

Responsibility of Hospitals to Notify First Responders of Confirmed COVID-19 Transport Cases

The Department of Health (Department) has received questions from licensed health care facilities, Emergency Medical Services (EMS) providers, and first responders' associations regarding notification to first responders of exposure to COVID-19.

Notification of exposure to potentially life-threatening infectious diseases is governed by section 2695 of the Ryan White HIV/AIDS Treatment Extension Act of 2009 (Act), 42 U.S.C. 300ff-131. On March 27, 2020, the National Institute for Occupational Safety and Health (NIOSH), of the Centers for Disease Control and Prevention added COVID-19 to the List of Potentially Life-Threatening Infectious Diseases to Which Emergency Response Employees May be Exposed. *See* 85 Fed. Reg. 17335 (Mar. 27, 2020).

The Act requires licensed health care facilities to promptly notify any first responder agency that is known to have transported a patient determined to be positive for COVID-19. In accordance with the Act, notification shall be made as soon as is practicable, but not later than 48 hours after the determination. (42 U.S.C. 300ff-132)

For purposes of this guidance, first responders are defined as EMS personnel, firefighters, and law enforcement. Upon notification by the hospital, first responder agencies are responsible for notifying any affected employees or volunteers. (42 U.S.C. 300ff-135)

This guidance does not change the requirement for laboratories and providers to report COVID-19 cases to the Department's National Electronic Disease Surveillance System (NEDSS).