



## Governor’s proclamation restricting non-urgent procedures checklist

APRIL 2020

In order to ensure hospitals and health systems have enough surge capacity and personal protective equipment (PPE) to manage an influx of patients with COVID-19, Gov. Jay Inslee issued [Proclamation 20-24](#) placing restrictions on non-urgent medical procedures on March 19. As written, the proclamation will remain in effect through May 18, 2020 and applies to services delivered in hospitals, ambulatory surgical facilities, dental, orthodontic, and endodontic offices.

### **The Governor’s Proclamation does not apply to outpatient clinics or impose restrictions on care delivery in those settings.**

As a result of WSMA advocacy, the Governor’s office released an [interpretive statement](#) on April 29 to provide additional guidance to the physician community. **As violating the proclamation could subject physicians to criminal penalties, the WSMA strongly urges you to review the proclamation and interpretive statement.\***

While this document does not constitute legal advice, you may utilize the checklist manually or build prompts into your electronic health record (e.g. Epic dot phrase) in order to adjust practice workflow to help comply with the proclamation. By taking these precautions, physicians can make a difference in helping to preserve the limited PPE supply available to frontline health care personnel providing emergency and critical care in response to the pandemic; while keeping themselves, their patients, and their communities safe.

## .inpatient

### [Proclamation 20-24 and interpretive statement as they apply to services delivered in hospitals and ambulatory surgical facilities](#)

The Proclamation allows performance of all services considered to be “emergent” or “urgent” for which delay would result in worsening a life-threatening or debilitating prognosis. Physicians should use clinical judgment to determine performance of procedures considered to be non-urgent or “elective.”

Documented clinical decision-making reflecting application of the proclamation and the interpretive statement will serve as evidence that performance of the health care services, procedures, or surgeries was not a willful violation of the proclamation.

<p>I have weighed my decision to perform surgery or procedure against the criteria outlined in the 4/29/2020 interpretive statement, including:</p> <ul style="list-style-type: none"> <li>• Expected advancement of disease process.</li> <li>• Possibility that delay results in more complex future surgery or treatment.</li> <li>• Increased loss of function.</li> <li>• Continuing or worsening of significant or severe pain.</li> </ul>	<input type="checkbox"/>
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<ul style="list-style-type: none"> <li>• Deterioration of the patient’s condition or overall health.</li> <li>• Delay would be expected to result in a less-positive ultimate medical or surgical outcome.</li> <li>• Leaving a condition untreated could render the patient more vulnerable to COVID-19 contraction, or resultant disease morbidity and/or mortality.</li> <li>• Non-surgical alternatives are not available or appropriate per current standards of care.</li> <li>• Patient’s co-morbidities or risk factors for morbidity or mortality, if inflicted with COVID-19 after procedure is performed.</li> </ul>	
<p>I have reviewed the patient’s medical condition and applied clinical decision making per Gov. Inslee’s Proclamation 20-24 and 4/29/2020 interpretive statement, which restricts non-urgent medical procedures. I find that either this procedure is emergent in nature or a delay in care could result in potential harm to the patient’s health and wellbeing. The prerequisites to performance of healthcare services are met, and I will proceed with surgery or procedure.</p>	<input type="checkbox"/>

## .outpatient

### [Proclamation 20-24 interpretive statement as it applies to outpatient services](#)

The proclamation permits outpatient clinic visits, both in hospital-based clinics and other outpatient clinic settings. While not addressed in the proclamation, Gov. Inslee encourages physicians to take certain measures.

<p>I have weighed the benefits and risks for such visits to patients given the active presence of COVID-19 in our communities.</p>	<input type="checkbox"/>
<p>I have considered utilizing telemedicine where possible.</p>	<input type="checkbox"/>
<p>I have taken all steps to promote social distancing measures and reduction of infection risk by appropriate use of hand hygiene and PPE-use protocols.</p>	<input type="checkbox"/>

\*This document is provided for general informational purposes only. It is not intended to provide or be relied upon for legal advice, and may not be comprehensive or ensure compliance with the requirements. Accordingly, before utilizing this checklist, the WSMA strongly urges all physicians seeking to provide care during the pandemic to read the [proclamation](#) and [interpretive statement](#) to understand requirements in detail.