

COVID-19 Guidance for Chiropractors

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[Effective April 27, 2020] COVID-19 Guidance for Chiropractors - Full Chiropractic Services in Colorado Permitted With Conditions

On April 26, 2020, Executive Orders D 2020-009 and 027 requiring cessation of elective procedures expired, and Governor Polis issued a new Executive Order D 2020 045, permitting the limited recommencement of voluntary or elective surgeries and procedures. In the Order, Governor Polis directed the Colorado Department of Public Health and Environment (“CDPHE”) to issue a Public Health Order with specific requirements for health care facilities that choose to resume elective or non-essential procedures. On April 27, 2020, the CDPHE issued Public Health Order (“PHO”) 20-28, which specifically addresses chiropractic and imposes several new requirements on chiropractic practices. PHO 20-28 is 34 pages, and contains many specific requirements that present compliance challenges for chiropractors. Importantly, chiropractic offices are explicitly defined as a “Limited Health Care Setting,” and Appendix E of the PHO applies to chiropractic offices.

Non-acute, wellness, and maintenance chiropractic care is now permitted. Under the PHO, chiropractic offices are ordered to comply with the following directives:

- Walk-ins are prohibited; all patients must be scheduled for an appointment with time permitted to sanitize and change PPE in between each patient
- No congregating in waiting rooms; no more than 10 individuals in a location (or 50% occupancy, whichever is the lower number) at any given time
- Each location must identify a designated COVID-19 workplace coordinator
- Hygiene and compliance/safety signage must be posted
- Each location must conduct and document employee symptom checks before and after each shift, using the CDPHE screening form
- Chiropractors and any staff member coming into “close, personal contact” with a patient must wear medical-grade face masks and gloves
- Chiropractors must change gloves and wash their hands in between each patient
- Administrative personnel must wear cloth masks or face coverings at all times
- Patients are required to wear face coverings at all times; chiropractors are not required to provide patient face coverings, but must require patient compliance
- Patient screening prior to treatment should include documentation of subjective symptoms of COVID-19
- Recorded temperatures for patients is not expressly required by any Order, but Chiropractic Board Rule 22 requires documentation of vital signs when clinically indicated. It is strongly recommend to record doctor, staff, and patient temperatures.

The above list is not exhaustive of all the requirements identified in PHO 20-28. The PHO specifically addresses enforcement by local authorities, and expressly states that non-compliance will result in penalties, including jail time and/or fines, as well as individual discipline of licensees pursuant to the applicable Practice Act. The PHO Expires on May 26, 2020 unless extended or amended.

For questions on compliance with PHO 20-28, Governor Polis' Executive Orders, or otherwise making a decision regarding your practice, please contact Katherine Otto, a Partner at Messner Reeves LLP, who has extensive experience advising Colorado chiropractors.