

**REOPENING YOUR PRACTICE IN THE WAKE
OF COVID-19:
RISK MANAGEMENT CONSIDERATIONS
FOR AUDIOLOGISTS**



LEGAL DISCLAIMER

This information is provided as a risk management resource and is not legal advice or an individualized personal consultation. At the time this resource was prepared on May 1, 2020, all information was as current and accurate as possible; however, regulations, laws, or prevailing professional practice standards may have changed since the posting or recording of this resource. Accordingly, it is your responsibility to confirm whether regulatory or legal issues that are relevant to you have since been updated and/or to consult with your professional advisors or legal counsel for timely guidance specific to your situation. As with all professional use of material, please explicitly cite TRMS, Inc. as the source if you reproduce or distribute any portion of these resources. Reproduction or distribution of this resource without the express written permission of TRMS, Inc. is strictly prohibited.

PRESENTER



Kristen Lambert, JD, MSW, LICSW, FASHRM, CPHRM
Healthcare Practice and Risk Management Innovation
Officer
Trust Risk Management Services, Inc.



TRUST RISK MANAGEMENT SERVICES, INC.

Trust Risk Management Services, Inc. (TRMS) is the ADA-endorsed professional liability insurance program offering Professional Liability, Student Liability, Business Office, Directors and Officers, and other insurances to Audiologists and other Allied Healthcare Professionals in more than 120 professional classes. TRMS also manages insurance programs for allied healthcare associations, providing insurances to association members working in private practice and in employed settings, for individual policies and policies for groups. TRMS is licensed in all 50 states and the District of Columbia. TRMS has a strong commitment to provide superior service and products to our policyholders, including Audiologists.

IMPACT OF CORONAVIRUS (COVID-19)

- Varied Regulations (stay-at-home, shelter-in-place, mandated masks in public, etc.)
- Offices closed down
- Changing practice: patients seen via telehealth versus in person



Sources: The Council of State Governments, "COVID-19 Resources for State Leaders," <https://web.csg.org/covid19/executive-orders/>; <https://www.beckershospitalreview.com/telehealth/telehealth-visits-up-312-in-new-york-causing-major-lag-times.html>

REOPENING CONSIDERATIONS

- CDC/Federal Government Opening Guidelines
- Local Orders (state, regionally within state)
- Risk Management Considerations for Audiologists
 - Follow Current CDC Guidelines, Applicable State/Federal Regulations (whichever is most restrictive), check ADA guidance/website



Source: CDC, "Guidelines for Opening Up America Again," <https://www.whitehouse.gov/openingamerica/>

RISK MANAGEMENT CONSIDERATIONS WHEN REOPENING

- Should you reopen?
- Health & safety of you, your staff, and your patients
- Implement changes, safety precautions to reduce risk



RISK MANAGEMENT CONSIDERATIONS WHEN REOPENING

- Consider your comfort level when reopening
- Determine your risk
- Determine your patients' risk
- Open office or visits via telehealth?
- Part-time hours?



DEVELOP NEW OR REVISED OFFICE POLICIES AND PROCEDURES

- Use of Personal Protective Equipment (PPE)
- Revised/new infection control procedures
- Social distancing guidelines
- How many individuals can be in the office at the same time?
- Waiting area requirements/patient check-in process



Sources: CDC, "Outpatient and Ambulatory Care Settings: Responding to Community Transmission of COVID-19 in the United States," <https://www.cdc.gov/coronavirus/2019-ncov/hcp/ambulatory-care-settings.html>; CDC, "Healthcare Professional Preparedness Checklist For Transport and Arrival of Patients With Confirmed or Possible COVID-19," <https://www.cdc.gov/coronavirus/2019-ncov/hcp/hcp-personnel-checklist.html>

PRE-SCREENING OF PATIENTS

- Telephone Pre-Screening
 - Temperature check (at time of scheduling, before he/she leaves house for appointment)
 - Ask questions about:
 - Travel to certain high-risk areas
 - Contact with someone known to have had COVID-19
 - Whether the person has been under quarantine and when



PRE-SCREENING/SCREENING (CON'T)

- Remind the patient not to come into the office if he/she has:
 - A fever
 - Shortness of breath
 - Coughing
 - Gastrointestinal issues and/or
 - Other symptoms associated with COVID-19
- Screening Upon Arrival
- New patients

