



**STATE OF CALIFORNIA EXECUTIVE
ORDER COVID-19
APRIL 7, 2020**



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Discussion Topics

- **Proclamation of a State of Emergency**
- Executive Order N-39-20 – How it affects CA RCPs
- CA RCB FAQs
- Considerations for Educators
 - CSRC Letter to CoARC
 - CoARC FAQs
- Considerations for Managers



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CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Proclamation of a State of Emergency

- On March 4, 2020 Governor Gavin Newsom declared a state of emergency in California
- The Proclamation provides the Executive Branch with very broad powers including, but not limited to:
 - Activation of the state's emergency services plan and resources
 - Authority over all state agencies
 - Procurement of emergency goods and services as well as public assistance
 - Emergency use of property (State owned, fairgrounds, hotels, etc.)
 - Governance EMS, Medical Personnel, Out of State Personnel – issuance of rules and/or exemptions and waivers
 - Governance over travel (isolation of patients and/or public), schools, price controls, and more



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Executive Order N-39-20 – Issued March 30, 2020

- Specifically addresses healthcare workers and waiver of licensure requirements
 - Out of state EMS and healthcare personnel
 - Public Health Services – Nursing assistants, home health aides and nursing home administrators
 - Radiological Technology Act and associated licensees
 - Hospitals - credentialing and privileging of physicians
 - Social Services – Developmental, Welfare and Child-Specific
 - Waiver of professional licensing requirements and amend scopes of practice in Division 2 of the Business and Professions Code
 - RCP licenses are Class 2 or Division 2 Licenses as are Physicians and Nurses



Division 2 Licensing Specifics

- 5) To facilitate the continued provision of care to individuals affected by the COVID-19 outbreak, **the Director of the Department of Consumer Affairs may to the extent necessary and only for the duration of the declared emergency, waive any of the professional licensing requirements and amend scopes of practice in Division 2 of the Business and Professions Code, and any accompanying regulations.** Professional licensing requirements should be interpreted broadly to effectuate the purposes of this executive order, and they include, but are not limited to, the examination, education, experience, and training requirements necessary to obtain and maintain licensure, and requirements governing the practice and permissible activities for licensees. **The Department, in conjunction with the relevant licensing board, shall provide guidance identifying the appropriate qualifications and scope of practice for each classification operating under a waiver based on sound clinical guidelines and the individual's training, education, and work experience. Any waiver may include alternative measures that, under the circumstances, will allow the regulated individual to treat patients while protecting public health and safety.** Any waivers granted pursuant to this paragraph shall be posted on the Department's website .



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

The following FAQs are in response to the current COVID 19 State of Emergency and are subject to change. Please check our website regularly for updates and/or timeline extensions.

www.rcb.ca.gov



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

We have unused ventilators or ventilator parts that we want to donate or loan. Who do we contact?

Please contact your local Emergency Medical Services Agency or Medical Health Operational Area Coordinator: <https://emsa.ca.gov/local-ems-agencies/>



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

Will License Renewal Continuing Education Requirements Be Postponed?

Yes. Holders of current Respiratory Care Practitioner licenses expiring between March 31, 2020 and June 30, 2020, who have not completed their continuing education, including the ethics course (if required) will be permitted to renew his/her license in an active status. This temporary waiver does not relieve licensees from timely complying with other renewal requirements, including completing and submitting the required renewal forms accompanied with the license renewal fee. You may renew your license through our BreEZe system at: https://rcb.ca.gov/licensees/lic_renewal.shtml.

Licensees must satisfy any waived continuing education requirements by September 30, 2020 unless the Order Waiving License Renewal Requirements is extended.

Additionally, if you have had COVID 19 education directly related to respiratory care, please be sure to log this (including the date, number of hours, and instructor) as it will be counted toward continuing education for all licensees.



Respiratory Care Board of California FAQ

My Employer is Requiring a Hard Plastic License?

