

Texas Medical Board (TMB) Frequently Asked Questions (FAQs)
Regarding Notice and Compliance Requirements Concerning
COVID-19 Minimum Standards of Safe Practice

May 1, 2020

***Disclaimer – The COVID-19 Disaster is a fluid and rapidly evolving situation. Please check these FAQs often as events may warrant frequent updates.**

On April 27, 2020, Governor Abbott issued Executive Order GA-19, which replaces Executive Order GA-15 at 12:01 a.m. on May 1, 2020. The new executive order will be in effect until Executive Order GA-19 is terminated, modified, or extended by the Governor.

1. What is the effect of Executive Order GA-

for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-

2. Everyone must follow policies that the physician, medical and healthcare practice, or facility has in place regarding COVID-19 screening and testing and/or screening patients;
3. Before any patient encounter, patients must be screened for potential symptoms of COVID-19 or verified they were previously screened within last 20 days; and
4. That any medical procedure or surgery involving the mucous membranes, including the respiratory tract, with a high risk of aerosol transmission, the minimum safety equipment used by a physician or physician's delegate should include N95 masks or an equivalent protection from aerosolized particles and face shields.

5. Do the minimum safety standards apply to care provided by physicians in hospitals?

Yes. The minimum safety standards apply to all physicians and their delegates, ~~as~~ **as**. The min wi regardless of the practice setting.

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8. Can I schedule and perform office-based visits for my patients?

Yes, as long as you comply with minimum standards for safe practice requirements set out in 22 TAC Section 190.8(2)(U) and post the required notice.

The key for all patient visits or encounters is that they be conducted in accordance with the minimum safe practice requirements set forth in 22 TAC Section 190.8(2)(U). TMB encourages healthcare practitioners to consider taking all necessary safety measures, beyond the minimum requirements delineated in the new emergency rule, to help prevent the spread of COVID-19 and allow the re-opening of Texas to safely progress.

9. Is there a notice I can print to display in the office to meet the posting requirement in the rule?

There is no required design of the notice to postnt-k4(o)-39nt-k4(o)-39nt-k4(o)41cG()JTEEM

Further, TMB will determine whether or not the standard of care (SOC) was met using the existing expert panel review process.

If it appears there was a violation of the emergency rule, TMB will follow all statutes, rules, and standard processes when proceeding with an investigation.

19. What are the benefits resulting from EO GA-19 and the new emergency rule?

This Order continues to focus on several key benefits, including:

1. It allows physicians to continue practicing without limitation while ensuring that healthcare practitioners are utilizing minimum safe practice requirements;
2. By posting of the Notice, patients know what the minimum safe practice requirements are that they can expect when they see a physician or their delegate; and
3. It keeps adequate hospital capacity reserved, especially intensive care unit (ICU) beds if needed, available for the treatment of COVID-19 patients.