STAFF TRAINING

- Prior to reopening, meet with staff
- Address questions, concerns, discuss ideas/strategies
- Ensure they are aware of new or revised policies/procedures



STAFF SCREENING

- Consider screening staff each work day
- Issues pertaining to COVID-19 such as:
 - Symptoms
 - Travel
 - Contacts
- If potential exposure, follow CDC recommendations
- Staff should be aware how to notify the office if they are ill
- Develop a tracking log

INFECTIOUS DISEASE CONTROL

- Determine if PPE is indicated
- Review/follow Occupational Safety and Health Administration (OSHA) guidance
- Develop an Infectious Disease Preparedness and Response Plan

CLEANING

- Implement a routine cleaning policy
 - Review and follow OSHA’s guidelines
 - The Environmental Protection Agency (EPA) has a list of cleaning products effective against COVID-19
 - Determine how the office will be sanitized
 - Ensure staff is aware of the process and know who is responsible



Sources: U.S. Dept. of Labor, OSHA, “Ten Steps All Workplaces Can Take to Reduce Risk of Exposure to Coronavirus,” <https://www.osha.gov/Publications/OSHA3994.pdf>; U.S. EPA, “List N: Disinfectants for Use Against SARS-CoV-2,” <https://www.epa.gov/pesticide-registration/list-n-disinfectants-use-against-sars-cov-2>

FACILITY CONSIDERATIONS

- Avoid patient-to-patient contact
 - Separate entrances, when possible
 - Limit how many are in the office at the same time
 - Request that patients wait to enter the office until the time of their appointment
- Determine if your office needs to be rearranged
- Alter payment procedures

REPORTING

- Know how to report a potential COVID-19 case/exposure
- Be aware of how to contact local public officials if:
 - You suspect a patient/staff member may have COVID-19
 - You were notified that a patient/staff member was in your office and has been diagnosed
 - There was exposure to your office

PATIENT NOTIFICATION

- Develop and mail a letter to all patients and include:
 - Changes in your practice
 - Safety precautions that the office is taking
 - Explanation that the office will be implementing phone pre-screening for each scheduled appointment
 - New policy for check-in, waiting areas, screening
- Update your website
- Post notices on the door and in the office

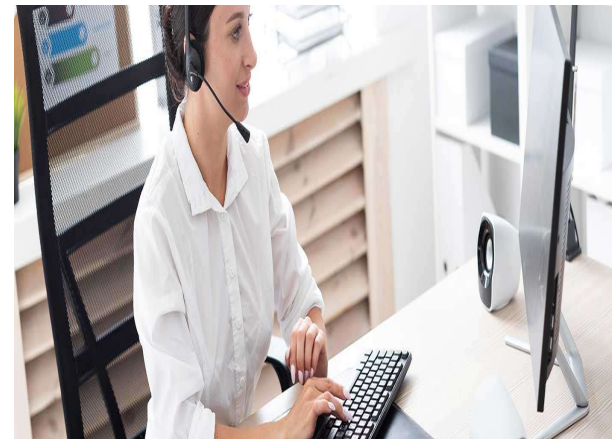
ADDITIONAL PATIENT CONSIDERATIONS

- Consider prioritizing patients based on need
- Know responsibilities under the Americans with Disabilities Act

Sources: National Network Information, Guidance, and Training on the Americans with Disabilities Act, “*What is the Americans with Disabilities Act (ADA)?*” <https://adata.org/learn-about-ada>; ADA Title III Regulation 28 CFR Part 36.03

TELEHEALTH

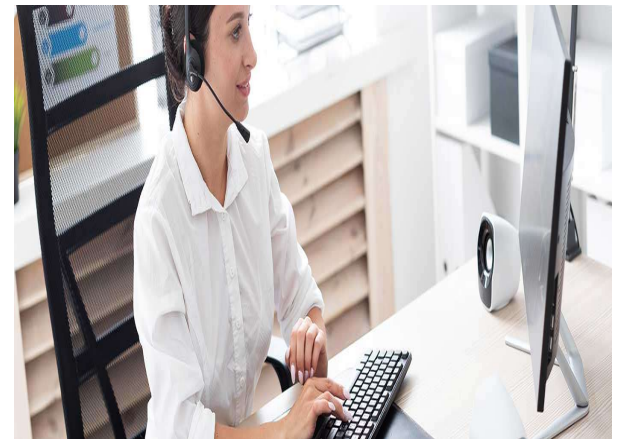
- Consider telehealth, when possible
- Know if Audiologists can engage in telehealth in your state
- If your patient is located in another state, know the rules in that state
- Be aware of current emergency orders regarding telehealth
- Be up-to-date if the rules change