Pursuant to Business and Professions Code, section 3779, a person may rely upon the licensing information as it is displayed on the board's Internet Web site that includes the issuance and expiration dates of any license issued by the board for purposes of license verification.

We ask during this time that employers heavily rely on license verification through BreEZe located on our website: <https://search.dca.ca.gov/>



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

My License is Current but in an Inactive Status. How can I place it in an Active Status?

At this time, a license holder of an Inactive license, meaning the fees have been paid, but continuing education was not completed, may request to the board in writing at rcbinfo@dca.ca.gov to have his/her license placed in an Active status. If the applicant does not have the required 15 hours of continuing education at the time of the request, the continuing education requirement will be waived and the license will still be temporarily placed in an active status. Licensees must satisfy any waived continuing education requirements by September 30, 2020 unless the Order Waiving License Renewal Requirements is extended.



Respiratory Care Board of California FAQ

My License is Delinquent. Can I Renew My License to Help Combat Coronavirus?

Yes. A license that has not been renewed, but is not yet canceled (a license automatically cancels after 3 years of non-renewal) may be renewed. Through June 30, 2020, the delinquent fee will be reduced to \$0 so that the licensee need only pay the current renewal fee to renew his/her license. If the applicant does not have the required 30 hours of continuing education at the time of the request, the license will still be temporarily placed in an active status. Licensees must satisfy any waived continuing education requirements by September 30, 2020 unless the Order Waiving License Renewal Requirements is extended. You may renew your license through our BreZE system at:

https://rcb.ca.gov/licensees/lic_renewal.shtml



Respiratory Care Board of California FAQ

My License is Retired. Can I Reinstate My License to Help Combat Coronavirus?

If you meet both of the following requirements and those outlined in the [Order Waiving License Reactivation or Restoration Requirements](#), you qualify for the temporary reinstatement of your license:

- No more than five years have elapsed since your license was placed in a retired status*
- Your license was not placed in a retired status following initiation of a disciplinary action.

If you meet these qualifications, you must complete and submit a [Reinstatement Application Form](#). All fees and licensure requirements will be waived. Upon approval, the Board will issue you a temporary license valid for a period not to exceed six months or when the State of Emergency ceases to exist, whichever is sooner.

*If your license was placed in a retired status over 5 years, and you are interested in returning to help combat coronavirus, the Board encourages you to complete the application noted above. Should additional practitioners be needed for tasks relying on retained competencies, those applications may be considered for temporary licensure.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

My License Lapsed and Subsequently Canceled. Can I Reinstate My License to Help Combat Coronavirus?

If you meet both of the following requirements and those outlined in the Order Waiving License Reactivation or Restoration Requirements, you qualify for the temporary reinstatement of your license:

- No more than five years have elapsed since your last license expiration date*
- Your license was not placed in a canceled status following initiation of a disciplinary action.

If you meet these qualifications, you must complete and submit a Reinstatement Application Form. All fees and licensure requirements will be waived. Upon approval, the Board will issue you a temporary license valid for a period not to exceed six months or when the State of Emergency ceases to exist, whichever is sooner.

*If your license expiration date is over 5 years, and you are interested in returning to help combat coronavirus, the Board encourages you to complete the application noted above. Should additional practitioners be needed for tasks relying on retained competencies, those applications may be considered for temporary licensure.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

Are Respiratory Care Students Permitted to Perform Respiratory Care Services?

Business and Professions Code section 3741 provides that students enrolled in an approved respiratory care training program may render respiratory care services when they are incidental to his or her course of study. However, any such student partaking in activities covered by Business Professions Code section 3741 must identify himself or herself as a student respiratory care practitioner.

Students and anyone working with a work permit are still subject to direct supervision, which means assigned to a licensed RCP who is available in the patient area.

