



Health Facility Licensing Guidance Letter

Number: GL 20-1008-A
Title: Executive Order GA-19 and Reserving Hospital Capacity [Amended]
Provider Types: Licensed Health Care Facilities
Date Issued: May 6, 2020

1.0 Subject and Purpose

This amended guidance letter replaces the previous GL 20-1008, issued on May 5, 2020, to update the link in section 4.0 Resources (below) to the updated Texas Medical Board's Frequently Asked Questions.

Governor Abbott issued Executive Order GA-19, effective May 1, 2020, concerning licensed health care professionals complying with existing emergency rules and hospitals licensed under Health and Safety Code (HSC) Chapter 241 reserving at least 15 percent of their hospital capacity for treatment of COVID-19 patients.

This executive order supersedes Executive Order GA-15, concerning the postponement of surgeries and procedures in certain circumstances, which expired on April 30, 2020.

This letter describes the requirements set forth in Executive Order GA-19 for hospitals licensed under HSC Chapter 241 and for licensed health care professionals.

2.0 Executive Order GA-19 Details

While the executive order is in effect, all hospitals licensed under HSC Chapter 241 are ordered to reserve at least 15 percent of their hospital capacity for treatment of COVID-19 patients, accounting for the range of clinical severity of COVID-19 patients.

In addition, while Executive Order GA-19 is in effect, all licensed health care professionals are ordered to be limited in their practice by, and must comply

with, any emergency rules adopted by their respective licensing agencies during the COVID-19 disaster.

3.0 Background/History

Chapter 418 of the Texas Government Code, Emergency Management, authorizes the Governor to declare a state of disaster if a disaster has occurred or the threat or occurrence of a disaster is imminent. See Tex. Gov't Code §418.014. Chapter 418 also authorizes the Governor to issue executive orders and establishes that those orders have the force and effect of law. See Tex. Gov't Code §418.012.

Executive Order GA-19 superseded Executive Order GA-15 as of May 1, 2020, but does not supersede Executive Orders GA-10, GA-11, GA-12, GA-13, GA-17, or GA-18.

4.0 Resources

Executive Order GA-19, provided at https://gov.texas.gov/uploads/files/press/EO-GA-19_hospital_capacity_COVID-19.pdf.

Texas Medical Board rules, provided at <http://www.tmb.state.tx.us/dl/6765AAAE-C598-8E73-E59B-C27AA5AC19AA>.

Texas Medical Board (TMB) Frequently Asked Questions (FAQs) Regarding Notice and Compliance Requirements Concerning COVID-19 Minimum Standards of Safe Practice, provided at <http://www.tmb.state.tx.us/idl/40E06B4F-5432-2ACE-22FA-18F757696263>.

5.0 Contact Information

If you have any questions about this letter, please contact the Policy, Rules, and Training Section by email at: HCO_PRT@hhsc.state.tx.us.