

The [governor's first Executive Order \(EO\)](#) allows for the suspensions of laws and the ability of certain state department directors to waive requirements. Included in the EO is a provision stating that the Director of the California Department of Public Health (CDPH) **may** waive any of the licensing requirements and accompanying regulations with respect to a hospital as long as it is necessary to address the direct impacts of the emergency in Los Angeles County. Licensing requirements include nurse staffing ratios.

If your organization cannot maintain staffing ratios while managing fire response, your hospital could apply for a waiver of the staffing requirements.

The EO notes that before a waiver is granted, any request for a waiver should include a description of the alternative methods your hospital is using to address staffing challenges. To apply for a waiver, a letter to the CDPH Director should detail the issues your hospital is facing and what your hospital has already done to try to address them. Examples include:

1. Is your hospital adding additional CNAs to help the nurses? Is your hospital pausing outpatient services and redeploying those staff to inpatient units?
2. Has your hospital been unable to get travel nurses (are hotels and other rental options full)?
3. Is your hospital deploying charge nurses and nurse managers to the bedside?
4. Are nurses unable to make shifts because their homes are burned? Are nurses staying with family/friends out of the area?
5. Any concrete data your hospital can share. For example, X% of nurses live in mandatory evacuation areas; X% of staff have called out over the last few days and that number is expected to increase.

**It is important to remember, waivers of staffing ratios are at the discretion of the CDPH Director.**

To submit a waiver request, send a formal letter including as much of the information listed above to:

Tomas Aragon, MD  
Director  
California Department of Public Health  
1616 Capitol Avenue  
Sacramento, CA 95814  
E-mail: [tomas.aragon@cdph.ca.gov](mailto:tomas.aragon@cdph.ca.gov)

Susan Fanelli, Chief Deputy Director, CDPH, should be copied on the letter — [susan.fanelli@cdph.ca.gov](mailto:susan.fanelli@cdph.ca.gov).

If you have any questions, contact Lois Richardson, Vice President, Policy, at [lrichardson@calhospital.org](mailto:lrichardson@calhospital.org).