The Current *State* of Play: States Act with Stay at Home Orders and Relaxation of Licensure Requirements for Healthcare Providers

This content was originally published on March 25, 2020. It was last updated as of Monday, May 11, 2020 at 5:00 p.m. CST.

Alabama: A <u>statewide social distancing order</u> was issued on March 19, which prohibited large gatherings and elective procedures, among other things; on March 20, such measures were <u>expanded by amendment</u> until April 5, <u>extended again</u> through April 17, and then superseded by a <u>statewide stay at home order</u> on April 3. Large gatherings, non-essential business operations and elective procedures were restricted until April 30. The stay at home order was superseded by the <u>Safer at Home</u> order on April 28, which extended social distancing measures until May 15 and permitted certain <u>business operations</u> (including elective procedures) to resume on a limited basis on April 30. The Safer at Home order was <u>amended</u> on May 8, allowing additional businesses to reopen.

American Samoa: On March 23, an <u>order</u> was issued with a color-coding system, which limited businesses to certain hours and occupancy and prohibited off-island medical referrals. The order was <u>extended</u> until June 1. To this day, the territory is on a code blue threat level with not one case.

Alaska: On March 19, Governor Mike Dunleavy issued COVID-19 Health Mandate 005 and COVID-19 Health Mandate 006, requiring all hospitals and surgical centers to postpone or cancel non-urgent medical and dental procedures for 3 months. Routine health services were permitted to resume on April 20 and elective surgeries and procedures were permitted to resume on May 4. On March 27, Governor Dunleavy issued an order generally directing all persons to stay at home. On April 13, Governor Dunleavy issued an order implementing a non-congregate quarantine and isolation program for specific populations exposed to COVID-19. In an April 22 order, Governor Dunleavy announced Phase I of the Reopen Alaska Responsibility Plan, which issued separate reopening guidelines for non-essential businesses, restaurants, retail businesses, personal care services, and non-public facing businesses. Additional reopening guidelines were issued on April 24 for other industries.

Arizona: On March 19, Governor Douglas A. Ducey issued an <u>order</u> prohibiting elective surgeries that used PPE or ventilators until further notice. Health care providers meeting certain preparedness criteria could <u>resume elective surgeries</u> on or after May 1. The March 23 <u>Enhanced Surveillance Advisory</u> provided for access to certain confidential patient information by state and local health authorities and imposed inventory reporting requirements for a period of 60 days. On March 26, Governor Ducey issued an <u>order</u> requiring hospitals to increase bed capacity by 50%, effective for 180 days. Governor Ducey's <u>Stay Home</u>, <u>Stay Healthy</u>, <u>Stay Connected Order</u> directed non-essential on-premises business operations to cease until April 30; a stay at home order was not issued. Screening measures were <u>mandated</u> on April 7 for individuals entering long-term care facilities. On April 14, Governor Ducey issued an order permitting <u>disclosure to first responders of limited patient health data</u> for patients testing positive for COVID-19. On April 29, Governor Ducey extended social distancing measures and <u>outlined a plan</u> for gradually reopening

the economy, which commenced the week of May 4. <u>More reopening guidelines</u> were issued on May 1 specific to retailers. Certain personal care services and dining establishments <u>resumed limited operations</u> on-premises on May 11. On May 4, Governor Ducey issued an order <u>requiring expanded COVID-19 reporting</u> in the long-term care context.

Arkansas: Governor Asa Hutchinson <u>suspended</u> certain requirements applicable to telehealth services and generally <u>prohibited</u> large gatherings. A state-level stay at home order was not issued in Arkansas. On April 13, Governor Hutchinson created the <u>Medical Advisory Committee</u> to determine the state's public health strategy after reaching the peak of COVID-19 cases. Governor Hutchinson issued orders suspending certain regulations to <u>maintain adequate healthcare professional staffing</u> and provide for <u>workers compensation for certain first responders and front-line healthcare workers</u>. Governor Hutchinson issued an <u>order creating the Governor's Economic Recovery Task Force on April 18 and an <u>order creating an advisory board to oversee continued COVID-19 testing capabilities on April 21. The Arkansas Department of Health issued a <u>directive lifting restrictions on elective procedures</u>, which took effect on April 27; however, it recommended that <u>dental procedures</u> continue to be postponed. <u>Personal care businesses</u> such as medical spas were permitted to <u>resume operations</u> on May 6.</u></u>

