



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
Office of Emergency Medical Services  
67 Forest Street  
Marlborough, MA 01752

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**EMERGENCY WAIVER**

TO: All Licensed Ambulance Services  
FROM: W. Scott Cluett, III Director  
RE: Temporary Waiver for Non-Transport of Certain COVID-19-Only Patients  
DATE: March 29, 2020

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The Massachusetts Department of Public Health (DPH) continues to work with state, federal and local partners on the outbreak of Coronavirus Disease 2019 (COVID-19), caused by the virus SARS-CoV-2, and we continue to appreciate the essential role you have in responding to this evolving situation.

Pursuant to an Order issued by the Commissioner of Public Health, in accordance to her authority under G.L. c. 111C, §22, certain provisions of the Emergency Medical Services (EMS) System Regulations, 105 CMR 170.000, have been suspended through this waiver.

The purpose of this waiver is to alleviate hospital overcrowding and potential EMS personnel staffing shortages due to COVID-19, by allowing for EMS to assess and leave patients who are presumed to be infected with COVID-19 and have no other complaints at their residences for self-care, rather than transport them to the hospital, in accordance with a temporary emergency Statewide Treatment Protocol issued for this purpose, for the duration of the State of Emergency declared by the Governor for COVID-19.

**Term of the Suspension:**

This order shall be effective:

From: Immediate

To: Until Further Notice from the Department

**Effective section:** 105 CMR 170.355 Responsibility to Dispatch, Treat and Transport

(A) No service, or agent thereof, including but not limited to its EMS personnel, shall refuse in the case of an emergency to dispatch an available EMS vehicle and to provide emergency response, assessment and treatment, within the service's regular operating area, in accordance with the Statewide Treatment Protocols, at the scene or during transport, or to transport a patient to an appropriate health care facility, in accordance with the applicable service zone plan, **unless the patient is assessed to fit the criteria under emergency Statewide Treatment Protocols for COVID-19 emergency non-transport.**

(C) (1) No service, or agent thereof, including but not limited to its EMS personnel, shall refuse in the case of an emergency to dispatch an available ambulance and to provide emergency response, assessment and treatment, within the service's regular operating area, in accordance with the Statewide Treatment Protocols, at the scene or during transport, or to transport a patient to an appropriate health care facility, **unless the patient is assessed to fit the criteria under emergency Statewide Treatment Protocols for COVID-19 emergency non-transport.**

**Contact information**

For you questions on this waiver, you may contact Brendan Murphy at [Brendan.P.Murphy@state.ma.us](mailto:Brendan.P.Murphy@state.ma.us).