

FROM: BEMS - Program Agency Directors <BEMS-PA-DIRECT-L@LISTSERV.HEALTH.STATE.NY.US>
ON BEHALF OF Dziura, Steven (HEALTH)
SENT: Thursday, July 30, 2020 4:50 PM
TO: BEMS-PA-DIRECT-L@LISTSERV.HEALTH.STATE.NY.US
SUBJECT: REMINDER: Business Reopening Requirements Applicable to EMS

As discussed on the EMS agency leadership call yesterday, the Bureau has received multiple questions and complaints regarding the requirements for EMS agencies to comply with reopening guidance. Please find the attached guidance for your review regarding these requirements. This guidance applies to all business, including those that are operating as essential businesses. The guidance document, in part, states the following:

*Each business or entity, including those that have been designated as essential under Empire State Development's Essential Business Guidance, must develop a written Safety Plan outlining how its workplace will prevent the spread of COVID-19. A business may fill out this template to fulfill the requirement, or may develop its own Safety Plan. **This plan does not need to be submitted to a state agency for approval but must be retained on the premises of the business and must be made available to the New York State Department of Health (DOH) or local health or safety authorities in the event of an inspection.***

Business owners should refer to the State's industry-specific guidance for more information on how to safely operate. For a list of regions and sectors that are authorized to re-open, as well as detailed guidance for each sector, please visit: forward.ny.gov. If your industry is not included in the posted guidance but your businesses has been operating as essential, please refer to ESD's [Essential Business Guidance](#) and adhere to the guidelines within this Safety Plan. Please continue to regularly check the New York Forward site for guidance that is applicable to your business or certain parts of your business functions, and consult the state and federal resources listed below.

Verification of this information can be done through the [Business Reopening Lookup Tool](#). Within that tool, the user will enter the county their business operates in and the business category (the NAICS code for Ambulance Services is 621910). Once this information is entered, the tool will identify if the business or industry is permitted to operate and, when permitted, the guidance that must be followed. In the case of ambulance services, the link to the guidance that they are required to follow will take them to the [NY Forward Safety Plan Template](#) referenced above.

The NY Forward Safety Plan Template requires **all** businesses to create a safety plan. Below are the minimum requirements the plan must include:

- Ensure 6 ft. distance between personnel, unless safety or core function of the work activity requires a shorter distance. Any time personnel are less than 6 ft. apart from one another, personnel must wear acceptable face coverings.
- Tightly confined spaces will be occupied by only one individual at a time, unless all occupants are wearing face coverings. If occupied by more than one person, will keep occupancy under 50% of maximum capacity.
- Post social distancing markers using tape or signs that denote 6 ft. of spacing in commonly used and other applicable areas on the site (e.g. clock in/out stations, health screening stations).
- Establish designated areas for pick-ups and deliveries, limiting contact to the extent possible.
- Limit in-person gatherings as much as possible and use tele- or video-conferencing whenever possible. Essential in-person gatherings (e.g. meetings) should be held in open, well-ventilated spaces with appropriate social distancing among participants.
- Employers must provide employees with an acceptable face covering at no-cost to the employee and have an adequate supply of coverings in case of replacement.
- Face coverings must be cleaned or replaced after use or when damaged or soiled, may not be shared, and should be properly stored or discarded.
- Limit the sharing of objects and discourage touching of shared surfaces; or, when in contact with shared objects or frequently touched areas, wear gloves (trade-appropriate or medical); or, sanitize or wash hands before and after contact.
- Adhere to hygiene and sanitation requirements from the Centers for Disease Control and Prevention (CDC) and Department of Health (DOH) and maintain cleaning logs on site that document date, time, and scope of cleaning.

- Provide and maintain hand hygiene stations for personnel, including hand washing with soap, water, and paper towels, or an alcohol-based hand sanitizer containing 60% or more alcohol for areas where hand washing is not feasible.
- Conduct regular cleaning and disinfection at least after every shift, daily, or more frequently as needed, and frequent cleaning and disinfection of shared objects (e.g. tools, machinery) and surfaces, as well as high transit areas, such as restrooms and common areas, must be completed.
- Post signage throughout the site to remind personnel to adhere to proper hygiene, social distancing rules, appropriate use of PPE, and cleaning and disinfecting protocols.
- Establish a communication plan for employees, visitors, and customers with a consistent means to provide updated information.
- Maintain a continuous log of every person, including workers and visitors, who may have close contact with other individuals at the work site or area; excluding deliveries that are performed with appropriate PPE or through contactless means; excluding customers, who may be encouraged to provide contact information to be logged but are not mandated to do so.
- If a worker tests positive for COVID-19, employer must immediately notify state and local health departments and cooperate with contact tracing efforts, including notification of potential contacts, such as workers or visitors who had close contact with the individual, while maintaining confidentiality required by state and federal law and regulations.
- Implement mandatory health screening assessment (e.g. questionnaire, temperature check) before employees begin work each day and for essential visitors, asking about (1) COVID-19 symptoms in past 14 days, (2) positive COVID-19 test in past 14 days, and/or (3) close contact with confirmed or suspected COVID-19 case in past 14 days. Assessment responses must be reviewed every day and such review must be documented.
- Have a plan for cleaning, disinfection, and contact tracing in the event of a positive case.

Additionally, EMS agencies may visit the [Frequently Asked Questions on New York Forward and Business Reopening](#) webpage. A few specific FAQs are highlighted below as an example.

If I am an essential business, am I subject to the new operating requirements detailed in the Guidance?

Answer: Yes. The increased measures detailed in the Guidance are in furtherance of public health and safety, and all businesses as well as units of State and local government are required to ensure this standard of safety.

Due to special circumstances, I cannot fully comply with the Guidance, can I apply for a waiver?

Answer: No, due to health and safety concerns, waivers will not be issued.

Do I need to create a reopening plan? If so, what should my plan include? Can I receive a template or checklist from NYS?

Answer: Yes. All businesses, including essential businesses, must develop a COVID-19 Health and Safety Plan. Plan information may be found [HERE](#). Your COVID-19 Health and Safety Plan should include the ways in which you intend to comply with the Guidance, to safely reopen.

Is New York State enforcing the new reopening requirements?

Answer: Yes. Enforcement will occur at the local and state government levels.

What non-essential common areas should remain closed?

Answer: Non-essential common areas include, but are not limited to: gyms, fitness centers or health clubs, saunas or steam rooms, children's play rooms, and game rooms.

I do not have adequate space to allow employees to social distance during lunch breaks. Am I required to provide lunch/break space, or can I close this space off entirely?

Answer: Employers are strongly encouraged to locate sufficient space to allow employees to socially distance during lunch or break, to stagger shifts and break times, and to take other steps to limit the number of employees on break or lunch at the same time.

Can I refuse entry to someone not wearing a mask on site?

Answer: Yes, businesses must refuse entry so long as the refusal is not on a discriminatory basis.

Steven P. Dziura Jr. Deputy Director
New York State Department of Health
Bureau of Emergency Medical Services & Trauma Systems
875 Central Avenue, Albany, New York 12206
office (518) 408-1230 | cell (518) 948-9204
Steven.Dziura@health.ny.gov
www.health.ny.gov