California: On March 19, Governor Gavin Newsom issued <u>an order</u> directing residents to comply with the <u>State Department of Public Health Order</u> requiring residents to stay at home and certain resources such as PPE to be conserved. Californians working in critical sectors may continue their work. Although California authorities did not issue an order specifically prohibiting elective procedures, according to <u>Executive Order N-33-20</u>, the healthcare delivery system was to "prioritize services to servicing those who are the sickest . . ." On April 16, Governor Newsom issued an <u>order</u> waiving certain requirements pertaining to the release of COVID-19 testing to patients via electronic means. On April 22, Governor Newsom <u>announced</u> plans to allow hospitals and health systems to resume delayed medical care in areas that have sufficient hospital capacity. On May 4, Governor Newsom issued <u>an order</u> identifying the next phases of reopening, effective <u>May 8</u> for certain businesses. Updated <u>guidance</u> was <u>released</u> for certain industry sectors.

Colorado: On March 19, Governor Jared Polis <u>directed</u> certain hospitals and facilities to cease non-essential procedures and preserve PPE and other equipment until April 14; this order was extended <u>until April 26</u>. <u>Limited elective procedures</u> resumed on April 27 <u>subject to guidance</u> from the Colorado Department of Health. On March 19, certain non-essential businesses were <u>ordered to close</u>. On-premises workforces were <u>reduced for additional non-essential businesses</u> on March 22. Colorado residents were ordered to <u>stay at home</u> on March 25 through April 11; this order was accompanied by a <u>public health order</u>, which was <u>updated on March 27</u>. On April 17, Governor Polis <u>ordered</u> certain personnel in critical sectors to wear face coverings. A less stringent 30-day <u>social distancing order</u> was issued on April 27 and <u>amended on May 8</u>.

Connecticut: On March 20, Governor Ned Lamont issued <u>an order</u> requiring non-essential onpremises business operations to cease and remote working arrangements to be implemented as practicable through April 22; the order was later extended through <u>May 20</u>. Governor Lamont issued a <u>Stay Safe, Stay Home Order</u> on March 23, effective through April 22. On April 5, Governor Lamont issued an <u>order</u> preventing surprise medical bills during the COVID-19 pandemic; the order was <u>updated</u> on April 21. Governor Lamont <u>suspended</u> certain statutes

regarding nursing home bed reservations and discharge planning on April 11 and <u>suspended</u> certain regulations to allow for the approval of additional nursing home beds for COVID-19 recovery on April 15. On April 17, Governor Lamont <u>ordered</u> the use of cloth face coverings in public. On April 23, Governor Lamont issued an <u>order</u> modifying the mandatory reporting requirements by nursing homes and other residential communities, waiving certain Medicaid prior authorization requirements and waiving signature requirements for delivery of medical equipment for Medicaid beneficiaries. Governor Lamont issued a <u>plan</u> for a phased reopening beginning May 20.

Delaware: On March 22, Governor John Carney issued a <u>stay at home order</u> and <u>directed</u> non-essential businesses to close until May 15. Such measures were <u>modified</u> on April 6 to allow certain non-essential businesses to operate on a limited basis and then <u>extended</u> through May 31. On March 29, Governor Carney required state buildings and essential businesses deemed high-risk to <u>screen employees and visitors</u> upon entering. On April 1, Governor Carney issued an <u>order</u> prohibiting large gatherings and imposing certain occupancy limits on businesses. On April 15, Governor Carney issued <u>protective measures</u> for long-term facility residents. On April 25, Governor Carney issued an <u>order</u> requiring the use of face coverings in certain situations. On May 3, Governor Carney <u>agreed</u> to a multi-state regional supply chain for PPE and other medical equipment. Certain small businesses resumed limited operations as of May 8.

District of Columbia: Mayor Muriel Bowser issued an <u>order</u> on March 24 limiting large gatherings and directing non-essential businesses to cease in-person operations. Essential businesses include businesses in healthcare and public health operations, among others. On March 30, Mayor Bowser issued a <u>stay at home order</u>, which was <u>extended through May 15</u>.

