



PUBLIC HEALTH AND WELLNESS
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

SARAH MOYER, MD, MPH
DIRECTOR

20-004

**ORDER REQUIRING COVID-19 TESTING SITES TO OBTAIN APPROVAL
FROM THE LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH AND
WELLNESS.**

WHEREAS, the Louisville Metro Department of Public Health and Wellness (LMPHW) has received reports of increasing numbers of individuals exhibiting symptoms of 2019-novel Coronavirus (COVID-19), which is a new communicable disease that has not been previously identified in the world;

WHEREAS, COVID-19 is a “severe acute respiratory syndrome” detailed in federal Executive Order 13295, as amended by Executive Order 13372 and 13674, and is a federally quarantinable communicable disease, which is characterized by fever, cough, and shortness of breath and can progress to severe respiratory illness requiring hospitalization and mechanical ventilation, and can lead to death;

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), decisions about testing are at the discretion of state and local health departments and/or individual clinicians;

WHEREAS, the CDC instructs clinicians to work with their state and local health departments to coordinate testing through public health laboratories, or work with clinical or commercial laboratories;



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WHEREAS, the FDA warns the use of an unauthorized COVID-19 test may cause individuals to risk unknowingly spreading COVID-19 or to not get treated by an appropriate health care provider;

WHEREAS, COVID-19 testing sites that have received a Clinical Laboratory Improvement Amendments (CLIA) license or a CLIA waiver must still follow regulations and guidelines provided by LMPHW and the CDC;

WHEREAS, LMPHW has been advised of numerous safety violations at COVID-19 testing locations, which include swapping personal protective equipment (PPE) gear from administrator to administrator; eating lunch using contaminated gloves in between administering tests; removing PPE immediately after testing; and failing to wash hands;

WHEREAS, LMPHW fears that unapproved entities may prey on desperate individuals who have been exposed to the virus with the false promise of a COVID-19 test results;

WHEREAS, this Order is necessary to protect all individuals administering and receiving COVID-19 tests at all testing locations; and

WHEREAS, pursuant to KRS 212.240, 212.245(5), 214.020, 902 KAR 2:030 and 902 KAR 2:050, LMPHW has the authority to establish protocol for the operation of COVID-19 testing sites and to close down the operation of any COVID-19 testing that fails to comply with guidelines and/or regulations from LMPHW and the CDC.

NOW, THEREFORE, effective immediately, LMPHW ORDERS as follows:

1. Entities and/or individuals seeking to operate COVID-19 testing sites, who are not already approved by LMPHW or established in a Health Facility as defined by KRS 216B.015(13), must first receive written approval by LMPHW.
2. Entities wishing to obtain LMPHW approval should contact LMPHW at (502) 574-2019.
3. After initial approval, the COVID-19 testing site must continue to comply with any and all guidelines and/or regulations from LMPHW and the CDC.
4. Approved COVID-19 testing sites will be subject to inspection by LMPHW.



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5. Failure to comply with this Order will result in the LMPHW's enforcement by the immediate shut down of any unauthorized or noncompliant COVID-19 testing site;

6. Individuals who fail to comply with any Order issued by Court may face additional criminal charges and incarceration by law enforcement.

THIS ORDER shall expire upon the expiration of the State of Emergency issued by Mayor Greg Fischer.

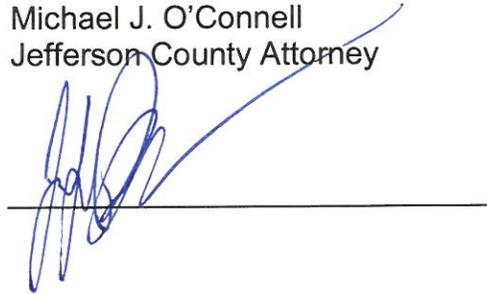
Louisville Metro Department of
Public Health and Wellness
Dr. Sarah Moyer, Director



Dr. Sarah Moyer, Director

Date: 4-6-2020

Approved for Form and Legality
Michael J. O'Connell
Jefferson County Attorney



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