Sources: ADA, "Procedures Which May Be Able to Be Provided via Telehealth with Existing Technologies (if telehealth provided by an audiologist is allowed by state licensure)" <https://www.audiologist.org/resources/documents/webinars/2020-03-23-Town-Hall-COVID-19.pdf>, Mar. 23, 2020; American Speech-Language-Hearing Association, "COVID-19: Tracking of State Laws and Regulations for Telepractice and Licensure Policy," <https://www.asha.org/uploadedFiles/State-Telepractice-Policy-COVID-Tracking.pdf>, [last accessed updated April 27, 2020]

RISKS WITH TECHNOLOGY

- Be aware of new/emerging risks
- Know relaxed privacy rules (HIPAA/states)
- Have a security system in place to minimize security breaches
- Exercise due diligence



Sources: “The Council of State Governments, COVID-19 Resources for State Leaders,” <https://web.csg.org/covid19/executive-orders/>; U.S. Dept. of Health & Human Services, “Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency,” <https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/notification-enforcement-discretion-telehealth/index.html>; For more information on new risks associated with telehealth, see our Allied Healthcare Blog: “New Security Risks and Vulnerabilities: Engaging in Telehealth During the Coronavirus (COVID-19) Pandemic,” <https://www.trustrms.com/Resources/Blog/new-security-risks-and-vulnerabilities-engaging-in-telehealth-during-the-coronavirus-covid-19-pandemic> and additional resources found on our Allied Healthcare COVID-19 Resource Page: <https://www.trustrms.com/Resources/COVID-19-Resources>

FBI WARNING: ZOOMBOMBING

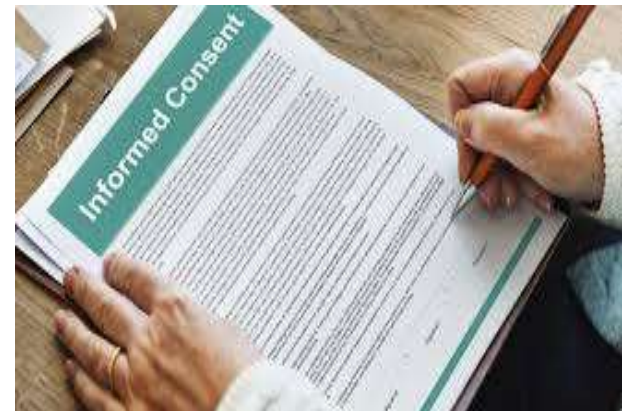
- “Do not make meetings or classrooms public. In Zoom, there are two options to make a meeting private: require a meeting password or use the waiting room feature and control the admittance of guests.
- Do not share a link to a teleconference or classroom on an unrestricted publicly available social media post. Provide the link directly to specific people.
- Manage screensharing options. In Zoom, change screensharing to ‘Host Only.’
- Ensure users are using the updated version of remote access/meeting applications. In January 2020, Zoom updated their software. In their security update, the teleconference software provider added passwords by default for meetings and disabled the ability to randomly scan for meetings to join.
- Lastly, ensure that your organization’s telework policy or guide addresses requirements for physical and information security.”

THIRD PARTY CONSIDERATIONS

- Ensure your vendors respect your office practices
 - If you require PPE/social distancing, vendors entering/exiting your office should do the same
- Maintain open communication with vendors
- Review vendor contracts

INFORMED CONSENT

- Addendum to Informed Consent Document
- Consult with your legal advisor



CONCLUSION

- It is important to stay connected and informed
- Be knowledgeable regarding pertinent regulations/rules
- Be aware of guidance from the ADA, the CDC, and federal and state governments
- Consult with colleagues
- Minimize risk to you, your staff, patients and families
- Seek guidance



THANK YOU

For our Allied Healthcare COVID-19 Resource page, please visit:

<https://www.trustrms.com/Resources/COVID-19-Resources>

For our Allied Healthcare Blog and Articles, please visit:

<https://www.trustrms.com/Resources/Blog>

<https://www.trustrms.com/Resources/Articles>

If you should have any questions about our products, please contact the Allied Healthcare Professionals line:



(855) 655-1801



contact@trustrms.com