Florida: On March 20, Governor Ron DeSantis issued <u>Executive Order No. 20-72</u>, generally prohibiting practitioners from performing certain non-elective medical and dental procedures. On April 1, Governor DeSantis <u>issued a stay at home order</u> that prohibited large gatherings and required non-essential businesses to limit on-premises operations or close. On April 29, <u>the stay at home order was lifted</u>; previously prohibited elective procedures could resume and certain businesses could reopen on a limited basis. Governor DeSantis's Task Force issued its <u>Safe. Smart. Step-by-Step Plan for Florida's Recovery</u>, which provided for a phased reopening. Governor DeSantis's May 9 <u>order</u> provided for the limited reopening of cosmetology specialty salons.

Georgia: On March 23, Governor Brian Kemp issued an <u>order</u> effective until April 6 requiring certain vulnerable populations to stay home and prohibiting large gatherings in the workplace. On April 2, Governor Kemp issued a broadly applicable <u>stay at home order</u>. On April 20, Governor Kemp issued an <u>order</u> allowing healthcare providers, including physician and dental practices, to resume providing certain services and allowing certain other businesses to resume operations. On April 23, Governor Kemp issued an <u>order</u> outlining additional safety measures for healthcare facilities, permitting physician, dental, and optometry practices to resume providing services, and requiring all employees to wear face coverings at work subject to limitations in place until May 13. Governor Kemp issued an order on April 30 <u>lifting the stay at home order</u> on May 13; however, the order still required vulnerable populations to stay home through June 12.

Guam: Governor Lourdes Guerrero issued an <u>order</u> requiring certain non-essential Guam governmental offices to close and limiting large gatherings, which expired on <u>May 5</u>. Healthcare facilities and providers are directed, as a condition of licensure, to provide any and all services and assist with treating patients in light of the COVID-19 pandemic. Guam did not issue a stay at home order in response to the pandemic. On May 10, Guam progressed into its <u>second phase</u> of reopening.

Hawaii: Governor David Ige issued a <u>stay at home order</u> on March 23 that prohibited large gatherings and non-essential on-premises business operations. On April 30, the Department of Health announced a <u>digital tool</u> for reporting contact with a person identified as having COVID-19. On May 5, Governor Ing issued an <u>order</u> authorizing the first group of businesses to reopen.

Idaho: On March 25, Dave Jeppeson, Director of the Department of Health & Welfare, issued an Order to Self-Isolate for the State of Idaho, which was extended through April 30. Large gatherings were prohibited and non-essential business activities were ordered to cease. On April 23, Governor Little announced a phased approach for opening the state and issued protocols for certain business operations to resume on April 29. The state's stay at home order expired on April 30. The May 1 Department of Health and Welfare Stay Healthy Order allowed most businesses to open.

Illinois: Governor J. B. Pritzker issued an <u>order</u> on March 20, requiring all individuals to stay home and banning large gatherings. The <u>order</u> was extended through May 30. An <u>order</u> issued by Governor Pritzker and guidance posted on the Illinois Department of Public Health <u>website</u> required cancelation of all elective and non-emergent surgeries and procedures. However, on April 27, the Illinois Department of Health issued <u>guidance</u> permitting hospitals and ASCs to begin performing elective procedures on May 11, provided <u>specific criteria have been met</u>. On May 5, Governor Pritzker released the <u>Restore Illinois</u> guidelines for a phased reopening of the state.

Indiana: Governor Holcomb issued a stay at home order for Indiana residents that limited large gatherings and restricted non-essential on-site business operations. On March 16, Governor Holcomb ordered the cancellation or postponement of elective and non-urgent surgeries; as of April 1, procedures not using PPE or hospital capacity were excepted from the order. On April 20, Governor Holcomb issued an order permitting hospitals and other healthcare facilities to conduct certain medically necessary procedures. Elective procedures were permitted to resume on April 26. On April 8, State Health Commissioner Kristina Box imposed certain COVID-19 test reporting requirements on laboratories and long-term care facilities. On April 14, Commissioner Box issued an order concerning the relocation of certain long-term care facility residents during the COVID-19 pandemic. On April 29, the Indiana State Department of Health issued guidelines for long-term care facilities on communication strategies with residents and family members. On May 1, Governor Holcomb issued an order outlining a phased approach to reopening the state.

Iowa: On March 22, Governor Kimberly Reynolds <u>ordered</u> certain non-essential businesses to close and required healthcare facilities to screen personnel <u>through April 30</u>. Governor Reynolds also <u>suspended</u> all medical and dental surgeries utilizing PPE on March 26. On May 6, Governor Reynolds issued a <u>proclamation</u> permitting dental services to resume, subject to the Iowa Dental Board's <u>guidelines</u>. Governor Reynolds issued an <u>order</u> on April 27 that allowed businesses to reopen in certain counties beginning on May 1, subject to certain restrictions. The order extended

business closures in other counties and extended the ban on public gatherings of more than 10 people until May 15.

