



Additional Guidance for Mental Health Professionals in Medical and Limited Healthcare Settings

NOTE: The following guidance was updated July 17 to reflect Governor Polis' statewide mask ordinance

Background:

Effective June 1, 2020, Governor Jared Polis issued [Executive Order D 2020 091](#) directing Colorado to enter the new phase of the COVID-19 pandemic, Safer at Home and in the Vast, Great Outdoors - [later amending and extending that order](#). The goal remains for people to stay at home or in the vast outdoors as much as possible, and avoid any unnecessary social interactions. The Colorado Department of Public Health and Environment (CDPHE), based on the Governor's directive, has issued [Eighth Amended Public Health Order 20-28](#), which provides details of certain restrictions and safety guidance by broad industry type. CDPHE is making the information contained in the Public Health Order available via the [Safer at Home webpage](#). On July 16, 2020, Governor Polis issued [Executive Order D 2020 138](#) creating a statewide mask ordinance that is in effect for 30 days. The order may be extended.

DORA recognizes that these orders, while detailed, do not necessarily reach the level of specificity many of our regulated professions desire during this unprecedented period. Additionally, we know that businesses and professionals are being asked to absorb information from a wide variety of sources. In an effort to provide not only additional clarity on industry and business-specific safety measures, but also to synthesize information from many state of Colorado sources, we have compiled the following guidance.

What Safer at Home Means for You:

Open/Closed Status:

Open

Specific “Do’s and Don’ts” for Mental Health Professionals in Limited Healthcare Settings Under Safer at Home (Non Medical):

Please note: This matrix was adapted from [the guidance](#) issued following Public Health Order 20-28, but does not match it exactly. Some information that does not pertain to mental health services has been removed, while other, more specific information has been added.

LIMITED HEALTH CARE SETTINGS

Open with restrictions as of April 27

WORKSITES	EMPLOYEES	TO PROTECT PATIENTS AND CLIENTS
<ul style="list-style-type: none">● Effective July 16, 2020, businesses must post signs at entrances that instruct customers they must wear a mask when entering or moving around inside the business. Businesses must also refuse service to people who are not wearing masks.● Employ strict hygiene guidelines and sanitization procedures for all contact surfaces and tools● Ensure a minimum of 6 feet of separation between clients/customers● Post signage for employees and customers on good hygiene and safety measures being taken● Disinfect all financial transaction equipment after each use (Additional Guidance)	<ul style="list-style-type: none">● The use of telehealth services, including low-cost telephone, internet, audio-only, and live video, are widely available and accessible to health care providers and patients, and Colorado healthcare providers must be able to use telehealth services whenever possible.● Conduct symptom and temperature checks and refer symptomatic employees to the CDPHE Symptom Tracker. (Additional Guidance)<ul style="list-style-type: none">○ Best practice is to implement a temperature check station at the entrance to the business. If this is not feasible, employee will check for symptoms at home and report symptoms either electronically or on paper per the system created by the business● Must wear a mask or face covering at all times. (Additional Guidance)● When possible, wear medical grade mask and	<ul style="list-style-type: none">● As of July 16, 2020 every Coloradan older than 10 must wear a mask or a face cover in all indoor public spaces, unless that individual has a medical condition where wearing a mask would put them at risk. (More specific information can be found in the Q&A below.)● If a customer does not have a mask, a disposable mask could be provided. Businesses must refuse service to customers not wearing masks.● The following screening procedure is recommended when providing face-to-face services<ul style="list-style-type: none">○ Does the client show any respiratory issues, sneezing, coughing or fever?○ Did the client travel internationally or domestically and/or has the client been around others who are symptomatic?○ Does the client have known exposure to someone who has tested positive for COVID-19? <p>■ If no to all questions, follow CDC guidelines,</p>

- Minimize in-home services with remote alternatives where possible (e.g. drive-by, virtual meetings)

gloves when in direct physical contact with patients

- Change gloves between customers and wash hands when seeing clients in person.
- Clean and disinfect work space between each appointment

including six-foot distancing

- **If yes to any question**, serve the client via telehealth or telephone; encourage the client to call their doctor to report their COVID-19 symptoms; call 911 only if it is an imminent behavioral emergency
- Consider alternatives to face-to-face screening (i.e. telehealth) and other methods [suggested by the CDC](#).
- People with pre-existing mental health conditions should continue with their treatment, including medication-assisted treatment, and be aware of new or worsening symptoms. Additional information can be found at the Substance Abuse and Mental Health Services Administration ([SAMHSA Disaster Preparedness](#))
- Provide service by appointment only (no walk-ins or waiting)
- Provide contactless payment options whenever possible
- Provide virtual waiting rooms - patients wait in their vehicle until their appointment begins.

