



## Health Care Setting Masking Requirements FAQ *(Updated 09-16-2022)*

Below are answers to frequently asked questions (FAQ) about the Oregon Administrative Rule (OAR) [333-019-1011](#), Masking Requirements to Control COVID-19 in Health Care Settings. These FAQ may be updated intermittently.

\*New or updated question

### **Q: Was the mask requirement in health care settings lifted on March 11?**

No. Masks are still required in health care settings under OAR 333-019-1011.

### **Q: What is considered a health care setting?**

Under OHA's rule for masking requirements in health care settings (OAR 333-019-1011), a health care setting means any place where health care, including physical, dental, or behavioral health care is delivered and includes, but is not limited to any health care facility or agency licensed under ORS chapter 441 or 443, such as hospitals, ambulatory surgical centers, birthing centers, special inpatient care facilities, long-term acute care facilities, inpatient rehabilitation facilities, inpatient hospice facilities, nursing facilities, assisted living facilities, and residential facilities, behavioral health residential facilities, home health care, hospice, pharmacies, in-home care, vehicles or temporary sites where health care is delivered or is related to the provision of health care (for example, mobile clinics, ambulances, non-emergency medical transport vehicles (NEMT), secure transportation, and street based medicine), outpatient facilities, such as dialysis centers, health care provider offices, dental offices, behavioral health care offices, urgent care centers, counseling offices, school-based health centers, offices that provide complementary and alternative medicine such as acupuncture, homeopathy, naturopathy, chiropractic and osteopathic medicine, and other specialty centers.

### **Q: Who are considered health care personnel?**

Under OHA's rule for masking requirements in health care settings (OAR 333-019-1011), health care personnel are individuals, paid and unpaid working, learning, studying, assisting, observing, or volunteering in a health care setting providing direct patient or resident care or who have the potential for direct or indirect exposure to patients, residents, or infectious materials, and includes but is not limited to any individual licensed by a health regulatory board as that is defined in ORS 676.160, unlicensed caregivers, and any clerical, dietary, environmental services, laundry,

security, engineering and facilities management, administrative, billing, student and volunteer personnel.

**Q: If health care providers are providing health care in a setting that is not a health care setting under OHA's rule, such as a classroom or a gym, does that setting then become a health care setting?**

No. The definition of health care setting is broad, but it was intended to apply to settings where health care is routinely provided, or temporary sites such as mobile clinics or ambulances. In addition, organizations may designate areas or rooms of their facilities as health care settings and those settings would be health care settings under OHA's rule.

**Q: Under OHA's rule, does a health care setting include a part of a health care facility or medical office, or a building operated by a health care provider or health system where there are no patients and no health care being delivered?**

If a health care provider or a health system has a stand-alone building where no health care is delivered and no patients are allowed to enter, it would not be considered a health care setting. If there is a part of a health care facility or medical office where no health care is delivered and no patients are allowed and it is physically separated from areas where patients are allowed or health care is delivered, with walls from floor to ceiling and a door that remains closed when not being used, that space would not be considered a health care setting. If individuals are permitted to be in these non-health care setting areas without a mask, face covering or face shield, they must still wear a mask, face covering or face shield within any area that is a health care setting. Oregon OSHA's rule for exceptional risk settings ([437-001-0744](#)) may differ from OHA's definition for health care, employers are encouraged to identify if Oregon OSHA's rule applies.

**Q: Do health care personnel working for licensed in-home care agencies, licensed home-health agencies, and licensed hospice agencies have to wear a mask or face covering when providing care in an individual's private home?**

Yes. Because in-home care, home health and hospice agencies are included in the definition of "health care setting" the individuals who work for licensed in-home care, home health, or hospice agencies must wear a mask or face covering when providing services to patients or clients in accordance with their agency's policies regardless of where they are providing care.