Kansas: The Kansas Department of Health and Environment issued a <u>Toolkit on COVID-19</u> recommending that hospitals limit non-critical use of ventilators and cancel or postpone elective procedures that might require use of ventilators. On March 28, Governor Laura Kelly issued a <u>stay at home order</u> that was extended <u>through May 3</u>. <u>Large gatherings were limited</u>, with some exceptions. Governor Kelly <u>implemented</u> phase one of the plan to reopen Kansas on April 30.

Kentucky: Governor Andy Beshear issued an <u>order</u> on March 22 directing certain retailers to cease in-store operations and further <u>limited in-person retail traffic</u> on April 8 to one adult member per household. Governor Beshear did not issue a stay at home order in response to the COVID-19 pandemic. On March 23, the Secretary for the Cabinet for Health and Family Services, Eric Friedlander, issued a <u>directive</u> that required all non-urgent procedures to cease and recommended telehealth alternatives to care. On April 21, Governor Beshear announced the <u>Healthy at Work</u> initiative, which was a phased approach to reopening Kentucky's economy. The plan eased restrictions for <u>non-urgent</u>, <u>emergent</u>, <u>in-person office and ambulatory visits</u> beginning April 27 and allowed certain businesses to reopen beginning May 11. On April 28, Governor Beshear shared a <u>10-point plan</u> for businesses reopening. The Cabinet for Family Services provided <u>additional guidance</u> for health care providers, including guidance for facilities that <u>resumed invasive procedures</u> on or after May 6.

Louisiana: The Director of the Louisiana Department of Health, Dr. Jimmy Guidry, issued a Healthcare Facility Notice on March 21, which required all non-emergent procedures to be postponed and directed healthcare providers to use telehealth platforms to provide services as practicable. Subject to certain conditions, time-sensitive procedures were permitted to resume on April 27. The Louisiana Department of Health issued additional guidance about allowable medical, surgical and dental procedures on April 24. On March 22, Governor John Bel Edwards issued a Stay at Home Order and directed certain non-essential businesses to close until April 13. The Stay at Home Order was extended on April 30 until May 15. Louisiana's web-based program provides businesses and religious organizations with guidance about the phased reopening starting on May 15.

Maine: Governor Janet Mills issued an <u>order</u> on March 24 encouraging employers to shift to remote work, implementing strict social distancing requirements for in-person operations of all non-essential businesses, and postponing non-urgent medical and dental procedures, surgeries, and appointments. On April 23, Governor Mills <u>announced</u> the phased-in approach for reopening the economy, including publishing the <u>Restarting Maine's Economy</u> booklet. Governor Mills issued an <u>order</u> instructing the Department of Community and Economic Development to begin implementing the plan on May 1. However, under the order, the governor's prior orders restricting non-essential business operations, postponing non-urgent procedures, and requiring residents to stay at home remained effective through May 31. On May 8, Governor Mills introduced a <u>plan</u> to reopen <u>certain businesses</u> in rural Maine.

Maryland: Secretary of Health, Robert Neall, issued an <u>order</u> on March 23 requiring hospitals, ambulatory surgical centers and other licensed healthcare facilities to cease non-urgent medical

procedures. Under a Department of Health <u>order</u>, non-urgent medical procedures resumed on May 7, subject to certain limitations. Governor Hogan issued a <u>stay at home order</u> that was <u>amended</u> on March 30 and <u>May 6</u> and prohibited large gatherings and required that non-essential businesses close. On April 15, Governor Hogan <u>ordered</u> retailers to implement physical distancing measures and face-covering requirements for personnel. In a separate <u>order</u>, Governor Hogan placed restrictions on the dispensing of certain drugs for prophylactic purposes. On April 20, Governor Hogan issued an <u>order</u> establishing alternate care sites for patients with COVID-19. Governor Hogan introduced the <u>Maryland Strong: Roadmap to Recovery</u>, a phased approach to opening the economy, on March 24; the reopening has not yet commenced.

