



## Andy Eads Denton County Judge

April 22, 2020

Clarity of Governor Abbott's Executive Order GA-15 and Denton County Executive Order of April 14, 2020

If the conditions articulated below, taken directly from GA-15, are met, a medical professional can do procedures or surgeries within the "commonly accepted standard of clinical practice." In essence, as long as a hospital has the open capacity and PPE that meets one of the two bullet points below, they are open for business. Additionally, Governor Abbott's Executive Order expressly states his supersedes that of any local government order.

All licensed health care professionals and all licensed health care facilities shall postpone all surgeries and procedures that are not medically necessary to diagnose or correct a serious medical condition of, or to preserve the life of, a patient who without timely performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient's physician; provided, however, that this prohibition shall not apply to either of the following:

- any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster; or
- any surgery or procedure performed in a licensed health care facility that has certified in writing to the Texas Health and Human Services Commission both: (1) that it will reserve at least 25% of its hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients; and (2) that it will not request any personal protective equipment from any public source, whether federal, state, or local, for the duration of the COVID-19 disaster.