Resources for Healthcare Providers in the Aftermath of Hurricane Harvey

By Neil Issar | September 1, 2017

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Hurricane Harvey has radically impacted every industry in southeastern Texas, including healthcare providers, who continue to analyze potential next steps in ensuring operations can resume so that they can further assist those in need of healthcare services. Below are several links to resources that may be helpful for healthcare providers attempting to navigate through their options.

The Texas Division of Emergency Management has been fully activated to help with matters related to Hurricane Harvey, and the Texas Department of State Health Services (DSHS) has issued health precautions for people experiencing flooding and power outages in Southeast Texas and beginning recovery from Hurricane Harvey along the middle Texas coast – see below:

- Health Precautions for Residents Affected by Hurricane Harvey
- DSHS News Updates

For those in Harris County, one of the hardest hit areas, Harris County Public Health Office of Public Health Preparedness and Response has issued notices and recommendations for individuals and food establishments dealing with the aftereffects of Hurricane Harvey.

For Healthcare Providers

Governor Abbott has also temporarily suspended all necessary statutes and rules to allow out-of-state healthcare providers to practice in Texas to assist with the Hurricane Harvey disaster response operations. Relevant resources for out-of-state providers are available on the Texas Medical Board website. In addition, pharmacists across Texas are now allowed to dispense up to a 30-day supply of medication (other than a Schedule II controlled substance) for patients affected by Hurricane Harvey. See notification of Governor Abbott's approval here.

Relatedly, the US Department of Health and Human Services (HHS) has temporarily waived certain provisions of HIPAA for certain affected areas. For the specifics regarding the waivers, please see the HHS "Hurricane Harvey & HIPAA Bulletin." HHS has also waived certain Medicare, Medicaid, and CHIP requirements in Texas to exempt providers from sanctions for noncompliance as a result of Hurricane Harvey. And the Texas HHS has issued FAQs to assist Medicaid and CHIP MCOs provide services and support to affected residents.

Several agencies and organizations have set up Hurricane Harvey resource pages:

- Texas Office of the Governor – Texas Hurricane Center
- Federal Emergency Management Agency (FEMA) Hurricane Harvey resource page
- Texas Hospital Association – Hurricane Harvey
    - THA is working with necessary stakeholders to coordinate the request of waivers that temporarily suspend certain financial and regulatory reporting and compliance for affected hospitals.

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- The Texas Health and Human Services Commission distributed Frequently Asked Questions for Medicaid/CHIP MCOs.
- THA alerted member hospitals of critical information related to lawsuits resulting from property damage insurance claims filed after Sept. 1 as a result of legislation passed during the 85th Regular Legislative Session.
- THA assisted members in obtaining aviation clearance to reach inaccessible hospitals.
- Gov. Greg Abbott suspended certain rules to help hospitals fill workforce needs.
- State and federal governments have waived rules to help Texas hospitals provide care in their communities.
- THA continues to participate in preparedness and readiness discussions at state and federal levels.

For more information on disaster preparedness, see:

- Ready.gov
- Texas Prepares

If you have any questions about healthcare laws in the wake of Hurricane Harvey, please contact one of the attorneys listed below.

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