

New Jersey Department of Health Issues Guidelines for Hospitals and Ambulatory Surgery Centers to Resume Elective Surgeries and Invasive Procedures During Health Emergency

05/20/20

On May 19, 2020, the New Jersey Department of Health issued guidelines for hospitals and ambulatory surgery centers concerning resumption of elective surgeries beginning on May 26, 2020. The guidelines result from Governor Phil Murphy's [Executive Order No. 145](#), authorizing the resumption of elective surgeries and invasive procedures, both medical and dental, subject to the limitations and precautions established by the New Jersey Department of Health. This alert summarizes this guidance and provides a checklist of the categories of mandated policies.

General Guidelines include:

- Facilities are required to establish a prioritization policy for providing care and scheduling of these procedures.
- Scheduling must promote social distancing, minimize time in waiting areas, and stage appointment hours.
- Facilities must post signs at all entrances in all appropriate languages warning of symptoms and necessary precautions.
- Patients should be counseled to self-quarantine following testing until the day of surgery.
- Facilities must have a process to screen patients for COVID-19 symptoms prior to scheduled procedures.

Guidelines for Elective Surgery

Guidance for facilities resuming elective services include requirements to:

- Comply with state and CDC guidelines.
- Institute screening of staff for symptoms/policies for removal of symptomatic employees.
- Enforce social distancing requirements in work and common areas.
- Require masks for patients, except patients receiving services that would not allow for masking.
- When possible, non-COVID-19 care zones should be used in facilities that serve both COVID-19 positive and non-COVID-19 positive patients.
- Adopt a plan and procedures to clean and disinfect facilities to serve non-COVID-19 patients.
- Facilities providing COVID-19 care should continue to be prepared for potential surges.
- Facilities should be prepared to modify resumptions of clinical services in conjunction with surge status and to repurpose and redeploy staff to urgent care roles to the extent feasible.
- Hospitals must have available and staff ICU, critical care and medical surgical beds. They must have a sustained downward trajectory for 14-days, with each day's data calculated using the average of the three most recent days.
- Facilities must also have a plan, consistent with CDC and Health Department recommendations, for patient and patient support person use of Personal Protective Equipment (PPE).
- Facilities must implement disinfection and cleaning protocols and cohort COVID-19 patients and non-COVID-19 patients.

- No visitors should be allowed except for limited circumstances, which includes labor and birth delivery and pediatric patient surgery.
- **The guidelines specify that ambulatory surgical centers should not perform procedures on COVID-19 positive patients.**

Hospitals and ambulatory surgery centers should review the guidelines in their entirety and implement the requirements prior to resuming elective surgeries and invasive procedures on May 26, 2020.

Access New Jersey Department of Health Guidance for Hospitals [here](#).

Access New Jersey Department of Health Guidance for Ambulatory Surgery Centers [here](#).

It is our understanding that the Department of Health and the Division of Consumer Affairs will continue to update and modify their guidance and policies based on input from stakeholders and as circumstances evolve in New Jersey. We will continue to monitor the available guidance.

If you have questions about this alert, contact [Grace Mack](#) or any member of our [Health Law team](#).

Attorney

- Grace D. Mack

Practice

- Health Law