

Office of the Secretary
Curtis State Office Building
1000 SW Jackson St., Suite 540
Topeka, KS 66612-1367



Phone: 785-296-0461
www.kdheks.gov

Lee A. Norman, M.D., Secretary

Laura Kelly, Governor

LEE A. NORMAN
Secretary of the Kansas Department of Health and Environment
And
State Health Officer

STANDING ORDER FOR COVID-19 TESTING
WITHOUT PRE-EXISTING CONDITIONS

On March 13, 2020, the President of the United States pursuant to Sections 201 and 301 of the National Emergencies Act, 50 U.S.C. § 1601, et seq. and consistent with Section 1135 of the Social Security Act, as amended (42 U.S.C. § 1320b-5), declared a national emergency that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020.

A State of Disaster Emergency was proclaimed for the State of Kansas on March 12, 2020 concerning the COVID-19 outbreak, and such emergency was extended from time to time with the most recent extension being to May 28, 2021 by Section 5 of enrolled SB 40, 2021 Kansas Legislature. This Order will apply during any period covered by a State of Disaster Emergency concerning COVID-19.

The Kansas Department of Health and Environment (KDHE) oversees public health in the State of Kansas. The Secretary of the KDHE exercises general supervision of the health of the people of the state and may take action to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state. K.S.A. 65-101(a). K.S.A. 65-128 also authorizes the Secretary

of the KDHE to issue orders as may be medically necessary and reasonable to prevent the spread and dissemination of diseases injurious to the public health.

COVID-19 has been recognized as an infectious and contagious disease and a pandemic in the State of Kansas resulting in illnesses, quarantines, school closures and temporary closure of businesses. In an effort to prevent the spread of COVID-19 the KDHE works with health care providers and local health departments to identify persons infected with COVID-19 in an effort to stop the spread of the disease.

To contain and mitigate the COVID-19 pandemic, widespread, rapid testing is key. Rampant and efficient testing determines who has the virus and who may be at risk of transmitting the virus and allows for effective management of isolation and quarantine activities for the infected or exposed.

Therefore, pursuant to the authority vesting in me pursuant to K.S.A. 65-101 and 65-128, to prevent the introduction of infectious or contagious disease into this state and to prevent the spread of infectious or contagious disease within this state, a state-wide standing order for a COVID-19 test is hereby issued which would alleviate a patient from having to get an order from their health care provider and would enable the patient to obtain a test at specific locations.

This standing order allows individuals to undergo testing for SARSCoV-2, the virus that causes COVID-19, without pre-existing symptoms, at the following COVID-19 collection sites in the State of Kansas:

- WellHealth mass and mobile testing locations
- Wichita State University mass testing locations
- Mobile testing units operated by KDHE
- The following types of locations operating under KDHE-sponsored testing programs
 - Hospitals
 - Emergency Responders
 - Long-term Care facilities
 - Federally Qualified Health Centers
 - Local Health Departments
 - Volunteer and faith organizations
 - Pharmacies
 - Schools and colleges
 - Workplaces
 - Community Organizations

This Order also authorizes the collection site that submitted the specimen for SARS-CoV-2 diagnostic testing under this Order to receive the results of the test directly from the testing laboratory. This Order further authorizes the laboratory that performed the diagnostic test for SARS-CoV-2 to provide test results directly to the individual who was tested, with the individual's consent. KDHE will not be responsible for providing test results directly to the individual who was tested or directly to their physician.

1. Any individual, irrespective of their state of permanent residence so long as the specimen collection occurs at the collection sites listed in this standing order, may obtain testing without exhibiting symptoms of COVID-19.

2. Prior to collecting the specimen from the individual being tested, the collection sites shall provide appropriate educational information to the individual, which shall include but is not limited to the following:

A. Written information on how and when the individual will receive test results; and

B. Written information on next steps to take following testing, including information on how to obtain follow-up medical care and to address questions about diagnosis if they test positive for COVID-19.

C. Additionally, collection sites must provide individuals who are positive with KDHE recommendations for isolation of cases and information about contacting their county local health departments for county specific isolation requirements. Collection sites must provide individuals known to be close contacts of individuals with laboratory-confirmed COVID-19, as defined above, with written information on KDHE recommendations for quarantine of close contacts and information about contacting their county local health department for county specific quarantine requirements.

3. Collection sites may collect specimens for SARS-COV-2 diagnostic tests approved by the U.S. Food and Drug Administration ("FDA"), authorized by the FDA through an Emergency Use Authorization. Collection sites must also adhere to federal guidance outlining requirements for COVID-19 laboratory reporting. Collection sites must follow appropriate guidelines to collect a specimen:

A. Ensure correct testing materials according to manufacturer instructions and the laboratory that will be performing the test.

B. Ensure appropriate personal protective equipment for testing facility staff to administer the test, including gloves, gowns, N95 respirator (or surgical mask if respirator not available), and eye protection (goggles or face shield).

C. Specimens must be collected by licensed health care provider or other appropriately trained and supervised personnel. Specimens may also be collected by individuals themselves under the supervision of a licensed health care provider at the collection site.

D. Follow manufacturer-specific and/or laboratory-specific instructions for specimen collection.

E. Follow CDC guidelines for Collecting, Handling, and Testing Clinical Specimens for Persons for Coronavirus Disease 2019, as amended and supplemented.

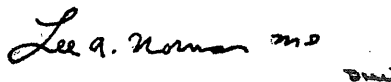
F. Ensure that laboratories conducting SARS-COV-2 diagnostic tests on the specimens being collected under this Order report test results to the testing site that collected the specimen as soon as practicable.

G. The collection site must furnish results to the individual as soon as possible after results are received, but no later than one business day after the collection site's receipt of the test results and provide the test result to the individual's primary care provider, if known.

H. Collect complete information on the individual consistent with KDHE guidance, including the name and contact information of the individual's primary care provider.

5. Collection sites must report positive and negative COVID-19 test results to the KDHE in a manner prescribed by the KDHE within 24 hours.

This standing order shall take effect immediately and shall remain in force and effect for the duration of the public health emergency unless otherwise modified, supplemented and/or rescinded.



Lee A. Norman, M.D., Secretary
Kansas Department of Health and Environment

Dated: March 24, 2021