**Q: If I am being provided care in my own private home, by an individual that works for an in-home care, home health or hospice agency, do I have to wear a face covering when they come to my home to provide care?**

It is up to each patient/client to decide if they want to wear a mask in their own private home, even if they are receiving health care in their home. Patients/clients receiving care in the home should wear masks while receiving care if they or someone in their household is immunocompromised or [at risk for severe disease](#), or if someone in the

household is not up to date with COVID-19 vaccines. Patients/clients should also wear a mask when asked to by their health care provider.

**Q: Does a health care setting include senior centers or independent living facilities?**

No. Senior centers that do not provide health care services and serve in a recreational capacity are not considered health care settings. Independent living facilities are not considered health care settings. Owners and operators of these settings may continue to apply and enforce mask, face covering and face shield guidance and physical distancing requirements at their discretion. When in-home care, home health care, or hospice services are being provided in independent living facilities, providers must still wear a mask or face covering in accordance with OAR 333-019-1011.

**Q: Does a health care setting include settings like adult foster homes?**

Some facilities licensed by the Oregon Department of Human Services (ODHS) are exempt from OHA's rule requiring masking in health care settings, such as adult foster homes, developmental disability foster homes, residential training homes and residential training facilities, but ODHS has established their own masking requirements for many of these settings.

For face covering requirements, visit <https://www.oregon.gov/dhs/COVID-19/Pages/LTC-Facilities.aspx>.

**Q: Does a health care setting include a pharmacy department in a retail store?**

The pharmacy "area" is a health care setting but not the entire retail store. If there is a pharmacy inside a retail store, the following areas related to the pharmacy are considered a health care setting:

- Any area where pharmacy staff are engaged in the pharmacy activities, including but not limited to preparing prescriptions, interacting with patients, and administering vaccines.
- Any area where patients are waiting to interact with pharmacy staff, including but not limited to waiting in a line or in a designated waiting area for the pharmacy.
- Any area where a patient is interacting with pharmacy staff, including but not limited to dropping off or picking up a prescription or consulting with the pharmacist.

For more information from the Oregon Board of Pharmacy about requirements in pharmacies, [click here](#).

**Q: Is a "closed door" pharmacy, such as a mail order pharmacy or a pharmacy in an office setting that does not directly serve or interact with the public or patients a health care setting?**

If a pharmacy is in a stand-alone building or office setting/suite within a building where the public or patients are not directly served or interacted with, it would not be considered a health care setting.

If a pharmacy is in a part of a health care facility or medical office that is a health care setting where the public or patients are not directly served or interacted within the pharmacy “area” and it is physically separated from areas where patients are allowed or health care is delivered, with walls from floor to ceiling and a door that remains closed when not being used, that space would not be considered a health care setting.

**Q: Is the optician counter in a retail setting a health care setting and therefore opticians and customers are required to wear masks in this setting?**

No. Optician counters in retail settings are not health care settings. However, optometrist and ophthalmologist offices are health care settings and masks are required in these settings. If the optician counter is inside a doctor’s office, masks are required at the counter as it is located within a health care setting.

**Q: Are residential behavior rehabilitation services (BRS) facilities required to comply with the Oregon Health Authority’s health care facility masking rule?**

No. BRS residential facilities are exempt from complying with OHA’s masking in health care settings rule, OAR 333-019-1011, because such facilities are licensed by the Oregon Department of Human Services (ODHS) and ODHS has its own masking requirements. BRS residential facilities are similar to the other ODHS licensed settings that are specifically exempt under the rule.

BRS residential facilities should implement [enhanced COVID-19 prevention strategies](#) when the [COVID-19 Community Level](#) is medium or high, or when [facility-level factors](#) indicate increased risk.

**Note:** Some ODHS licensed facilities are subject to OHA’s masking in health care settings, rule, such as but not limited to long term care facilities and assisted living facilities.

**Q: Are offices of licensed professional counselors in private practice considered health care settings and subject to the mask guidance for health care offices?**

Yes. Settings where behavioral health services are offered are considered health care settings.

