

Attorneys:

- **Russell F. Anderson**
randerson@pullcom.com
203.330.2271
- **Collin P. Baron**
cbaron@pullcom.com
203.330.2219
- **Margaret A. Bartiromo**
mbartiromo@pullcom.com
203.330.2276
- **Stephen M. Cowherd**
scowherd@pullcom.com
203.330.2280
- **Karen A. Jeffers**
kjeffers@pullcom.com
203.330.2284
- **Randall C. Mathieson**
rmathieson@pullcom.com
203.330.2037
- **Karen P. Wackerman**
kwackerman@pullcom.com
203.330.2278

Connecticut's Acting DPH Commissioner Walks Back One of Predecessor's Final Orders

May 20, 2020

by Stephen M. Cowherd and Daniel P. Scholfield

On May 14, 2020, Deidre S. Gifford, the newly-appointed Acting Commissioner of the Connecticut Department of Public Health, issued an Order reinstating the requirement that a request for collection or analysis of a COVID-19 test must be made by a licensed physician, physician assistant, APRN, or pharmacist, as well as the requirement that the results of the results of the COVID-19 test be reported to the licensed provider who ordered the test. Previously, on May 6, 2020, Commissioner Renée D. Coleman-Mitchell, the recently-ousted Commissioner of DPH, in one of her final acts in the role, issued an Order eliminating both requirements. That Order had been intended to increase access to testing by permitting individuals to receive tests without a doctor's order, and to reduce the burden on testing facilities by eliminating the requirement that they report any test results to the ordering provider.

Why the sudden change? The May 14 Order does not say. Instead, it simply identifies the May 6 Order, and states that it is rescinded. Possible underlying reasons may be limited amounts of tests, or a desire to ensure that treating medical providers stay involved in the patient's care. Whatever the reason, the takeaway is that any COVID-19 test in Connecticut must be ordered by a permissible licensed provider, to whom the test results must be reported.

This publication is intended for educational and informational purposes only. Readers are advised to seek appropriate professional consultation before acting on any matters in this update. This report may be considered attorney advertising. To be removed from our mailing list, please email unsubscribe@pullcom.com with "Unsubscribe" in the subject line. Prior results do not guarantee a similar outcome.