



## Order of the Secretary of the Pennsylvania Department of Health Directing Hospital Emergency Department Specimen Collection for SARS-CoV-2 Viral Testing

COVID-19 is a contagious disease that is rapidly spreading from person to person. People infected are capable of exposing others to COVID-19 if their symptoms are mild, such as a cough, or even if they are asymptomatic. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes. Symptoms of COVID-19 may include fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea. Early symptoms may also include chills, body aches, sore throat, headache, diarrhea, nausea or vomiting, and runny nose. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness.

The first cases of COVID-19 were reported in the United States in January 2020. Since then, multiple areas of the United States have experienced "community spread" of COVID-19, meaning that the illness is being transmitted through unknown sources, and not from known areas of infection. On March 6, 2020, after the first cases of COVID-19 in the Commonwealth of Pennsylvania were confirmed, the Governor issued a Proclamation of Disaster Emergency. Since that date, the number of positive cases continued to rise, and community spread continued in the Commonwealth as well. Case counts rapidly increased throughout the Commonwealth in March and April 2020.

Successful mitigation efforts driven by Orders of the Governor and myself throughout March, April and May lead to a decrease in the number of new cases, and allowed for the measured reopening of the Commonwealth in May and in June. Person-to-person spread continues, however, and with the reopening, the Commonwealth has seen increases in new cases that are due to community spread. Mindful of the need to slow this increase in order to avoid the types of stringent Commonwealth-wide mitigation strategies that were discontinued a short time ago, I issued an Order on July 1, 2020, requiring universal face coverings be worn by all persons in the Commonwealth. *See Order of the Secretary of the Pennsylvania Department of Health Requiring Universal Face Coverings* of July 1, 2020. In order to prevent the surges being seen in other areas of the country, and to slow the increase of new cases, the need for continued mitigation efforts, and increased testing becomes more and more vital to the fight against COVID-19.

Viral testing for SARS-CoV-2, the virus that causes COVID-19, is extremely important to the Commonwealth's response and alleviates the need for additional broad-based mitigation strategies. Viral testing identifies persons that have a current infection of COVID-19. With isolation of the positive person and quarantine of any close contacts so that they do not expose additional persons, the spread of COVID-19 is reduced in the Commonwealth. As COVID-19 cases have increased in many areas of the

Commonwealth, the demand for viral testing for persons with symptoms has also increased. The higher demand for viral testing has limited availability and accessibility of testing for persons with symptoms of COVID-19. Because of the need for viral testing for persons with COVID-19 symptoms, the importance of viral testing in limiting person-to-person spread, and the role of testing in reducing the need for additional mitigation measures, I have determined that hospitals must implement specimen collection procedures for viral testing of SARS-CoV-2 for any COVID-19 symptomatic person presenting for treatment in the hospital's emergency department, and when such testing is clinically indicated.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures, including, but not limited to, closure, isolation, and quarantine. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. *See* section 5 of the Disease Prevention and Control Law, 35 P.S. § 521.5; sections 2102(a) and 2106 of the Administrative Code of 1929, 71 P.S. §§ 532(a), and 536; and the Department of Health's regulations at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures; isolation; quarantine; movement of persons subject to isolation or quarantine; and release from isolation and quarantine). Particularly, the Department of Health has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. *See* 35 P.S. § 521.5; 71 P.S. § 532(a), and 1403(a); 28 Pa. Code § 27.60.

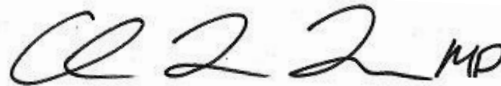
Accordingly, on this date, July 29, 2020, to protect the public from the spread of COVID-19, I hereby order:

- Section 1: Hospital Emergency Department Specimen Collection for SARS-CoV-2 Viral Testing
- A. All hospitals licensed by the Department with emergency services organized as a department shall offer to collect specimens for SARS-CoV-2 viral testing from all COVID-19 symptomatic persons that have sought treatment or testing at its emergency department, when such testing is clinically indicated.
  - B. Each hospital shall develop and implement policies and procedures for offering and providing the required specimen collection for SARS-CoV-2 viral testing in accordance with Centers for Disease and Prevention (CDC) guidance and the Department's Health Alerts found at <https://www.health.pa.gov/topics/prep/PA-HAN/Pages/2020-HAN.aspx>.
  - C. SARS-CoV-2 viral testing of the specimens collected by the hospitals pursuant to this Order shall be either performed by the hospital, if available, or any laboratory approved by the Department's Bureau of Laboratories for SARS-CoV-2 viral testing. Specimens shall be handled and submitted in accordance with CDC guidance and the Department's Health Alerts.

D. Results shall be reported to the Department in accordance with 35 P.S. § 521.4 and 28 Pa. Code §§ 27.21a and 27.22.

Section 2: Effective Date

Compliance with this Order shall begin at 12:01 a.m. on July 30, 2020 and continue until further notice.

A handwritten signature in black ink, appearing to read "RL Levine MD", is written above a horizontal line.

Rachel L. Levine, MD  
Secretary of Health