



**EMERGENCY DIRECTIVE 2021-A
PALM BEACH COUNTY COVID-19
HOSPITAL REPORTING DIRECTIVE**

WHEREAS, Palm Beach County is currently under a declared local State of Emergency as a result of the COVID-19 global pandemic; and

WHEREAS, the United States Centers for Disease Control and Prevention (CDC) has designated the B.1.617.2 variant of the COVID-19 virus, known as the “Delta” variant, a variant of concern for which there is evidence of an increase in transmissibility, more severe disease, and a reduction in neutralization by antibodies generated during previous infection or vaccination <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (accessed 8/20/2021); and

WHEREAS, the CDC has found that the Delta variant has caused a reversal in the downward trajectory of cases, a rapid rise in COVID cases, and an alarming increase in hospitalization rates <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (accessed 8/20/2021); and

WHEREAS, the CDC has analyzed data concluding that the Delta variant may cause more severe illness than previous strains in certain individuals, such that patients infected with the Delta variant may be more likely to be hospitalized than patients infected with other strains of the virus <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (accessed 8/20/2021); and

WHEREAS, the Delta variant is currently the predominant strain of the virus in the United States <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (accessed 8/20/2021); and

WHEREAS, the latest CDC data provides that the level of community transmission in Palm Beach County for the past seven (7) days is “high,” the CDC’s maximum benchmark for community transmission, based on Palm Beach County having 9,170 new COVID cases during the seven (7) day period, amounting to a rate of 612.65 new cases per 100,000 persons, which is a 17.58% increase over the prior reportable period <https://www.cdc.gov/coronavirus/2019-ncov/variants/delta-variant.html> (accessed 8/20/2021); and

WHEREAS, adequate hospital and ICU capacity must be preserved in Palm Beach County so that Palm Beach County residents and visitors requiring hospital or ICU care, whether for COVID-19 or other acute health issues, are able to access that care; and

WHEREAS, without adequate capacity available, including both physical facilities and necessary staffing, hospitals will be unable to provide required care for Palm Beach County residents and visitors, whether for COVID-19 or for other emergency health needs; and

WHEREAS, Palm Beach County needs certain limited, specific information, provided directly by the applicable hospitals to a single repository on a timely and accurate basis, to ensure continued bed capacity in area hospitals and to ensure local efforts to combat the COVID-19 virus are as effective as possible, all of which serves a compelling public health and safety purpose; and

WHEREAS, at its August 17, 2021 regular meeting, based on the foregoing, the Palm Beach County Board of County Commissioners directed the issuance of this directive to serve the compelling public health and safety purpose of enabling Palm Beach County to effectively combat the COVID-19 virus and ensure adequate bed capacity in hospitals.

NOW, THEREFORE, IT IS HEREBY DIRECTED THAT, in accordance with the directive from the Palm Beach County Board of County Commissioners, and pursuant to all applicable laws, including, but not limited to, the Palm Beach County Emergency Management Ordinance:

1. **Recitals.** The foregoing recitals are incorporated herein by reference.

2. **Hospital Reports Required.** For the duration of this Emergency Directive 2021-A, each hospital shall report, by 11 a.m. each day, the following information from the prior day for each of its hospital location(s) physically located in Palm Beach County:
 - a. Total staffed hospital beds;
 - b. Current staffed General Acute Care beds (not including OB, Pediatric, or Specialty/Rehab beds);
 - c. Current staffed inventory of Intensive Care Unit (ICU) beds for:
 - (i) Adult
 - (ii) Pediatric
 - d. Total number of unused beds that can be converted to ICU beds;

- e. Total number of ventilators in hospital inventory (whether in use or not);
- f. Total census for all beds;
- g. Total census for General Acute Care beds;
- h. Total census for ICU beds for:
 - (i) Adult
 - (ii) Pediatric
- i. Total number of ventilators in use for all patients (including patients not admitted for COVID-19);
- j. Total COVID-19 positive patients currently admitted for:
 - (i) Adult
 - (ii) Pediatric
- k. Total COVID-19 positive patients in ICU beds for:
 - (i) Adult
 - (ii) Pediatric
- l. Total COVID-19 positive patients on a ventilator;
- m. New COVID-19 positive patients admitted since the prior day's reporting;
- n. COVID-19 positive patients discharged since the prior day's reporting;
- o. Total COVID-19 positive transfers in accepted;
- p. Total COVID-19 positive transfers out for:
 - (i) In county
 - (ii) Out of county
- q. Emergency department bed holds;

- r. If available, the number of COVID-19 positive patients admitted who were fully vaccinated (two weeks post final dose);
 - s. If available, the number of COVID-19 positive patients admitted who were unvaccinated or not fully vaccinated (not yet two weeks post final dose); and
 - t. Current status of whether hospital is conducting elective surgeries.
3. **Report Submission Procedure:** Reports shall be submitted electronically to Palm Beach County Division Emergency Management through the secure Hospital Report portal.
4. **Confidentiality.** No hospital shall transmit any individually identifiable patient health information that is protected from disclosure pursuant to federal or state law. If a hospital believes that all or some of this information is trade secret, as defined by applicable law, the hospital shall conspicuously label such information “Confidential Trade Secret” and indicate the assertion of trade secret protection when it transmits that information.
5. **Applicability; severability.** This Directive is not, is not intended to be, and shall not be construed to be an emergency order that limits the rights or liberties of individuals or businesses within Palm Beach County. This Directive applies to all incorporated and unincorporated areas within Palm Beach County, but has no application outside of Palm Beach County or to federally operated hospitals, including but not limited to a Veterans Affairs hospital or clinic. The provisions of this Emergency Directive shall serve as minimum standards, and municipalities within Palm Beach County may establish more stringent standards within their jurisdictions, to the extent permitted by law. Any provision(s) within this Directive that (i) conflict(s) with any state or federal law or constitutional provision, or (ii) conflict(s) with or are superseded by a current or subsequently-issued Executive Order of the Governor or the President of the United States solely to the extent such Executive Order preempts the substance of this Directive, shall be deemed inapplicable and deemed to be severed from this Directive, with the remainder of the Directive remaining intact and in full force and effect. To the extent application of some or all of the provisions of this Directive is prohibited on the sovereign land of a federally or state recognized sovereign Indian tribe, such application is expressly excluded from this Directive.

6. **Effective date; duration.** This Directive shall be effective on August 23, 2021, and shall expire upon the expiration of the existing local State of Emergency, as same may be extended by subsequent order or declaration, unless earlier terminated by subsequent Directive or Order.

PALM BEACH COUNTY

**APPROVED AS TO
LEGAL SUFFICIENCY**

By: 
County Administrator

By: 
County Attorney

Date: 8/20/21

**ATTEST
CLERK & COMPTROLLER**

By: 
Deputy Clerk

Filed Date: 8/20/21