**Q: Are recovery centers or settings where behavioral health services are offered, such as counseling services and therapy considered health care settings?**

Yes, settings where behavioral health services are offered are considered health care settings.

**Q: Why does the health care settings mask requirement apply to so many types of health care settings, including behavioral health settings?**

Masks are an important part to reducing COVID-19 cases, hospitalizations and deaths. Health care workers are at increased risk of exposure to COVID-19 given close contact with multiple people throughout the day and the potential of asymptomatic transmission. In addition, health care settings are spaces that frequently have people with underlying conditions, including behavioral health conditions, that put them at risk for more severe illness from COVID-19. OHA's rule provides broad protection for patients, visitors and personnel in the many types of health care settings in the state.

**Q: If I work in a long-term assisted living facility, do I have to wear a mask when at work?**

Yes. Assisted living facilities, residential care facilities and nursing facilities licensed by Oregon Department of Human Services are considered health care settings and are subject to the masking rule.

**Q\*: Are clinics where WIC services are provided considered health care settings and subject to the mask requirement?**

Yes. WIC clinics are health care settings and therefore are subject to the rule. This includes areas where clients are waiting to receive services or to interact with WIC staff.

**Q: Is a massage therapy office considered a health care setting and subject to the mask requirement?**

It depends. The definition of health care setting is broad, but it was intended to apply to settings where health care is routinely provided, or temporary sites such as mobile clinics or ambulances. Some settings where massage therapists are practicing are likely health care settings, but others not. For example, massage settings within in other health care settings like a doctor's office or acupuncture office are health care settings and subject to the mask requirement. Spas are not health care settings and massage areas in spas are not subject to the mask requirement. Massage practices that are not located in health care settings may require providers, visitors and clients to wear masks.

**Q: Does the health care provider masking rule apply in veterinary clinics?**

No. The rule applies in health care settings. A veterinary clinic is not a health care setting and therefore the rule does not apply to veterinarians who provide care to animals in a veterinary care setting.

**Q: Why did OHA lift mask requirements in schools and in public indoor spaces and not in health care settings?**

Universal masking as part of layered mitigation strategies is important in health care settings. Health care workers are at increased risk of exposure to COVID-19 due to the nature and setting of their work. Individuals with confirmed or suspected cases of COVID-19 often seek care in these settings. In addition, health care settings are spaces that frequently have people with underlying conditions that put them at risk for

more severe illness from COVID-19. Masking, along with other mitigation strategies protects all patients, providers and staff and support protection of the general community.

**Q: Does OHA provide a sign with mask requirements for health care settings to post?**

Yes. OHA provides signs at [this link](#).

**Q: If I am fully vaccinated and boosted, am I still required to wear a face covering in a health care setting?**

Yes.

**Q: If I work in a school-based health center, am I required to wear a mask under OHA's rule?**

Yes. School-based health centers (as regulated in [OAR 333-028-0200 through 333-028-0250](#)) are health care settings and therefore masks are required for health care personnel, patients and visitors in these settings. In addition, masking may be required pursuant to OR-OSHA's rule on exceptional risk ([OAR 437-001-0744](#)) for those situations covered by the rule. OHA provides a sign [here](#) under "signage" that may be posted in health care settings

**Q: If I am a school nurse, or a staff member providing services under direction of a school nurse, am I required to wear a mask when providing services in a school health care setting?**

Yes. A school nurse, and school staff, students, and visitors are required to wear a mask in areas of the school that meet the definition of health care setting under OAR 333-019-1011(6)(d). This may include a school health room, isolation space, a mental or behavioral health care setting, and other areas that are designated for providing health care.

**Q: If I am a school nurse, or a staff member providing services under direction of a school nurse, am I required to wear a mask when providing services in a classroom?**

OHA's rule does not require masking in classrooms because classrooms are not health care settings. School areas including but not limited to classrooms, gymnasiums and playgrounds are not health care settings. Masking is only required by OHA's rule in parts of a school that have been specifically designated by the school as a health care setting. However, OHA recommends providers consider the nature of the health care task when determining whether they should wear a mask, even when they are not in health care settings. In addition, local government, districts, or school administrators may adopt masking requirements in areas not covered by OHA's rules and individuals in these areas must comply with local requirements. Masking also may be required pursuant to OR-OSHA's rule on exceptional risk ([OAR 437-001-0744](#)) for those situations covered by the rule.



