

Alerts

Guidance for Medical Practitioners on the Resumption of Elective Surgeries and Expansion of Non-Coronavirus Service Offerings

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Health Care Alert

At hospitals throughout the country, doctors, mid-level providers, and nurses have been standing shoulder-to-shoulder with retired medical providers, volunteers, and even medical students on the front lines to battle the deadly COVID-19 pandemic. While aggressive medical management, social distancing, and quarantining has effectively flattened the curve in many areas of the United States, the healthcare industry is now confronted with a new set of challenges as it begins resumption of elective surgeries and an expansion of service offerings. In addition to hospitals, many ambulatory surgery centers, physician practice groups, and dental offices have now begun expanding patient care. In this return-to-care period, many questions have emerged about the medical risks facing patients and providers, practical considerations for offering medical services in the midst of a pandemic, how to manage scarcity of resources, and the litigation exposure providers may face as they seek to restore normal patient loads and practice levels.

Hinshaw health care attorneys have assembled the following publications which blend practical and technical legal guidance for medical practitioners to consider. Click the links below to learn more.

- **Minimizing Medical Malpractice Liability Risk During the COVID-19 Pandemic**
 - We outline four areas of care that could expose medical providers to future legal liability in connection with treatment of COVID-19 patients. . .
- **Practical Considerations for Hospitals and Ambulatory Surgery Centers Resuming Elective Surgical Services**
 - Authorities have published guidance, and in addition we offer a number of practical suggestions for hospitals and ASCs. . .
- **Review of Federal and State Immunity Laws in Response to COVID-19**
 - Roughly half of the states have introduced legislation or executive orders providing broader immunity in addition to the HHS declaration which provides immunity. . .
- **Re-Starting Non-Emergent, Non-COVID 19 Treatment**
 - CMS recommendations indicate that non-COVID-19 care may be offered to patients as clinically appropriate within states, localities or facilities

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that have necessary resources to provide such care, and the ability to respond to a surge in COVID-19 cases, if necessary. . .

- **ADA Guidance for Dental Healthcare Providers Returning to Work**
 - The very nature of dentistry places those in this field with one of the highest risks for COVID-19 exposure. We review the ADA Return to Work Toolkit, a must-read for all dental practitioners. . .