Massachusetts: On March 15, the Commissioner of the Massachusetts Department of Public Health, Dr. Monica Bharel, issued an <u>order</u> directing all hospitals and ambulatory surgical centers to postpone or cancel any non-essential, elective invasive procedures pursuant to the Department of Public Health's <u>guidance</u>. On March 23, Governor Charles Baker issued an <u>order</u> urging <u>businesses providing essential services</u> to continue operating, restricting in-person operations for all non-essential businesses, and limiting large gatherings. The order has been <u>extended</u> through May 18. The Massachusetts Department of Public Health issued an <u>advisory</u> on March 24 which strongly advises vulnerable populations and individuals not engaged in providing essential services to stay at home. On <u>April 2</u>, <u>April 3</u> and <u>April 9</u>, Commissioner Bharel issued orders suspending certain professional <u>licensure</u> requirements in light of COVID-19. Governor Baker also issued an <u>order</u> containing surprise billing protections. A May 1 <u>order</u> required face coverings in public. On May 11, Governor Baker <u>announced</u> a <u>four-phase approach</u> to reopening and published <u>mandatory workplace safety standards</u> applicable to all industries upon reopening.

Michigan: Governor Gretchen Whitmer issued a <u>stay at home order</u> that was <u>extended</u> until May 28. Citizens were <u>required to wear masks</u> in public. Governor Whitmer <u>directed</u> all hospitals and facilities to postpone <u>non-essential medical and dental procedures</u>. Governor Whitmer issued an <u>order</u> prohibiting visitors and requiring screenings on all individuals upon entry at health care facilities. In an April 15 <u>order</u>, Governor Whitmer outlined protections for long-term care facility residents and employees, including procedures related to transfer and discharge of COVID-19 patients. On May 7, Governor Whitmer announced the <u>MI Safe Start Plan</u> detailing the phases to reopening the state.

Minnesota: Governor Tim Walz issued executive orders on March 19 and on March 23 requiring that all non-essential procedures that utilize PPE or ventilators be postponed indefinitely. On May 5, Governor Walz issued an order providing a roadmap for providers to safely resume elective procedures. On April 10, Governor Walz ordered the Department of Health to disclose to first responders via the 911-dispatch system limited patient health data for individuals testing positive for COVID-19. Governor Walz issued an updated stay at home order on May 1, effective through May 17, that limited non-essential business operations and encouraged use of face coverings.

Mississippi: In a March 23 <u>COVID-19 Health Alert</u> and an April 10 <u>order</u>, healthcare providers were ordered to postpone surgeries, non-urgent procedures and medical visits until the COVID-19 spread had diminished. On March 24, Governor Tate Reeves issued an <u>order</u> restricting public gatherings, suspending dine-in services and limiting visitors at nursing homes. On April 1, Governor Reeves issued a <u>stay at home order</u> that required non-essential businesses to close. The

order was <u>extended and amended</u> on April 17 to open outdoor public spaces on a limited basis. On April 24, the stay at home order was <u>amended</u> to extend through May 11 and permit healthcare facilities to resume performing non-urgent procedures. The stay at home order was further <u>relaxed</u> on May 4 to permit dining establishments to open on a limited basis. On May 8, the stay at home order was <u>amended</u> to allow personal care services to resume.

Missouri: A <u>stay at home order</u> required non-essential businesses to close; it was <u>extended</u> until May 31. Governor Parson announced Missouri's <u>Show Me Strong Recovery</u> plan outlining a gradual reopening of economic and social activity that commenced on May 4.

Montana: On April 22, Governor Bullock provided a <u>directive</u> detailing a gradual and phased reopening of the state. The state-wide stay at home order expired on April 26, and the closure of non-essential businesses expired on April 27, subject to certain social distancing requirements.

Nebraska: Governor Pete Ricketts signed an <u>order</u> on March 31, which suspends licensure requirements for various practitioners and facilities among other regulatory requirements. On April 24, Governor Ricketts <u>announced upcoming changes</u> to Directed Health Measures, including easing certain restrictions on social gatherings and business operations. The statewide stay at home <u>order</u> and the <u>order</u> requiring the closure of certain nonessential businesses were permitted to expire on April 30. The <u>order</u> prohibiting public gatherings of more than 10 people expires between April 30 and May 11, depending upon county. Elective surgeries and procedures at <u>healthcare facilities</u> that meet requirements for bed capacity and have adequate PPE and <u>dental facilities</u> with sufficient PPE were permitted to resume beginning May 4. Restaurants were also permitted to open dining areas in certain regions of the state beginning May 4. Governor Ricketts outlined the <u>plan to reopen the state</u> by issuing <u>separate directed health measures</u> by county effective through May 31.

