

# State of Delaware



**Executive Department  
Dover**

## **JOINT ORDER OF THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES AND THE DELAWARE EMERGENCY MANAGEMENT AGENCY**

**WHEREAS**, on July 12, 2021, the Governor of Delaware proclaimed a Public Health Emergency, effective on July 12, 2021 at 11:59 p.m. E.D.T; and

**WHEREAS**, under Title 20, Chapter 31, the Director of the Delaware Emergency Management Agency is responsible for authorizing persons not otherwise so authorized under Delaware law to perform medical examinations or tests on any person, or to administer treatment to anyone exposed to or infected with disease; and

**WHEREAS**, under Title 20, Chapter 31, the Director of the Division of Public Health, as designated by the Secretary of the Department of Health and Social Services, with the consent of the Governor, may waive any or all licensing requirements, permits or fees required under Delaware laws and applicable orders, rules or regulations for health care providers from other United States jurisdictions to practice in this State so long as health care providers from these other jurisdictions meet appropriate professional licensing requirements in their respective jurisdictions; and

**WHEREAS**, on July 12, 2021, A.J. Schall, Director of the Delaware Emergency Management Agency and Karyl Rattay, Director of the Division of Public Health on behalf of the Department of Health and Social Services issued an Order authorizing certain individuals to provide healthcare services; and

**WHEREAS**, Delaware hospitals continue to experience staffing shortages related to the COVID-19 pandemic.

**NOW THEREFORE, I, A.J. Schall, Director of the Delaware Emergency Management Agency and I, Karyl Rattay, Director of the Division of Public Health on behalf of the Department of Health and Social Services**, pursuant to Title 20, Chapter 31 of the Delaware Code, do hereby strike the Order issued on July 12, 2021 and replace it with this Order, effective as of July 14, 2021 at 11:59 p.m. E.D.T. This Order shall remain in effect until further notice but not later than such time as the Governor’s Declaration of Public Health Emergency is lifted:

1. The individuals listed in Appendix A are authorized to provide in-person healthcare services:
  - a. Under the direction of the Division of Public Health or the State Health Operations Center at points of dispensing, call centers, community testing or other public health events once registered with the Delaware Medical Reserve Corps.
  - b. In licensed long-term care facilities in the State of Delaware, as such facilities are defined in 16 *Del. C.* § 1102.
2. The individuals listed in Appendix B are authorized to provide in-person healthcare services in hospitals in the State of Delaware, as such facilities are defined in 16 *Del. C.* § 1001, and in Free Standing Emergency Departments, as such facilities are defined in 16 *Del. Admin. C.*

§ 3340, until July 31, 2021.

3. Any qualified person appointed pursuant to this order shall be considered a public employee under §§ 4001- 4002 of Title 10.

APPROVED this 14th day of July 2021 at 4:00 p.m.

**DELAWARE DIVISION OF PUBLIC HEALTH**



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Karyl T. Rattay, MD, MS, FAAP, Director

**DELAWARE EMERGENCY MANAGEMENT  
AGENCY**



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A.J. Schall, Director

## Appendix A

The following groups of individuals are authorized to provide in-person healthcare services in the locations identified above:

- 1) Out of state health care providers, including physicians, pharmacists, physician assistants, paramedics, emergency medical technicians, practical nurses, professional nurses, advanced practice registered nurses, and nursing assistants with an active license or certification in good standing in any United States jurisdiction.
- 2) All physicians, pharmacists, physician assistants, paramedics, emergency medical technicians, practical nurses, professional nurses, advanced practice registered nurses, and nursing assistants who have held an active Delaware license or certification within the last five years, which is now inactive, expired, or lapsed, so long as that license was active and in good standing for the duration of the five-year period prior to the date of this Order.

Created: July 12, 2021

## Appendix B

The following groups of individuals are authorized to provide in-person healthcare services in hospitals in the State of Delaware, as such facilities are defined in 16 *Del. C.* § 1001, and in Free Standing Emergency Departments, as such facilities are defined in 16 *Del. Admin. C.* § 3340, until July 31, 2021:

- 1) Out of state practical nurses, professional nurses, advanced practice registered nurses, and nursing assistants with an active license or certification in good standing in any United States jurisdiction, or who have held an active Delaware license or certification within the last five years, which is now inactive, expired, or lapsed, so long as that license was active and in good standing for the duration of the five-year period prior to the date of this Order.

Created: July 14, 2021