Legal Division Implementation of Social Distancing
Effective March 12, 2020, until Further Notice

Meetings with Licensees, Opposing Counsel, Witnesses, Etc.

Effective immediately, please implement the following:

1. All meetings and interviews should be conducted electronically (telephone, videoconference, etc.) unless absolutely required to be done in person. This includes witness interviews, respondent interviews, consent order interviews, etc. Obtain prior approval from Alice or Patrick before conducting in-person meeting.

2. Do not go to healthcare facilities to pick up records or for any other reason. Obtain prior approval from Alice or Patrick if you feel it is necessary to travel to a facility for any reason.

Electronic Records

Effective immediately, please implement the following:

1. When requesting records, please state a preference for delivery by electronic means, rather than sending paper. This will facilitate investigations in the event there is a disruption in mail.
2. Regarding signed consent orders and voluntary surrender forms, we will accept a scanned or faxed copy of the document (with an actual signature – not an e-signature) if the source has indicia of reliability. Indicia of reliability include:
   A. Emailed PDF or image from the Respondent's email address of record or from Respondent's attorney. Upload email to LMS.
   B. Telephone call to Respondent or Respondent's attorney confirming authenticity of fax. Document phone call in LMS legal journal.

Administrative Hearings

Effective immediately, please implement the following:

1. Respondents may request to participate by telephone. Be aware that this will require the exchange of exhibits in advance of the hearing (respondents need to be able to see the exhibits and their exhibits need to be given to the hearing officer). Patty Mills will coordinate that process.
2. Witnesses may request to participate by telephone. If the Respondent has indicated that he/she will attend the hearing (either in person or via telephone), then we will need to inform the Respondent that the witnesses have requested to testify by telephone. If the Respondent objects, we will request a decision from the hearing officer, which could include a continuance of the matter to a later date.
3. Contact lists should be prepared for all scheduled administrative hearings (telephone numbers, addresses, and email addresses) for hearing officers, court reporters, respondents, witnesses and attorneys so that they may be notified of last minute cancellations that may be occasioned by closure of the office. Email those contact lists to Alice and Patrick, so we can make calls and emails remotely if necessary.