



AMENDED DIRECTIVE AND ORDER REGARDING NURSING HOME MATTERS

Pursuant to Health General Article §§ 18-102, 18-103, 18-109, and COMAR 10.06.01.06

No. MDH 2023-04-18-02

With the end of the Federal Public Health Emergency and continued push to make COVID-19 operations a part of routine operations in Maryland’s healthcare system, I, Laura Herrera Scott, Secretary of Health, finding it necessary for the continued prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of the spread of this infectious and contagious disease that endangers public health in this State.

This Amended Directive and Order replaces and supersedes the Directives and Orders Regarding Nursing Home Matters, dated January 18, 2023, September 30, 2022, August 26, 2022, June 27, 2022, January 13, 2022, September 08, 2021, August 18, 2021, June 15, 2021, May 04, 2021, February 11, 2021, December 8, 2020, November 17, 2020, October 27, 2020, October 1, 2020, July 24, 2020, June 19, 2020, April 29, 2020, April 24, 2020, April 9, 2020, and April 5, 2020.

1. **Protecting Nursing Home Residents:**

- A. Facilities licensed under Title 19, subtitles 3 and 14 of the Health-General Article and COMAR 10.07.02 (“nursing homes”) shall immediately ensure that they are in full compliance with all [U.S. Centers for Disease Control and Prevention \(CDC\)](#), [U.S. Centers for Medicare & Medicaid Services \(CMS\)](#) and [the Maryland Department of Health \(MDH\)](#) guidance related to Infection Prevention and Quality Improvement, including incorporating COVID-19 specific guidance, and ensure that they are complying with the most current guidance.
- B. Facilities shall provide COVID-19 guidance to all persons who enter the facility (e.g., staff, volunteers, vendors, and visitors) in accordance with the Centers for Medicare and Medicaid Services (CMS) Core Principles of COVID-19 Infection Prevention guidance (Ref: [QSO-20-39-NH](#) or as revised).

2. **Outbreak Prevention, Reporting, and Containment:**

A. **Facility Reporting to Health Department:** Consistent with [HHS hospital reporting requirements](#), and continued required reporting of outbreaks, all facilities shall report Monday through Friday on specified information as requested via the platforms as directed by MDH.

Each facility report shall include at least the following:

- i. Facility details and capacity;
- ii. Number of residents and staff with positive COVID-19 test results, including any known treatment, vaccination, and hospitalization data;
- iii. Number of resident deaths, by COVID-19 status; and
- iv. Number of residents with influenza, influenza like illnesses or respiratory illness symptoms.

3. **Penalties**

Persons who violate this Order and Directive may face administrative and criminal sanctions.

4. **Severability:** If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 18TH DAY OF APRIL 2023 AND ARE EFFECTIVE IMMEDIATELY.



Laura Herrera Scott, MD, MPH
Secretary