



Our Risk Management Team is here to help you minimize and mitigate Medical Professional Liability risk.



When Your Symptomatic Patient Refuses a COVID-19 Test

The patient reports symptoms consistent with COVID-19 but refuses your recommendation for a test. What should you do?

- Explain the reasons for your recommendation:
 - signs or symptoms of COVID-19;
 - community spread of the virus, based on the number of cases and deaths in your county and state, and the importance of slowing community spread; and
 - possible complications including pneumonia, respiratory failure, and death.
- Address possible fear or uncertainty about the testing procedure by explaining where and how the test is performed.
- In Arizona, if applicable, advise the patient that Governor Ducey's Executive Order¹ requires a COVID-19 test prior to any non-essential surgery and refusing the test will likely result in cancellation of any surgeries the patient has scheduled.
- In Colorado,² Nevada,³ and Utah,⁴ if applicable, advise the patient that hospitals likely will require a COVID-19 test prior to any non-essential surgery the patient has planned.
- Document the discussion and the refusal in the patient's record.
- If you **suspect** COVID-19, regardless of their agreement or refusal for testing, isolate the patient from your staff and other patients, disinfect surfaces, and instruct clinic personnel to wear personal protective equipment (including mask, gown, gloves, and eye protection) when interacting with the patient.
- Advise the patient to self-isolate and take the other precautions recommended by the Centers for Disease Control (CDC) for managing symptoms at home. A handout for patients is available at <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html>.

Senior Risk Management Consultants are ready to help with questions and provide more information. You can reach a Consultant Monday- Friday 8:30 am-5:00 pm MST at (800) 352-0402 x2137, (602) 808-2137, or rm_info@mica-insurance.com.

¹Executive Order 2020-32 was issued April 22, 2020 and is available at https://azgovernor.gov/sites/default/files/eo_2020-32_elective_surgeries.pdf.

²In Colorado, the Governor's Executive Order (https://www.colorado.gov/governor/sites/default/files/inline-files/D%202020%20045%20Elective%20Surgeries_0.pdf) is silent on preoperative testing, but there are hospitals requiring it (https://gazette.com/news/colorado-springs-hospitals-restarting-elective-surgeries-monday-but-with-precautions/article_e65469e2-8674-11ea-84a6-934c2870fe6c.html).

³Some Nevada hospitals require testing (<https://mynews4.com/news/local/nevada-hospitals-to-continue-elective-surgeries-with-precautions-in-place>).

⁴The Utah Hospital Association issued the *Utah Hospital Roadmap for Resuming Elective Procedures* (https://utahhospitals.org/images/UHA_CMO_Group_-_Utah_Guidance_for_Urgent_Time-Sensitive_Surgery_v5_002.pdf), which includes preoperative testing protocols.

Customer Service 877.215.MICA (6422)

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