

COVID-19

CORONAVIRUS DISEASE

VISION: To improve the health of all Texans.

MISSION: TMA supports Texas physicians by providing distinctive solutions to the challenges they encounter in the care of patients.



Physicians Caring for Texans

EXAMPLE NOTICE FORM

The Texas Medical Board (TMB) adopted an emergency rule amendment to [22 TAC §190.8\(2\)\(U\)](#) on May 1, 2020. This emergency amendment describes the COVID-19 minimum standards for safe practice that physicians and their delegates must follow at this time. It also requires that all physicians providing patient care or engaging in an in-person patient encounter in medical and health care practices, offices, and facilities, other than hospitals as defined under Chapter 241 of the Texas Health & Safety Code, shall post a “COVID-19 Minimum Standards of Safe Practice” notice, delineating the minimum standards of safe practice described in this subsection, in each public area and treatment room or area of the office, practice, or facility. A violation of this rule may be considered unprofessional conduct.

TMB provides a sample [notice](#). The Texas Medical Association has also prepared an alternative example notice to post in each public area and treatment room or area of the physician’s office, practice, or facility. TMA also prepared a [white paper](#) on TMB’s emergency rule and related [FAQ](#).

NOTICE: Texas Medical Association provides this form with the express understanding that 1) no attorney-client relationship exists, 2) neither TMA nor its attorneys are engaged in providing legal advice, 3) the information is of a general character, and 4) this communication is not confidential and/or privileged. ***This is not a substitute for the advice of an attorney.*** Any legal forms are only provided for the use of physicians in consultation with their attorneys. TMA assumes no legal responsibility for loss or damages resulting from the use of this information. You should not rely on this information when dealing with personal legal matters; rather, you should seek legal advice from retained legal counsel.

Prepared 05/06/2020

NOTICE OF 22 T.A.C. § 190.8(2)(U) COMPLIANCE
REQUIREMENTS FOR COVID-19
MINIMUM STANDARDS OF SAFE PRACTICE

Pursuant to Texas Medical Board rule (22 T.A.C. § 190.8(2)(U)), all physicians providing patient care or engaging in an in-person patient encounter must implement the following minimum COVID-19 standards of safe practice:

- (I) A mask must be worn by both the patient and physician or the physician's delegate when in proximity of the patient (meaning less than a 6-foot distance between the patient and the physician or the physician's delegate);
- (II) Follow policies the physician, medical and healthcare practice, or facility has in place regarding COVID-19 screening and testing and/or screening patients;
- (III) That, before any encounter, patients must be screened for potential symptoms of COVID-19 or verified previously screened within last 20 days; and
- (IV) That prior to care involving a medical procedure or surgery on the mucous membranes, including the respiratory tract, with a high risk of aerosol transmission, the minimum safety equipment used by a physician or physician's delegate should include N95 masks, or an equivalent protection from aerosolized particles, and face shields.