Guidance for Dealing with People Who Refuse to Wear a Mask or Other Required PPE While in the Facility

Updated October 19, 2020

What's Changed: Additional clarification and focus on offsite procedure including steps for patients and or family members refusing to wear a mask or PPE. Added Security Leadership to Audience.

Following is guidance for appropriate handling of those persons who refuse to wear a mask or PPE in the facility as required.

Planning Assumptions
- Security staff or facility leadership may be called to interact with persons who refuse to wear a mask or other required PPE while in the facility.
- These persons may be colleagues or persons from outside of the facility.
- As states begin to re-open, many people may feel they can disregard certain requirements set forth by the facility.

Operational Plan
- The facility will follow previous guidance on “Security Team Talking Points to Vendors”. Specifically, “You will be asked to wear a mask while in the facility. A facility community acquired cloth mask may be provided if you do not have your own mask.”
- Upon contact with a person who refuses to wear a mask or other required and appropriate PPE, a member of the Security Team or facility leadership will advise the person that it is a requirement of that Facility.
  - For locations that do not have on-site security (e.g. ambulatory care clinic or primary care provider office), offer the person a face shield to wear while in the location of care. If the person refuses a full face shield and the colleague determines the patient has an urgent need for care, notify the ambulatory care location leader to assist with ensuring the person covers coughs and sneezes and uses hand hygiene while in the building.
- If, upon notification of the mask or other PPE requirement, the person still refuses and they are not a colleague of the facility, they will be denied admittance to the Facility. If the person is a colleague of the facility and still refuses after being advised by Security or facility leadership, they will be denied admittance and the matter will be turned over to Human Resources for further investigation.

NOTE: In keeping with EMTALA requirements, a patient seeking treatment in the Emergency Room shall not be denied service if they refuse to wear a mask.
- If a patient* or visitor indicates that they are unable to wear a mask for medical or psychological reasons, offer a face shield. If the patient is unable to wear the face shield provide them with tissues and ask them to cover any coughs or sneezes, and advise them to perform frequent hand hygiene while in the Facility. Consider telehealth options for patients unable to wear a mask, face covering or face shield.

Process for patients who are unable to tolerate a mask or face covering after entry:
  - Place in a private room in the receiving area as soon as possible.
  - If they cannot be roomed immediately, social distancing protocols must be observed in the waiting room.

*patient
Process for visitors who are unable to tolerate a mask or face covering after entry:

- If unable to tolerate a mask they should not be permitted to enter the Facility.
  - Exceptions to this would be for the following compassionate care situations:
    - Persons visiting children (minor) admitted to the Facility or accompanying children for medical care, e.g. ambulatory care setting.
    - Maternity units
    - NICU
    - Patients receiving end-of-life (EOL) care
    - Developmentally/Cognitively Impaired

*Patients include any consumer presenting for either inpatient or outpatient care. Refer to MercyOne Policies for additional detail regarding colleague and vendor masking.

Procedures for Non-Hospital facilities (Facilities outside of hospital campuses)

- If the patient refuses to wear a mask or face covering and does not have a medical condition prohibiting them from wearing mask or face covering, then they will be asked to leave, and a telehealth visit will be scheduled.

- If the patient escalates, the office manager should be notified to advise the patient that they cannot be seen in the office and a telehealth visit will be arranged. If it is determined the patient cannot participate in or accommodate a telehealth visits, the patient will be escorted directly to an exam room and will not wait in the waiting room.

- If the patient is unable to wear a mask or face covering due to a medical condition, a telehealth visit will be offered. If the patient requires in person care, the patient will be escorted directly to an exam room and will not wait in the waiting room.

- If the person accompanying the patient refuses to wear a mask or cannot wear a mask due to a medical condition, they will not be allowed to into the clinic. In this case, if the person accompanying the patient continues to refuse and/or escalates, they will be asked to leave the clinic. If, after this request, they continue to refuse AND continue to escalate, the colleague will NOT engage further and will contact the local law enforcement agency via 911. Simple refusal to wear a mask upon request will not necessitate a call to 911.

- If this person is a legal guardian or required for care of the patient, we will offer a telehealth visit to the patient. If the telehealth visit cannot be accommodated, we will escort the patient and person accompanying the patient directly to an exam room. They will not be allowed to wait in the waiting room.

- If, after this request, they continue to refuse AND continue to escalate, the colleague will NOT engage further and will contact the local law enforcement agency via 911. Simple refusal to wear a mask upon request will not necessitate a call to 911.