Nevada: Governor Stephen F. Sisolak issued a <u>directive</u> on March 20 directing non-essential businesses to close through April 16. On March 31, Governor Sisolak issued a <u>stay at home order</u> that required non-essential businesses to close; as <u>amended</u>, curbside pickup and home delivery are permitted through May 15. On April 30, Governor Sisolak announced the <u>Nevada United</u>: <u>Roadmap to Recovery</u> plan to reopen the state's economy. <u>Phase 1</u> of the plan commenced on May 9 and permitted certain businesses to resume operation under strict social distancing guidance and required citizens to wear masks in public.

New Hampshire: On March 26, Governor Christopher Sununu issued an <u>order</u> directing New Hampshire residents to stay home and for businesses, other than <u>essential businesses</u>, to cease operations. The order has been <u>extended</u> through May 31, 2020 but has been modified to allow certain businesses to resume operations. Governor Sununu issued a non-congregate sheltering <u>order</u> on April 7 for first responders and healthcare workers at risk of COVID-19 exposure who cannot return to their homes.

New Jersey: On March 21, Governor Philip Murphy issued an <u>order</u> requiring New Jersey residents to stay home unless engaged in certain essential activities. On March 23, Governor Murphy issued <u>another order</u>, generally suspending elective medical and dental surgeries and invasive procedures and requesting donations of surplus PPE and other supplies. On March 28,

Governor Murphy released an <u>order</u> imposing daily capacity reporting requirements on certain healthcare facilities. On <u>April 1</u> and <u>April 17</u>, orders were issued suspending certain professional licensing requirements. On April 2, Governor Murphy issued an <u>order</u> authorizing the State Director of Emergency Management to take or use personal services and/or real or personal property, including medical resources, to protect or promote public health, safety and welfare. On April 27, Governor Murphy announced a <u>six-principle plan</u> to restore the economy. The plan has not yet been implemented.

New Mexico: Cabinet Secretary Kathlyleen Kunkel of New Mexico's Department of Health issued an <u>order</u> on March 24 prohibiting large gatherings and directing businesses and nonprofits, other than <u>those deemed essential</u>, to reduce in-person workforces, maintain operations on a remote basis, or close. The order also required New Mexico resident to stay at home and avoid unnecessary outings. Cabinet Secretary Kunkel issued <u>another order</u> on March 24 imposing restrictions on non-essential healthcare services, procedures and surgeries. On April 2, Governor Michelle Lujan Grisham issued an <u>order</u> authorizing certain Canadian nursing professionals to practice in any New Mexico healthcare facility during the COVID-19 pandemic.

New York: On March 16, Governor Andrew Cuomo increased New York's hospital capacity, restricted large gatherings, required certain non-essential businesses to close, and directed nonessential state workers to work from home. Governor Cuomo issued an executive order on March 18 that closed additional non-essential businesses through April 17; another order directed businesses to implement remote working arrangements through April 17, which was extended through April 19. Personal care service providers (e.g., cosmetologists, estheticians) were directed to close until further notice on March 19. On March 20, Governor Cuomo issued the New York State on PAUSE Executive Order, which required 100% closure of non-essential businesses, required vulnerable populations to stay home, and implemented social distancing measures. Restrictions imposed on businesses were extended on March 29 until April 15, again on April 7 until April 29, and again on April 16 until May 15. On March 23, Governor Cuomo issued an executive order that expanded available care sites, limited dispensing of certain drugs for prophylactic purposes (expanded by amendment on March 27), and delegated authority to the Commissioner of Health to cancel all elective surgeries and procedures. The Commissioner exercised this authority in the March 23 directive to cancel elective surgeries and procedures throughout the COVID-19 response. Governor Cuomo issued an executive order on April 29, which authorized the Commissioner of Health to direct care sites to expand bed capacity and allow certain elective surgeries and procedures to resume in certain counties. Elective dental procedures have not yet resumed, but could resume in certain counties on May 15. On May 10, Governor Cuomo issued an executive order imposing reporting and testing requirements on long-term care facilities through June 9. On April 12, Governor Cuomo issued an order requiring essential employees to wear face coverings when in direct contact with the general public through May 12; New Yorkers were more generally required to wear face coverings in public on April 15 through May 15. Governor Cuomo announced the Blueprint to Un-PAUSE New York on April 16 and later clarified that the state would reopen on a regional basis. More details about the state's phased reopening starting on May 15 were provided in Governor Cuomo's NY Forward Reopening Plan.

