



August 18, 2021

VIA E-MAIL: [cara.christ@azdhs.gov](mailto:cara.christ@azdhs.gov)

Cara M. Christ, M.D., M.S.  
Director  
Arizona Department of Health Services  
150 North 18th Avenue  
Phoenix, Arizona 85007

Dear Dr. Christ,

In light of the current healthcare system capacity constraints due to the substantial surge in COVID-19 patients as well as the pent-up demand for healthcare services from critically ill complex patients, the Arizona Hospital and Healthcare Association (AzHHA) implores the Arizona Department of Health Services (ADHS) **to reinstitute blanket waivers previously authorized in your letter dated July 7, 2020, attached.**

We understand your staff has urged hospitals to apply for specific waivers on a case-by-case basis. However, hospitals statewide are nearing 100% capacity—hospital staff members are strained to meet the needs of patients. Hospitals need regulatory relief and flexibility on compliance to the usual government-mandated requirements that apply during conventional times.

As you well know, the severity of the current staffing crisis in Arizona hospitals cannot be overstated. It is exacerbated by the fact that we are in a national staffing crisis with states competing for a very limited pool of qualified clinical staff and there is no staffing relief on the horizon. We, therefore, request regulatory relief.

**In addition to those waivers granted last summer, we implore you to grant a waiver to regulation R9-10-221(5)** relating to staffing requirements for intensive care services.

Hospitals, especially in rural areas, have reported their caseloads are exceeding last summer's surge, with some on trend to meet the winter surge. This morning, one small rural hospital reported seven patients needing ICU services were being boarded in the emergency department. Looking at data reported to EMResource, it is clear this is occurring statewide. Over the past few weeks transfers of patients needing ECMO and ICU level of care has become increasingly difficult, even with use of the surge line. Our members stand willing to work with ADHS on creative solutions to this new wave. However, we are very concerned that the convergence of flu and RSV season with this new wave, will stretch hospitals to the brink, particularly in delivering intensive care services.

If ADHS does not grant a blanket waiver to R9-10-221(5), we request your agency provide clear guidance to hospitals on what criteria needs to be met to have an individual hospital waiver granted.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Alameddin", with a stylized, cursive script.

Ann-Marie Alameddin  
President and Chief Executive Officer

cc: Christina Corieri, Senior Policy Advisor

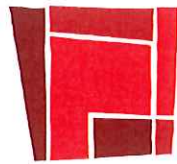
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## ARIZONA DEPARTMENT OF HEALTH SERVICES

July 7, 2020

Ms. Ann-Marie Alameddin  
President and Chief Executive Officer  
Arizona Hospital and Healthcare Association  
2800 North Central Avenue, Suite 1450  
Phoenix, Arizona 85004

Dear Ms. Alameddin:

Your request to the Department to waive several licensing requirements for healthcare institutions was reviewed by our licensing team. Today, we will be issuing an Administrative Order waiving the following regulations in the Arizona Administrative Code statewide:

- A.A.C. R9-10-204(B)(1)(e);
- A.A.C. R9-10-207(A)(7)(i);
- A.A.C. R9-10-212(A)(1) and (A)(2), (B)(2)(h), (C)(3) and (4), and (6)
- A.A.C. R9-10-215(2);
- A.A.C. R9-10-217(A)(1) and (D);
- A.A.C. R9-10-221(1)
- A.A.C. R9-10-223(A)(1);
- A.A.C. R9-10-228(B)(3);
- A.A.C. R9-10-229(5); and
- A.A.C. R9-10-231(8).

I recognize that this is only a subset of the requirements that the Arizona Hospital and Healthcare Association has asked the Department to waive. We will schedule a call with you and our licensing team, so they can learn about the specific needs identified by the hospitals with the remaining waiver requests.

My licensing team expressed some concerns about the potential risk to health and safety that a blanket waiver of some of the other healthcare institution regulations could impose. While we have not granted a blanket waiver for the other regulations at this time, individual hospitals are welcome to request waiving specific rules based on their current situation.

Douglas A. Ducey | Governor    Cara M. Christ, MD, MS | Director

Ms. Ann-Marie Alameddin  
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Please relay to your members, if the Department becomes aware of actions that come as a result of the waivers that jeopardize the health, safety, and welfare of those served by the hospital, the Department will still take additional action to protect the health and safety of those individuals.

We appreciate your continued partnership, and we look forward to talking with you.

Sincerely,

A handwritten signature in black ink, appearing to read "C.M. Christ MD". The signature is fluid and cursive, with the initials "C.M." followed by "Christ" and "MD" at the end.

Cara M. Christ, MD  
Director