Education programs should contact the Committee on Accreditation for Respiratory Care's Program Accreditation Standards to determine if allowing students to be compensated will affect their program accreditation: www.coarc.com



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Continued:

Students who are expected to graduate within three months are encouraged to still move forward with the application for licensure process to obtain a work permit. Once students have graduated from their education program, they are no longer authorized to practice as students and must possess a work permit to practice. Applications and work permits continue to be processed swiftly, anywhere from two to 10 days.



Respiratory Care Board of California FAQ

I Am Licensed in a State Outside California. Does California Allow Licensing Reciprocity During the State of Emergency?

If you are a licensed healthcare provider in a state other than California, please visit the Emergency Medical Services Authority (<https://ems.ca.gov/covid19/>) for information to be able to practice in California. Please visit the “Authorization of Out-Of-State Medical Personnel” section on this website.

The Respiratory Care Board of California reminds all licensees to be particularly mindful and respectful that this is a time of high anxiety for all Californians.



Respiratory Care Board of California FAQ

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CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Respiratory Care Board of California FAQ

RCB Statement - Further Inquiries:

We encourage any other inquiries to be sent through email to rcbinfo@dca.ca.gov. Please provide a telephone number where staff may reach you as well. We make every attempt to respond to inquiries within 24 hours.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Applicants Must Complete a Waiver Request Form

DEPARTMENT OF CONSUMER AFFAIRS WAIVER REQUEST FORM

Executive Order N-39-20 authorized the Director of the Department of Consumer Affairs to waive any of the professional licensing requirements that govern healthcare professionals in Division 2 of the Business and Professions Code, and the associated regulations. Any waiver may include alternative measures that, under the circumstances, will allow the regulated individual to treat patients while protecting public health and safety.

Applicants may contact the RCB to request this form.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Applicants

If you are not currently working for a healthcare facility or provider, contact the California Health Corps.

Health professionals, California needs you!

California is preparing for an increase in the number of people who urgently need health care in our communities during the COVID-19 outbreak. To meet this moment, we're opening additional health care sites to treat people affected by COVID-19 and to relieve the pressure on our health care system by providing care for non-COVID-19 cases.

<https://covid19.ca.gov/healthcorps/>



Considerations for Educators

- The CSRC has submitted a letter of request to CoARC

On behalf of the California Society for Respiratory Care, and in consideration of the COVID-19 pandemic, we are requesting for the duration of the pandemic, for CoARC to consider a temporary waiver of standard 5.09 modifying students' clinical hours by awarding clinical credit for hours worked in a Respiratory Care department as a paid employee. Currently, under California state law, these individuals would be temporary employees for the duration of the declared emergency and under direct supervision.



Considerations for Educators Cont'd

- Program Directors and DCEs may receive request to verify student clinical competency completion/sign-offs
 - Students should consider carrying copies of these documents with them when completing hospital employment documents and forms



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Considerations for Educators Cont'd

CoARC FAQ

1. Do I need to notify the CoARC and complete any additional paperwork if my program is transitioning to online?

No, the only programs that need to notify the CoARC are those that cease operations. The CoARC expects that almost all programs will be transitioning to a virtual environment.

2. If my institution chooses to award pass/fail or satisfactory/unsatisfactory grades in the respiratory care program would this be a violation of the CoARC Standards?

The CoARC does not dictate how a program should grade its students. This is an institutional and/or regional accreditor prerogative. However, the grading methodology must be transparent, equitable, and transferrable



Considerations for Educators Cont'd

CoARC FAQ

3. If my program wants to loan ventilators and/or other equipment to local hospitals is this a violation of the CoARC Standards?

All the equipment in a respiratory care program is the property (or responsibility if leased/rented) of the academic institution. If your program wishes to lend any equipment to local hospitals it needs approval only from the program sponsor. However, once normal operations resume the program must ensure that all equipment needed for laboratory instruction is back in the lab and readily available for the students.