North Carolina: On March 20, the Secretary of North Carolina's Department of Health and Human Services, Dr. Mandy Cohen, <u>requested</u> hospitals and ambulatory surgery centers to

suspend non-urgent procedures. Dr. Cohen <u>lifted restrictions on non-urgent procedures</u>, subject to certain considerations, effective May 1. Governor Roy Cooper issued <u>an order</u> on March 23 that prohibited mass gatherings, ordered certain businesses to close, and restricted visitation at long-term care facilities until April 24, which was extended <u>through May 8</u>. On March 27, Governor Cooper issued a <u>stay at home order</u>, restricted large gatherings and limited non-essential on-premises business operations until April 29, which was extended <u>through May 8</u>. On April 8, Governor Cooper issued an <u>order</u> to expand availability of health care resources. An <u>order</u> signed on April 9 implemented strict social distancing requirements for retailers and nursing homes. On May 5, Governor Cooper issued an order that <u>eased certain COVID-19 restrictions</u> to facilitate the state's <u>three-phase reopening</u>, which commenced on May 8.

North Dakota: On March 19, Governor Doug Burgum issued <u>an order</u> that directed certain businesses to close on-premises operations through April 6 (later <u>extended through April 20</u>, and <u>again through April 30</u>) and expanded <u>health care resources</u>. Governor Burgum issued <u>an order on March 27</u> that directed additional businesses to close through April 6, including those employing cosmetologists and estheticians; these restrictions were <u>extended through April 20</u>, and <u>again through April 30</u>. On April 6, Governor Burgum <u>restricted</u> visitation at long-term care facilities. Businesses were <u>permitted to reopen</u> in phases starting on May 1 in accordance with Governor Burgum's April 29 order and North Dakota's Smart Restart protocols.

Northern Mariana Islands: On March 17, Governor Ralph DLG Torres issued an <u>order</u> shutting down all non-essential government functions and limiting large gatherings. Governor Torres closed government offices and shut down non-essential government functions <u>on March 27</u>. On March 28, Governor Torres issued a <u>statement</u> recommending that residents only leave their homes for certain essential activities; however, the statement did not amount to a stay at home order. <u>Restrictions</u> were imposed on certain businesses' hours of operations, large gatherings were further limited, and a curfew was imposed on individuals on March 30. On May 1, Governor Torres reduced curfew hours.

Ohio: On March 17, Department of Health Director, Dr. Amy Acton, directed that all non-essential procedures be cancelled. Such procedures were permitted to be rescheduled and resume on April 30. On March 30, Director Acton imposed weekly reporting requirements on entities in the ventilator supply chain. On April 14, Director Acton issued an order that required local health departments to release the names and addresses of COVID-19 positive individuals to first responders. Dr. Acton also imposed COVID-19 reporting requirements on long-term care facilities on April 15. Director Acton issued a Stay At Home Order on March 22 that directed Ohio residents to stay at home and non-essential business operations to cease until April 6. On April 2, the Stay at Home Order was extended until May 1. The Stay at Home Order was superseded by the Stay Safe Ohio Order on April 30, which lifted certain COVID-19 restrictions to facilitate a gradual, sector-specific reopening of Ohio's economy. According to the Responsible Restart Ohio Plan, certain dining and personal care businesses may reopen on May 15.

Oklahoma: On March 17, Governor J. Kevin Stitt issued an <u>order</u> that encouraged remote work arrangements, bolstered the health care workforce, and imposed capacity reporting requirements on health care providers, among other measures, for 30 days; <u>social distancing measures</u> were encouraged. On March 24, Governor J. Kevin Stitt issued an amended <u>order</u> that restricted large

gatherings, required that <u>elective procedures be postponed</u> until April 7, closed non-critical on-premises business operations until April 16, and limited visitor access to long-term care facilities; suspensions of elective procedures and non-critical business operations were later <u>extended to April 30</u>. On March 27, Governor Stitt issued <u>another amended order</u>, which, among other measures, generally directed vulnerable populations to stay at home; stay at home measures were later <u>extended through May 6</u>, and <u>again through May 15</u>. On April 8, <u>an amended order</u> expanded health care workforces and resources. Certain elective procedures were permitted to resume on April 24 pursuant to an <u>amended executive order</u>, subject to <u>State Department of Health guidance</u>; <u>other low-acuity procedures</u> were permitted to resume on May 1. The three-phase <u>Open Up and Recover Safely</u> plan commenced on April 24, permitting certain business operations to resume on a limited basis.

