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June 19, 2020

RE: Exemption from 16 VAC 25-220, Emergency Temporary Standard/Emergency Regulation, Infectious Disease Prevention: SARS-CoV-2 Virus That Causes COVID-19

Dear Mr. Withrow:

Thank you for the opportunity to comment on 16 VAC 25-220, the emergency temporary standard and emergency regulation for COVID-19 prevention in the workplace. On behalf of the Medical Society of Virginia, which serves as the voice for the physicians and physician assistants throughout the Commonwealth, I am requesting an exemption be made regarding compliance with the emergency temporary standard and emergency regulation to prevent, mitigate, and control of COVID-19 in the workplace for doctors of medicine, doctors of osteopathic medicine, and physician assistants.

To be clear: The Medical Society of Virginia unequivocally supports mask wearing as a preventive measure in addressing the COVID-19 pandemic.

With that said, the Society is asking for an exemption because the workplace settings for physicians and physician assistants are uniquely positioned to prevent and mitigate the spread of COVID-19. The proposed rule would simply create an unnecessary regulatory and record-keeping burden on a sector already doing everything it can to halt the spread of the pandemic.

Physicians and physician assistants play an important role during this public health emergency as they are tasked, regardless of specialty or practice, with identifying, testing, and/or treating known or suspected cases of COVID-19. Infection prevention, treatment, and control are a part of their training and education. Furthermore, sanitation and disinfecting are the standard in the health care setting, and such practices have expanded significantly in recent months. As such, their workplace settings have already implemented extensive measures and follow detailed guidelines set forth by the Centers for Disease Control (CDC) to prevent, mitigate, and control the spread of COVID-19 in the workplace. The CDC has put forth guidance for clinical care, infection control, personal protective equipment (PPE) usage, and COVID-19 testing, all of which has been implemented by physicians and physician assistants in the Commonwealth.

Physicians and physician assistants are at the forefront of the battle against COVID-19. They work closely with government and industry partners to develop mitigation techniques and implement control procedures daily. Layering additional documentation and reporting requirements on extensive measures that have been instituted already would be overly burdensome and could have the potential to put undue pressure on a currently strained industry engaged in the frontlines of the pandemic.

Accordingly, we respectfully request an exemption from complying with such emergency standards and regulations.

Sincerely,

Clifford L. Deal III, MD
President, Medical Society of Virginia

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