School administrators should collaborate with school nurses and applicable school health staff to identify which areas of the school meet the definition of health care setting per OAR 333-019-1011(6)(d).

OHA provides a sign [here](#) under “signage” that may be posted in health care settings

**Q: Are masks required for school mental health providers, such as a school-employed or community-based providers who deliver mental or behavioral health services in health care settings?**

Yes. Providers, staff, visitors and patients are required to wear a mask in a health care setting. Academic counseling is not health care and academic counseling offices are not health care settings.

**Q: If I am a person licensed by Teachers Standards and Practices Commission (TSPC), such as a TSPC-licensed school counselor, school social worker, or school psychologist, are the designated areas where I provide services considered health care settings under the OHA rule?**

No, not unless the services offered falls under the OHA rule. The OHA rule does not apply to academic services. The OHA rule requires masks in settings “where health care (including behavioral health care) is delivered” and for “an individual working in a health care setting providing direct patient or resident care, or direct/indirect exposure to patients, residents, or infectious materials.” OAR 333-19-1011(6).

**Q: Are masks required for school health providers offering specialized services (e.g. physical therapy, occupational therapy, speech and language pathology) in health care settings?**

Yes. Providers, staff, visitors and patients are required to wear a mask in health care settings.

**Q: If aerosol-generating procedures (AGPs) are delivered in a classroom, is the classroom then considered a health care setting?**

No. However, OHA strongly recommends that AGPs are performed in a separate room, away from other students and staff, and that providers wear masks when performing AGPs. [Click here](#) for more information about working with students with complex needs and populations needing close contact.

**Q: Are masks required for juvenile correctional facility mental health providers who deliver mental or behavioral health services in health care settings?**

Yes. Providers, staff, visitors, clients and patients are required to wear a mask in health care settings.

**Q: If I am a juvenile correctional facility health provider, or a staff member providing services under the direction of a health provider, am I required to wear a mask when providing services in a housing unit or other area of campus other than health care setting?**

Generally, no. OHA's rule does not require masking in housing units because housing units are not health care settings. Juvenile correctional facility areas including, but not limited to, housing units, classrooms, gymnasiums, administrative buildings, and outdoor areas are not health care settings unless the facility designates the area as a health care setting. Masking is only required by OHA's rule in parts of a campus that are health care settings such as clinical offices and in areas specifically designated health care settings. However, OHA recommends providers consider the nature of the health care task when determining whether they should wear a mask, even when they are not in health care settings when providing care. In addition, local government, districts, or facility administrators may adopt masking requirements in areas not covered by OHA's rules and individuals in these areas must comply with those requirements. Masking also may be required pursuant to OR-OSHA's rule for exceptional risk workplaces ([OAR 437-001-0744](#)).

**Q: Are masks required in residential programs that are licensed by the Oregon Department of Human Services (ODHS)?**

Some facilities licensed by the ODHS are exempt from OHA's rule requiring masking in health care settings, such as adult foster homes, behavior rehabilitation services facilities, developmental disability foster homes, residential training homes and residential training facilities, but ODHS has established their own masking requirements for many of these settings. If an ODHS licensed facility is not exempt under OAR 333-019-1011(4) and it otherwise meets the definition of a health care setting, then the masking requirements apply.

**Document accessibility:** For individuals with disabilities or individuals who speak a language other than English, OHA can provide information in alternate formats such as translations, large print, or braille. Contact the COVID-19 Communications Unit at 1-971-673-2411, 711 TTY or [COVID19.LanguageAccess@dhsosha.state.or.us](mailto:COVID19.LanguageAccess@dhsosha.state.or.us).