies booster should contact their veterinarian, as the veterinarian has professional discretion to administer rabies boosters as needed, even in counties under stay-at-home orders.
- "Boostering" of other vaccines that have come due on a yearly or triennial basis should be postponed unless medically necessary due a localized disease outbreak (e.g., parvovirus outbreak in a community, etc.).



- All pet owners must ensure their animals are vaccinated and in compliance with the Pennsylvania Rabies Law, with allowances to postpone rabies boosters from March 19, 2020 until 30 days after the date the owner's home county moves to phase yellow. The Pennsylvania Department of Agriculture has obtained a limited waiver of Section 455.8(a)(3) of the Pennsylvania Rabies Act related to rabies revaccination deadlines, and the Bureau of Dog Law Enforcement will not issue citations to pet owners who fall under this limited waiver.
- If vaccines are administered, veterinary practices should follow CDC and AVMA guidelines on personal protection measures, including the use of PPE, and social distancing when possible, to ensure the safety of staff.

Use of Telemedicine/Telehealth

Under the emergency disaster declaration, veterinarians are permitted to use telemedicine to conduct patient visits within the bounds of a valid Veterinary-Client-Patient Relationship (VCPR). The necessity and importance of an in-person physical examination when establishing a VCPR cannot be overstated. However, during the COVID-19 pandemic, there may be instances when your best medical and professional judgment weighs in favor of establishing a VCPR without an in-person physical examination. When deciding how to proceed, consider all relevant facts, including:

- Reasons why the client is seeking care;
- Availability of in-person veterinary care in the client's area at the time of the request;
- Level of risk to the animal if care is not provided;
- Any risk associated with establishing the VCPR without a physical examination;
- Risk of the transmission of COVID-19 to clients or staff.

The owner of the animal being treated via telemedicine without a physical examination should be informed that telemedicine without a physical examination is not in accordance with the usual standard of care, and could have adverse effects on the animal, especially when prescribing medications. Documentation of the appointment, examination and any suggested or required treatment must be kept. Complete documentation may not relieve a veterinarian of liability should your decisions lack sound medical or professional judgment and lead to bad outcomes.



Support Services for Small Animals

Boarding kennels, animal rescues, animal and pet shops are considered life-sustaining businesses under the Orders to close non-life-sustaining businesses but should only be open to the extent that they provide life-sustaining supplies for pets and owners, or to the extent that they support life-sustaining businesses like providing kenneling care for health care or other essential workers. The Pennsylvania Department of Agriculture has issued [guidance](#) to animal shelters and boarding kennels.

Transport of animals by rescues and shelters should be limited to emergency shelter intake or for medical care only. Travel should not be utilized to continue non-emergency shelter intake during COVID-19 mitigation. As an alternative, transfer between shelters in the same community and delivery for foster care or adoption is encouraged as it promotes live releases while maintaining recommended social distancing guidelines.

Providing Services During Phased Reopening

The [Governor's plan to reopen Pennsylvania](#) utilizes a three-phase matrix to determine when counties and/or regions can begin to ease restrictions. Businesses in the commonwealth that are permitted to conduct in-person operations during the disaster emergency must take precautions to protect their employees, their employees' families, and their communities. All businesses (including those businesses whose in-person operations were originally closed and later permitted to reopen) conducting in-person operations must review and adhere to [this guidance](#) and commit to ensuring the health and safety of their employees and the public.

Veterinary decisions should be based on the level of community spread and risk of transmission to clients and staff. Medical and professional judgment can - and should - evolve as the situation changes in each community. Procedures that could be delayed in mid-March may be more urgent now. For example, vaccinations that are becoming severely overdue, such as Lyme, leptospirosis, parvovirus, rabies booster shots, and others, may be considered essential at this time.

Additionally, grooming services may be performed in areas that are in the yellow phase of reopening as long as businesses performing grooming services adhere to business guidance to mitigate the spread of COVID-19. Practices that are able to offer limited contact or zero-contact services should continue to do so, especially when working with clients who are at high risk for COVID-19 or those who request accommodations for their personal protection. This is especially important as counties and regions move through the phased reopening, which may involve additional restrictions if outbreaks occur in certain areas.

The need to provide services must be balanced against the risk of spreading COVID-19 to veterinary staff and within the community at large. In regions of Pennsylvania that continue to experience high



numbers of new cases and remain in the red phase, it is still recommended that non-essential services be postponed.

Moving forward, in counties that move from red to yellow, veterinary practices in Pennsylvania are encouraged to use their best professional judgment in determining the patients that can be safely seen in the clinic and those that can be treated through telemedicine. Practices should maintain the social distancing standards already in place (curbside service, use of PPE, etc.). We trust that veterinarians will make the best decisions possible to preserve animal health, limit risk to employees, and protect public health and safety.