

Talking Points

May 26, 2022

To Maintain Health Care Capacity, COVID-19 Flexibilities Must Be Extended

- It is critical that the governor's office extend the authorities for the **California Department of Public Health (CDPH) space waiver** and **Emergency Medical Services Authority (EMSA) out-of-state health care personnel waiver** for an additional three months, from June 30 until September 30, and announce this as soon as possible.
- **With a summer wave of COVID-19 projected due to the more contagious sub-lineages of the Omicron variant circulating**, we cannot afford to reduce the capacity of our health care delivery system.
- Without these waivers, we will lose **temporary spaces** that enable hospitals to care for the 10% more patients who need hospital care than did pre-pandemic due to delayed care. We will also lose the ability when a surge hits to rapidly **add licensed clinical staff from other states**.

CDPH Space Waiver

- If the CDPH space waiver is **not** extended, hospitals report they will **no longer be able to use tents outside of emergency departments**, where patients are being offloaded and triaged and receiving non-emergent care. This will result in a reduction in emergency medical services available to their communities.
- The flex spaces that hospitals have created to care for patients with suspected or confirmed COVID-19 **separately from the other patients — especially immunocompromised patients** — will no longer be available (e.g., temporary airborne isolation rooms will be taken down). Not only will this create risk for other patients, but it will reduce capacity for COVID-19 patients. This includes spaces hospitals have created for monoclonal antibody infusions, COVID-19 clinics, and COVID-19 testing.
- A **COVID-19 surge can rapidly occur in a community**, impacting the emergency department first and inpatient capacity next. Having the space waiver provides hospitals with flexibility to respond quickly to the changing needs of the patient population.
- Hospitals **cannot retain these spaces and still be in compliance with the state building code if the space waiver expires**. The Department of Health Care Access and Information (formerly OSHPD) has made it clear

that it will provide a short six-week grace period, and after that time, all buildings need to be returned to their original state. Hospitals will be forced to take down the flex spaces.

EMSA Out-of-State Health Care Personnel Waiver

- As COVID-19 cases continue to climb, health care workers are becoming exposed and infected in the community and need to stay away from vulnerable patients. These increasing staff absences will challenge an already strained health care delivery system. Now is not the time to lose the flexibility to backfill staff with out-of-state health care personnel. Doing so will only mean a **loss in the number of total caregivers when we will need them most.**
- Given staffing ratios, no longer being able to bring in qualified, licensed clinical staff from other states will mean that fewer **patients will have access to care** in hospitals and their emergency departments during the projected summer wave.
- After two years of Californians putting off their health needs, **hospitals and their emergency departments remain very full** with patients who have complications due to chronic conditions like diabetes and heart disease. In a time when many in our communities need hospital care more than ever, we must be there for them.