

PHYSICIAN LAW BLOG

Healthcare Providers Can Cross State Lines During COVID-19

AUTHOR: DIANE ROBBEN

CONTRIBUTOR: DENNIS HARMS

With the increasing strain on healthcare provider needs, the Department of Health and Human services announced on March 18th that as long as a healthcare provider holds an equivalent license from another state and are not affirmatively barred from practice in that state or any state that is included in the emergency area, they can provide care in any state. This allows personnel and supplies to travel to where they are needed most to fight this epidemic.

This waiver also applies to EMTALA if a patient needs to be transferred. The HHS memo states organizations will not be penalized for relocating a patient to another location to receive medical screening or for the transfer of an individual who has not been stabilized if the transfer is necessitated by the circumstances of the declared federal public health emergency for the COVID-19 pandemic.

The waiver went into effect on March 15, but is retroactive to March 1, 2020.