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Michael A. Ceballos
Director

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Governor

State Health Officer's Statewide Instructions to Health Care Providers and Hospital Ethics Committee Members

During a public health emergency, any healthcare provider (including a volunteer) or other person who in good faith follows the instructions of the State Health Officer in responding to the public health emergency is immune from any liability arising from complying with the State Health Officer's instructions. *See* Wyo. Stat. Ann. § 35-4-114(a). This immunity does not apply, however, to acts or omissions constituting gross negligence or willful or wanton misconduct. *See id.* Accordingly, during the public health emergency caused by COVID-19, which Governor Mark Gordon declared on March 13, 2020, I, Alexia Harrist, MD, PhD, the State Health Officer, hereby issue the following statewide instructions to (1) healthcare providers and (2) hospital ethics committee members.

These instructions are effective immediately and shall remain in effect until modified or revoked by myself or until the Governor has declared that the public health emergency has ended pursuant to Wyo. Stat. Ann. § 35-4-115(a)(i).

1. Statewide Instructions to Healthcare Providers.

(a) I instruct healthcare providers in Wyoming to test, evaluate, and treat individuals with a suspected, probable, or confirmed case of COVID-19 according to the following standards, as relevant:

(i) A healthcare provider shall act as an ordinary, reasonable, and prudent healthcare provider would act under the same or similar circumstances; and

(ii) A healthcare provider shall follow the criteria for the allocation of limited resources created and administered by hospital ethics committees.

(b) If a healthcare provider needs to receive more information about these instructions, the healthcare provider may do so by emailing wdh.covid19@wyo.gov.

2. Statewide Instructions to Hospital Ethics Committee Members.

(a) I authorize and direct hospitals in Wyoming to empanel ethics committees to create and administer criteria for the allocation of limited resources at the facility so that the causes and afflictions of COVID-19 will be appropriately controlled. *See* Wyo. Stat. Ann. § 35-1-240(a)(i), (ii). The ethics committee shall support clinicians in managing foreseeable ethical challenges in the care of patients with COVID-19.

(b) I instruct ethics committee members to create and administer the criteria for the allocation of limited resources at their facility according to commonly-accepted medical and ethical standards.

(c) If ethics committee members need to receive more information about these instructions, the ethics committee members may do so by emailing wdh.covid19@wyo.gov

Dated this 11th day of May, 2020.

A handwritten signature in blue ink, appearing to read 'Alexia Harrist', is written above a horizontal line.

Alexia Harrist, MD, PhD
Wyoming State Health Officer