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FAQ ON GOV. KEMP'S SHELTER IN PLACE ORDER FOR GEORGIA DENTISTS

1. How long does Gov. Kemp's Executive Order (the "Order") last?

The Order went into effect at 6 PM on Friday, April 3rd and lasts through 11:59 PM on Monday, April 13, 2020.

2. Are dentists and dental offices exempt from the requirements of the Order?

Yes. The Order specifies "that all businesses, establishments, corporations, non-profit corporations, or organizations that are *not* Critical Infrastructure shall only engage in Minimum Basis Operations as defined in this Order during the effective dates of this Order."

"The term 'Critical Infrastructure' shall refer to businesses, establishments, corporations, non-profit corporations, and organizations as defined by the US Department of Homeland Security as 'essential critical infrastructure workforce,' in guidance dated March 19, 2020 and revised on March 28, 2020, and those suppliers which provide essential goods and services to the critical infrastructure workforce as well as entities that provide legal services, home hospice, and non-profit organizations that offer food distribution or other health or mental health services. The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance."

According to the US Department of Homeland Security's *Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response*, Version 2.0 (March 28, 2020), the following Healthcare/Public Health workers are classified as "Essential":

- Workers who perform critical clinical research, development, and testing needed for COVID-19 response.
- Healthcare providers and Caregivers including physicians, **dentists**, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, optometrists, speech pathologists, chiropractors, and diagnostic and therapeutic technicians and technologists.
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.).

- Workers in other medical and biomedical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Nursing Care Facilities, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers, and retail facilities specializing in medical good and supplies).
- Manufacturer workers for health manufacturing (including biotechnology companies), materials and parts suppliers, logistics and warehouse operators, distributors of medical equipment (including those who test and repair), personal protective equipment (PPE), isolation barriers, medical gases, pharmaceuticals (including materials used in radioactive drugs), dietary supplements, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.
- Public health / community health workers, including those who compile, model, analyze and communicate public health information.
- Blood and plasma donors and the employees of the organizations that operate and manage related activities.
- Workers who manage health plans, billing, and health information, who cannot practically work remotely.
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely.
- Workers performing information technology and cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely.
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely.
- Pharmacy employees necessary to maintain uninterrupted prescription filling.
- Workers performing mortuary funeral, cremation, burial, cemetery, and related services, including funeral homes, crematoriums, cemetery workers, and coffin makers.
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident.

See <https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce>

3. Do I need a letter to prove that I can keep working or that my staff can keep working?

No. According to a supplemental FAQ released by the Governor's office, "You do not need a letter from your employer or the government to prove that you fall into one of

the exceptions for Essential Services, Necessary Travel, Critical Infrastructure, or Minimum Basic Operations.”

See <https://gov.georgia.gov/press-releases/2020-04-02/governor-kemp-issues-shelter-place-order>,

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4. What else do I need to know about staying open during the period of the Order?

The Order requires those businesses and workers classified as “Critical Infrastructure” to implement further measures to mitigate the exposure and spread of COVID-19 among its workforce. Such measures may include, but shall not be limited to:

- Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
- Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
- Enhancing sanitation of the workplace as appropriate;
- Requiring hand washing or sanitation by workers at appropriate places within the business location;
- Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
- Prohibiting gatherings of workers during working hours;
- Permitting workers to take breaks and lunch outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
- Implementing teleworking for all possible workers;
- Implementing staggered shifts for all possible workers;
- Holding all meetings and conferences virtually, wherever possible;
- Delivering intangible services remotely wherever possible;
- Discouraging workers from using other workers’ phones, desks, offices, or other work tools and equipment;
- Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools;
- Prohibiting handshaking and other unnecessary person-to-person contact in the workplace;
- Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen; and
- Suspending the use of Personal Identification Number (“PIN”) pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies.

5. Does this mean that I’m only allowed to treat emergency dental cases?

While there is currently no such statewide mandate for dentists, the GDA's current recommendations, which is consistent with the Governor's Order, is to postpone all elective dental procedures through April 13, 2020, but Georgia dentists must still be available for dental emergencies. However, given the fluid nature of the current situation, the GDA's guidance is subject to change and could be revised before April 13th, so please continue to look for alerts from the GDA.

Another component of this issue are the restrictions on your patients under the Governor's shelter-in-place Order. At this time, all Georgia residents are required to shelter in place within their homes or places of residence unless they are:

- Conducting or participating in **Essential Services**;
- Performing necessary travel;
- Are engaged in the performance of, or travel to and from, the performance of Minimum Basic Operations for a business, establishment, corporation, non-profit corporation, or organization not classified as Critical Infrastructure; or
- Are part of the workforce for Critical Infrastructure and are actively engaged in the performance of, or travel to and from, their respective employment.

The Order defines "Essential Services" as:

- Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up services wherever possible as opposed to in-store shopping;
- **Engaging in activities essential for the health and safety of family or household members, such as seeking medical, behavioral health, or emergency services.**
- Engaging in outdoor exercise activities so long as a minimum distance of six (6) feet is maintained during such activities between all persons who are not occupants of the same household or residence.

DISCLAIMER: THE FOREGOING INFORMATION IS BEING PROVIDED TO MEMBERS FOR INFORMATIONAL PURPOSES ONLY AND IS NOT INTENDED TO BE CONSIDERED LEGAL ADVICE.

If you have any questions about the Governor's Executive Orders or this FAQ, please contact Scott Lofranco at scott@gadental.org.