Resources

- [Q and A About the Statewide Mandatory Mask Order](#)
- [Office of Behavioral Health COVID-19 Information Page](#)
- [Colorado Crisis Services Toolkit](#)
- [Stress and Coping during COVID-19 \(CDC\)](#)
- [Taking care of your Emotional Health \(CDC\)](#)
- [CDPHE Covid-19 Updates](#)
- [American Counseling Association COVID-19 Resources](#)
- [National Alliance on Mental Illness COVID-19 Guide](#)
- [COVID-19 Guidance for Behavioral Health Residential Facilities](#)
- [Mental Health America COVID-19 Info and Resources](#)

Frequently Asked Questions From Mental Health Professionals

Question: What does the Governor's new mask ordinance mean for my place of business?

Answer: As of July 16, 2020, [Executive Order D 2020 038](#) mandates that every Coloradan older than 10 wear a mask or a face covering in all indoor public spaces, unless that individual has a medical condition where wearing a mask would put them at risk. It is important to note that wearing a mask properly means that it covers *both* your nose and mouth. Wearing a mask under your nose or chin is ineffective.

The executive order states indoor businesses *must* post signs at entrances that instruct customers they must wear a mask when entering or moving around inside the business, and *must* refuse service to people who are not wearing masks. **If a business or professional does not comply with the order, they are at risk of losing their license.** Customers who do not comply with the order are violating a Colorado law and are subject to civil or criminal penalties. Customers who try to enter an indoor business without a mask may be prosecuted for trespassing.

More information can be found in the [COVID-19 Questions and Answers about the Statewide Mask Order](#) document issued by the Colorado Department of Public Health and Environment.

Question: What if my county has requirements that are different from the state's Public Health Order 20-28? Which requirements do I have to follow?

Answer: The general rule is that the most restrictive terms of either the state or local orders apply, since local governments are allowed to implement stricter rules without state approval. So if the city or county's order is more restrictive than the state order, follow the city or county order.

The exception is if your county has been granted a variance or has qualified to enter the [Protect Our Neighbors](#) phase, meaning that the local government has both submitted an application and been approved by the Colorado Department of Public Health and Environment which demonstrates that they are able to relax some restrictions. Please visit [this site](#) for information on which counties have approved variances.

Under the July 16, 2020 mask ordinance, *only* counties that are certified for Protect Our Neighbors status may choose to be exempt from the statewide mask order. Your [local public health agency](#) is a good source of information for orders and variances within your county.

Question: Am I able to hold in-person sessions at this time?

Answer: Outpatient mental health services are allowed in person, provided requirements for mask usage, social distancing, cleaning/disinfecting, patient screening, personal protective equipment etc. (outlined in the matrix above) are followed. However, the use of telehealth services are still recommended whenever possible in order to limit face-to-face contact.

Question: My employer has requested that I begin taking temperatures and screening clients for COVID-19 by asking them a series of questions about their health. As a mental health professional, I am not trained in the medical field. If someone filed a complaint against my license because I screened them for COVID-19 by asking medical questions about shortness of breath and coughing and took their temperature, would I be outside the bounds of my license?

Answer: No, symptom checking is for data collection and not to render diagnoses and therefore not prohibited.

Question: What requirements in Public Health Order 20-28 does my practice need to follow?

Answer: That will depend on the setting in which your work is conducted. As a general rule, the following mental health licenses will adhere to the [“Limited Healthcare Settings”](#) requirements, with some exceptions:

- Addiction Counselors
- Licensed Clinical Social Workers
- Licensed Professional Counselors
- Licensed Marriage and Family Therapists
- Licensed Psychologists
- Registered Psychotherapists

If you are in a medical setting, such as a hospital, in-patient facility, large mental health organization, or correctional facility, you would follow Medical guidelines under [Executive Order D 2020 045](#) and/or your facility’s policies and procedures.

Question: Is the initial consultation with a patient required to be face to face?

Answer: Professionals licensed, registered or certified in the state and treating clients within Colorado may conduct teletherapy sessions. [Policy 30-1](#) recommends that the initial consultation be face to face. However, it is at the discretion of the mental health professional as to the type of

modality of treatment format that is appropriate for the client - especially in light of recent guidance given by the CDC and other public health organizations.

