

## RISK ALERT

June 29, 2021

### New Requirements For COVID-19 Testing Before Surgery

The New Jersey Department of Health (NJDOH) revised [Executive Directive 20-016](#) on June 16, 2021, which originally allowed for the resumption of elective surgeries in licensed Ambulatory Surgery Centers (ASCs). Some of the major changes are:

- **A patient who can provide proof of full COVID-19 vaccination** for two weeks after the last injection and who is currently asymptomatic **does not need COVID-19 testing and self-quarantine** before an elective procedure. The facility may keep a copy of the card or note of vaccination status in the patient's medical record.
- Testing is no longer required if a patient has tested positive for COVID-19 within the last 90 days before the procedure but completed the appropriate isolation and is currently asymptomatic.
- The ASC can choose to require testing of these exempted individuals. The Elective Directive advises the facility to refer to the CDC's ["Updated Healthcare Infection Prevention and Control Recommendations in Response to COVID-19 Vaccination"](#) for guidance.
- The NJDOH issued a similar update for hospitals in [Executive Directive 20-018](#).

There are still approximately 100 registered surgical practices (e.g., one room surgical suites) required to become licensed by NJDOH as ASCs pursuant to P.L. 2009, c. 24 (N.J.S.A. 26:2H-12) but have not yet completed the licensure process. Therefore, the New Jersey Division of Consumer Affairs (DCA) recently updated its [Administrative Directive \(AD\) 2021-11](#) on May 6, 2021, which addresses the provision of healthcare services in office practices during the state of emergency or public health emergency. However, **the DCA has not yet eliminated the COVID-19 testing requirement in registered surgical practices for vaccinated patients or patients who previously tested positive for COVID-19.**

As always, Conventus members can call the Practices Resources Department at 877-444-0484, x7466 with any questions. Our staff would be happy to assist you.

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