



**DIRECTIVE AND ORDER REGULATING CERTAIN BUSINESSES AND FACILITIES
& GENERAL DIRECTIVES CONCERNING LIMITING THE SPREAD OF COVID-19**

Pursuant to Executive Order No. 21-03-09-01

MDH No. 2021-05-12-01

I, Dennis R. Schrader, Secretary of Health, finding it necessary for the prevention and control of 2019 Novel Coronavirus and the disease that it causes (“SARS-CoV-2” or “2019-NCoV” or “COVID-19”), and for the protection of the health and safety of patients, staff, and other individuals in Maryland, hereby authorize and order the following actions for the prevention and control of this infectious and contagious disease under the Governor’s Declaration of Catastrophic Health Emergency.

This Amended Directive and Order replaces and supersedes the Directive and Order Regulating Certain Businesses and Facilities & General Directives Concerning Limiting the Spread of COVID-19 dated May 04, April 28 and March 09, 2021.

1. Rescinded, Superseded, Amended, or Revised Orders and Notices:

- A. The following Maryland Department of Health (MDH) Orders shall cease to be effective and are rescinded.
 - i. **Maryland Department of Health Recommendations for Infection Control & Prevention of COVID-19 in Facilities Serving Older Adults (March 10, 2020).**
 - ii. [MDH Order No. 2020-06-10-03](#) (“Amended Directive and Order Regarding Swimming Pools”). All pool operators are directed to follow all applicable federal guidance from the U.S. Centers for Disease Control and Prevention (CDC) on this subject and best practice recommendations from the relevant national pool organizations.
 - iii. [MDH Order No. 2020-06-12-02](#) (“Amended Directive and Order Regarding Youth Camp Programs”). All youth camp operators are directed to follow all applicable federal guidance from the CDC on this subject

and, where applicable, the [Maryland School Reopening Guidance](#) from the Maryland State Department of Education (MSDE) and MDH (updated April 2021 or as updated).

- iv. [MDH Order No. 2020-11-17-03](#) (“Amended Directive and Order Regarding Food Service Establishments”). Please see MDH Advisory-Indoor Food Service, Retail, and Personal Service Establishments for more information.
- v. [MDH Order No. 2020-11-17-04](#) (“Amended Directive and Order Regarding Community, Recreational, Leisure, Cultural, and Sporting Gatherings and Events.”).
- vi. [MDH Order No. 2020-10-01-03](#) (“Amended Directive and Order Regarding Assisted Living Program Matters”) All assisted living programs should follow all applicable federal guidance from CDC and CMS.

B. The following MDH Notices are modified and reissued.

- i. [MDH Medicaid COVID-19 Order #2](#) (To Adult Medical Day Care Providers (Type 42), “Temporary Closure of Adult Medical Day Care Facilities, Interim Guidance, and Administrative Per Diem Rate). Please see the following Section 2 of this Directive for specific guidance for providers on reopening.
- ii. [Notice \(April 6, 2020\) - Breast and Cervical Cancer Diagnosis and Treatment Program](#). The Breast & Cervical Cancer Diagnosis & Treatment Program will resume redetermining eligibility in accordance with program policies beginning on April 1, 2021. Although redetermining eligibility will resume, that is to update existing program participation only, and not to disenroll program participants whose eligibility was extended per the Notice dated April 6, 2020.

All redetermination applications that have been received since April 2020 will begin the review process as of the date of this notice.

- iii. [Notice \(April 6, 2020\) - Children’s Medical Services Program](#). The Children’s Medical Services program will resume redetermining eligibility in accordance with COMAR 10.11.03.07 beginning on April 1, 2021. Although redetermining eligibility will resume, that is to update existing

program participation only, and not to disenroll program participants whose eligibility was extended per the Notice dated April 6, 2020.

All redetermination applications that have been received since April 2020 will begin the review process as of the date of this notice.

- iv. [Notice \(April 6, 2020\) - Kidney Disease Program](#). The Kidney Disease will begin the review process as of the date of this notice.

Program will resume redetermining eligibility in accordance with COMAR 10.20.02.03 beginning on April 1, 2021. Although redetermining eligibility will resume, that is to update existing program participation only, and not to disenroll program participants whose eligibility was extended per the Notice dated April 6, 2020.

All redetermination applications that have been received since April 2020 will begin the review process as of the date of this notice.

- v. [Notice \(April 6, 2020\) - The Maryland AIDS Drug Assistance Program](#). The Maryland AIDS Drug Assistance Program will resume redetermining eligibility in accordance with COMAR 10.18.05.03 or COMAR 10.18.07.03 beginning on April 1, 2021. Although redetermining eligibility will resume, that is to update existing program participation only, and not to disenroll program participants whose eligibility was extended per the Notice dated April 6, 2020.

All redetermination applications that have been received since April 2020 will begin the review process as of the date of this notice.

2. **Medical Adult Day Care Centers**

All licensed medical adult day care centers shall follow all applicable federal and state regulations and COVID-19 specific guidance and the Executive Order with regards to wearing Face Coverings, hand hygiene, physical distancing and ventilation.

- A. All individuals who are attending the facility for in-person services shall be fully vaccinated before receiving in-person services.
- B. All staff members shall be offered the opportunity to be vaccinated and are strongly encouraged to be vaccinated.
- C. Facilities shall develop and implement reopening plans for their individual

facility. The plans shall address the following considerations, in alignment with CDC guidelines where applicable: Employee and Participant Screening, Social Distancing, Personal Hygiene, Cleaning and Disinfecting Areas, Universal Masking, Personal Items, Activities and Outings, Meal Service, Visitation, PPE Maintenance, Medical Appointments, Infection Control, and Procedures for Suspected or Confirmed COVID-19 cases.

Note: The Maryland Department of Health will work with all adult day care facilities to make COVID-19 vaccine doses available through retail pharmacy partners or local health departments in order to offer the opportunity to receive a vaccine for staff and eligible patients if they have not already received a vaccine.

Note: Additional guidance can be found in COVID-19 Provider Update #20, Reopening of Adult Medical Day Care Facilities and Availability of Administrative Per Diem Rate.

3. **Severability**

If any provision of this Directive and Order or its application to any person, entity, or circumstance is held invalid by any court of competent jurisdiction, all other provisions or applications of this Directive and Order or Guidance shall remain in effect to the extent possible without the invalid provision or application. To achieve this purpose, the provisions of this Directive and Order are severable.

THESE DIRECTIVES AND ORDERS ARE ISSUED UNDER MY HAND THIS 12TH DAY OF MAY 2021 AND ARE EFFECTIVE AND SUPERSEDES MDH ORDER NO. 2021-05-04-01 AT 12:01 A.M. ON MAY 15, 2021.



Dennis R. Schrader
Secretary