Question: Can I deliver mental health services with my out-of-state mental health license if I am currently residing in Colorado?

Answer: **PLEASE NOTE:** As of July 27, 2020 [Executive Order D 2020 116](#), *Ordering the Temporary Suspension of Certain Statutes to Expand the Use of Telehealth Services Due to the Presence of COVID-19*, has expired. More information on new telehealth measures is forthcoming.

Question: What critical services are available currently during the COVID-19 crisis?

Answer: Colorado's Office of Behavioral Health considers the following to be critical services that should be continued during this time:

- Colorado Crisis Services, including the statewide hotline, walk-in centers, CSUs and mobile crisis services
- Withdrawal management programs
- Residential programs and services provided in facilities (jails, Youth Services etc.)
- Opioid Treatment Programs
- Medication-assisted treatment
- Outpatient services should be maintained if at all possible including use of telehealth.

Question: Does the guidance change based on whether I am working in an inpatient versus outpatient setting?

Answer: Yes. when working in an inpatient setting you must follow the facility's guidelines for Personal Protective Equipment and social distancing requirements. In outpatient settings, to the extent possible, the use of teletherapy is recommended. If teletherapy is not possible, providers should adhere to social distancing and mask requirements. In short, whichever results in less people between calculating 50% occupancy or only allowing 10 people at a time, use that number. This applies regardless of a facility's square footage. We also recommend the use of staggered work and/or client appointments to better accommodate this requirement.

Question: What requirements must I adhere to when conducting Group Counseling or Therapy sessions?

Answer: To the extent possible, programs should work with patients' health care providers to institute telemedicine appointments. Most payers are removing barriers to this allowing billing if medically necessary and documenting as if they were in the office. For behavioral health patients, treatment teams should consider increased frequency of engagement, including therapy, using alternatives to in-person meetings. The cap is 10 people total in a shared business space. No more than 10 people (including clients and professionals) in a common business space at one time, regardless of partitions or facility square footage. Ensure a minimum of 6 feet of separation

Question: How should I handle the billing of telehealth services with insurance companies?

Answer: [The Division of Insurance released rules](#) requiring carriers to reimburse providers for telehealth services using nonpublic facing audio or video communication products during the coronavirus nationwide public health emergency.

Question: Can small group therapy sessions be conducted, as long as there are no more than 10 total participants, including the therapist(s)?

Answer: It depends. When conducting group settings in a mental health setting, the provider would need to ensure that the participants had the ability to honor mask and social distancing requirements before engaging in group therapy. A mental health professional can have up to nine clients and yourself as long as clients have the ability and you have the room to honor social distancing requirements and all participants wear masks.

What if my clients can't wear a mask or can't honor social distancing requirements?

Answer: We encourage you to use telehealth therapies with these clients whenever possible. And if not possible, we encourage the therapist to consider the additional use of PPE to ensure practitioner safety and confine one-on-one therapy to a non-public space and create as much distance between the therapist and customer as safety permits.

Question: If customers are required to wear masks at all times unless receiving a service where they must temporarily remove it, can I tell customers who don't wear masks to leave?

Answer: Masks are required and must be worn, unless one of the following exists:

- People 10 years old and younger.

- People who cannot medically tolerate a face covering.

Children ages 2 and under should NOT wear masks or cloth face coverings. Outside of these exemptions, businesses *must* refuse service to people who are not wearing masks.

For customers who cannot medically tolerate a facial covering but who still need to receive service, a business should try to make reasonable accommodations to ensure the safest conditions possible for those who don't wear masks and for those around them. Examples include alternate entrances/exits, providing a wider space around clients without masks, or having a stylist wear a medical-grade mask around a client who cannot wear a mask to increase protection. More information around civil rights considerations for these individuals can be found in the [Civil Rights Guidance for Employers and Places of Public Accommodation](#).

Question: Are there any COVID-19 exemptions regarding electronic supervision for post degree hours?

Answer: Currently, Rule 1.7(b)(4) and Policy 30-3 for Licensed Professional Counselors are the mental health boards' only direction on this topic.

Question: There are Marriage and Family Therapist candidates and Licensed Professional Counselor candidates who are unable to complete supervision hours in the allotted time due to COVID-19 in order to complete their post-degree supervision hours. Can the candidacy be extended to allow them to accumulate these hours?

Answer: No extensions have been granted to this point.

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