



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH

COVID-19 Public Health Emergency Order No. 2022-03
Issued January 14, 2022

On May 28, 2021, pursuant to Section 2A of Chapter 17 of the General Laws, Governor Charles D. Baker declared that an emergency exists that is detrimental to the public health in the Commonwealth due to the continuing threat of COVID-19, and authorized the Commissioner, with the approval of the Public Health Council, to adopt measures to facilitate COVID-19 testing and vaccination, to mandate special measures to protect higher risk populations or to effectuate continued surveillance of COVID-19, and to respond as necessary to outbreaks of the virus as they may arise.

Consistent with the Governor's May 28, 2021 declaration, on June 9, 2021, the Public Health Council approved and authorized the Commissioner of Public Health to take such actions, incur such liabilities and establish such rules, requirements and procedures which are necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth.

Accordingly, having received that authorization from the Council and with the approval of the Governor, I issue the following order:

An out-of-hospital dialysis unit licensed pursuant to General Laws chapter 111, §51A, and 105 CMR 145.000 is relieved of the requirement set out in G.L. c. 111, §53 to have at least one direct patient care staff member to every three patients undergoing dialysis provided that the out-of-hospital dialysis unit otherwise ensures that sufficient direct care staff, who are trained in dialysis care, are available to meet the needs of patients undergoing dialysis. All other staffing requirements remain in effect.

The Department shall issue guidance to implement this Order. Providers subject to this order must continue to comply with all applicable statutes, regulations and guidance not inconsistent with this Order.

This Order is effective immediately and shall remain in effect until the Public Health Emergency is terminated by the Governor, or until rescinded by me, whichever shall happen first.

IT IS SO ORDERED.

A handwritten signature in black ink that reads "Margaret R. Cooke". The signature is written in a cursive style with a large initial "M".

Margret R. Cooke
Acting Commissioner, Massachusetts Department of Public
Health
January 14, 2022