



March 20, 2020

Dear Colleagues:

At 11am, New York Governor Cuomo issued a mandate called NYS on PAUSE (**Policies Assure Uniform Safety for Everyone.**) **At this point 100 percent (100%) of the Workforce must work from home** excluding essential services (healthcare, grocery, pharmacy, gas, etc.) Currently, Licensed Acupuncturists and Acupuncture Clinics are NOT considered Essential Services. Businesses who stay open WILL BE FINED.

These are the details from the mandate:

➤ **2 RULES:**

- Only business essential functions (unless an acupuncturist is working within a hospital, long term acute care facility (LTAC), or nursing home as licensed in New York, **acupuncturists and acupuncture clinics MUST CLOSE.**)
- Remain indoors to greatest extent to protect physical and mental health.

➤ **Strictest Rules for Most Vulnerable Groups** (Seniors Over 70, Immunocompromised People and Those with Underlying Issues) Known as Matilda's Law

- Remain Indoors
- Can go outside for **solitary exercise**
- Prescreen all visitors and aides by taking their temperature
- Do NOT visit households with multiple people
- All vulnerable persons should wear masks when in the company of others
- To the greatest extent possible, everyone in the presence of vulnerable people should wear a mask
- Always stay at least 6 feet away of individuals
- Do not take public transportation unless URGENT AND ABSOLUTELY NECESSARY

➤ **PAUSE Provisions for Non-Vulnerable Populations**

- Non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations or other social events) are canceled or postponed at this time.
- Any concentration of individuals outside their home must be limited to workers providing essential services and social distancing should be practiced
- When in public, individuals must practice social distance of at least 6 feet from others
- Businesses and entities that provide essential services must implement rules that help facilitate social distancing of at least 6 feet
- Individuals should limit outdoor recreational activities to non-contact and avoid activities where you come in close contact with people
- Individuals should limit use of public transportation to when ABSOLUTELY NECESSARY and should limit potential exposure by spacing out at least 6 feet from other riders

- Sick individuals should not leave their home unless to receive medical care (Acupuncture is not included in this) and only after a telehealth visit to determine if leaving the home is in the best interest of their health
- Young people should also practice social distancing and avoid contact with vulnerable populations
- Precaution: Isopropyl Alcohol of at least 60% can be used to make hand sanitizer and sanitizing wipes.

➤ **PROVISIONS WILL BE ENFORCED:** Civil fines and mandatory closures for business that are not in compliance.

➤ **THIS WILL LIKELY BE REGIONAL AND WE SHOULD HEAR INFORMATION FROM THE GOVERNORS OF NEW JERSEY, CONNECTICUT, PENNSYLVANIA AND DELAWARE AS WELL.**

➤ **THIS IS EFFECTIVE AS OF 8PM FRIDAY, MARCH 20, 2020.** The Governor says, "We are all in quarantine." 100% of Workforce **MUST STAY HOME.** [You may view Executive Order here.](#)

There is one question that continues to rise about essential services. Anyone who is listed in the [Social Security Act](#) as a covered profession and can bill through Medicare is the most likely route to being considered essential. Acupuncturists are not covered currently and cannot bill Medicare directly. Chiropractors are actually defined as "physicians" under section 1861 and physical therapists are defined under "medical and other health services". We currently are waiting on hold with the Acupuncture Board under the NYSED to get a definitive answer for you. (There are 173 callers ahead of us, so please be patient.)

The AUTHORITATIVE SOURCE for this mandate is the Governor's Office singularly. It supersedes ALL local ordinances and mayoral mandates. There is misinformation floating around that this goes into effect Sunday night. THIS IS UNTRUE. Given that New York State has over 7100 cases, NYC has over 4400 cases and added 2000 overnight, it is imperative that people heed the above provisions immediately or risk substantial fines and closures. CURRENTLY NO INDIVIDUAL FINES ARE IN PLACE, but information has been changing daily. We will continue to update our members with authoritative sources only as this unfolds.

We, at ASNY, understand how difficult this will be economically for all of us. We will continue to keep you updated on federal relief packages as they evolve. As of today, we know that the federal government is suspending interest payments on student loans as well as student loan payments for the time being. Also, the deadline to file taxes has been extended to July 15th and they are removing penalties for the time being. We will be updating people on unemployment filing and any business or individual relief being extended. We ask for your patience as we read the bills directly to offer a summary.

ASNY committees have regulatory questions regarding Telehealth and suspension of enforcement of HIPAA violations for all of you who can meet with patients online or through Skype or Facetime. For the time being, all telehealth regulations still must adhere to within their state lines unless directly stated otherwise.

Remember: WE WILL GET THROUGH THIS AND WE ARE ALL IN THIS TOGETHER.

ASNY Board of Directors