Considerations for Educators Cont'd

CoARC FAQ

4. Our program has moved to an online format. Do examinations still need to be proctored?

Yes, the program must continue to ensure academic integrity. Proctoring can be achieved by a variety of ways in addition to the face to face method. While a lockdown browser application alone is not enough to meet this requirement, almost every learning management system (Blackboard, Canvas, Moodle, Desire 2 Learn, etc.) has an integrated video conferencing platforms designed for online teaching. These platforms can use the webcams on the students' computers so that instructors can view their screens during examinations. Many institutions are already using third party platforms such as ProctorU, Examity, etc. for this purpose. While the CoARC realizes it is impossible to eliminate all forms of cheating, programs must make a good faith effort to maintain academic integrity.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Considerations for Educators Cont'd **CoARC Response to CSRC Letter**

“During this very unusual, stressful time, the CoARC is aware that many of its accredited educational programs will be unable to provide formal clinical education experiences for their students. However, in several states, because of the serious shortage of healthcare providers, students currently enrolled in Respiratory Care and other Allied Health programs are temporarily being allowed to provide, with pay, appropriate services in healthcare facilities in those states. The CoARC has determined that programs in these states can use this clinical exposure as an alternative means for their students to complete mandated clinical competencies. In order for this to occur, the program will need to provide students with a list of required competencies and a method for them to document which, and how many, of these they have performed and, when possible, confirmation that the competencies were performed in an acceptable manner.”



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Considerations for Educators Cont'd CoARC Response to CSRC Letter

“The CoARC strongly suggests that the program should encourage all students who utilize this option to minimize their exposure to liability for malpractice. While it is likely that these states will endeavor to provide such protection, a temporary ‘Respiratory Care’ or ‘health care professional’ license might be useful in this regard.”

In addition, as CoARC has mentioned in its two previous notifications (available at www.coarc.com) that it is allowing programs the flexibility to use whatever methods they deem appropriate to meet the educational requirements and competencies.”



Considerations for Department Directors/Managers

- Contact your Human Resources liaison to verify that your hospital is willing to employ RT Students.
 - Once a student begins working at your facility, it becomes the hospital's risk profile and responsibility.
- If not already provided, contact the student's PD or DCE for verification of completed/signed-off competencies.
 - Verify what tasks that the student is capable of performing.
 - Start them off slowly.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Considerations for Department Directors/Managers Cont'd

- Remind your staff and student staff members to record the time, date and subject summary of any specialized COVID-19 Response trainings they attend.
 - A course training outline and/or course certifications details are preferred.
 - Check with your facility Clinical Educations Department/Educators.



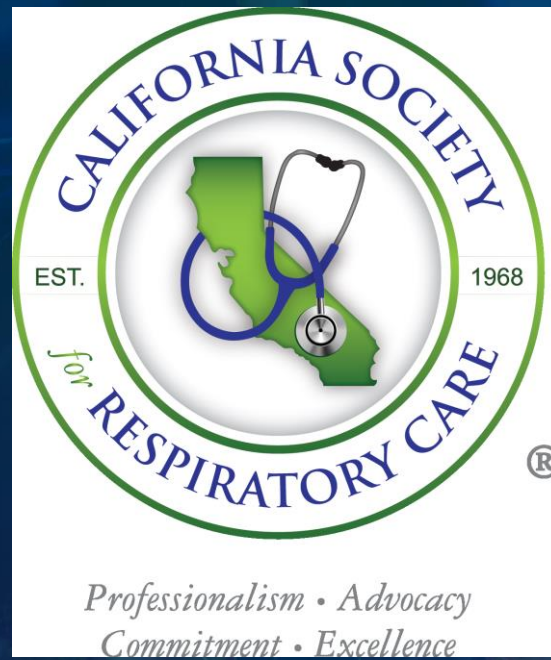
Questions?





CALIFORNIA SOCIETY FOR RESPIRATORY CARE

Thank you for your attention.



CALIFORNIA SOCIETY FOR RESPIRATORY CARE

THANK YOU FOR BEING A MEMBER OF THE CSRC

www.CSRC.org