Oregon: On March 17, Governor Kate Brown issued an order prohibiting dining establishments from serving customers on-premises through April 14; the order was later amended to remain in effect until terminated by Governor Brown. Governor Brown issued an order on March 19 that generally prohibited non-urgent procedures and required conservation of PPE until June 17 and delegated authority to the Oregon Health Authority to implement visitor screening measures. On April 27, Governor Brown lifted the restrictions on non-urgent procedures and permitted such procedures to resume on or after May 1 in accordance with Oregon Health Authority guidance; measures requiring conservation of PPE were rescinded. On March 23, Governor Brown issued a stay at home order that limited large gatherings and non-essential on-premises business operations, effective until terminated by Governor Brown. On May 5, certain recreational areas reopened on a limited basis, and Governor Brown announced that certain businesses could resume limited operations during the first phase of a three-phase reopening starting on May 15.

Pennsylvania: On March 19, Governor Tom Wolf ordered all businesses that were not lifesustaining to close. Although hospitals and health care practitioners were deemed to conduct lifesustaining operations, elective procedures were generally prohibited. The Department of Health has since issued guidance regarding elective surgeries and procedures to be performed at ambulatory surgical facilities and hospitals. Effective March 23, Pennsylvania residents in certain counties were generally directed by the Department of Health to stay home. Stay at home orders were expanded to include more counties on March 27, March 28, March 30, and March 31 until finally including all counties on April 1. On April 20, the stay at home orders were extended through May 8. Governor Wolf also signed a bill providing funds to healthcare providers to purchase medical equipment and supplies. On April 8, Governor Wolf issued an order imposing inventory reporting requirements on manufacturers, distributors and consumers in the supply chain for PPE and other medical resources. A regional state coalition was announced on April 13 for governors of certain northeastern states to develop a unified approach to gradually lifting such states' stay at home orders. On April 27, Governor Wolf called for the inclusion of race and ethnicity data in demographics provided to the Department of Health in COVID-19 testing results. On April 30, emergency funding was awarded to certain hospitals facing patient surges. State authorities issued a three-phase Process to Reopen Pennsylvania, which is currently being implemented county-by-county. On May 8, 24 counties reopened on a limited basis. State authorities issued guidance for businesses preparing to resume operations.

Puerto Rico: On April 12, Governor Wanda Vázquez Garced <u>amended</u> the March 15 <u>stay at home order</u> that imposed a 9:00 p.m. curfew on individuals and directed non-essential businesses and governmental operations to close until <u>May 3</u>. On April 2, Governor Vázquez Garced issued an <u>order</u> imposing certain reporting requirements with respect to COVID-19 testing results. Governor Vázquez Garced <u>announced</u> COVID-19 testing requirements for nursing home residents and employees. On April 30, Governor Vázquez Garced issued an <u>order</u> that extended the curfew through May 25 and allowed some businesses to operate on a limited basis.

Rhode Island: On March 28, Governor Gina Raimondo issued a stay at home order that prohibited large gatherings and directed non-critical retail businesses to cease operations until April 13; the order was recently extended through May 8. Governor Raimondo lifted the stay at home order on May 9, subject to certain conditions. On April 7, bed capacity and certain inventory reporting requirements were imposed on hospitals, effective through May 7. Governor Raimondo increased hospital and nursing facility capacity on April 10, effective through May 8. On April 14, Governor Raimondo signed an order requiring certain employees working on-premises to wear masks during their shifts and for businesses employing such employees to make masks available to them. On April 20, Governor Raimondo outlined a plan to reopen the state's economy; she announced a three-phase Reopen RI Framework on April 27 that included information about gradually lifting social restrictions. Governor Raimondo issued an order on April 27 generally barring insurers from making changes to formularies and expanding behavioral health coverage, among other measures, effective until May 27. The Department of Health issued Crisis Standards of Care Guidelines for acute care hospitals on April 30. On May 4, Governor Raimondo shared more details about the initial phase of the state's plan to reopen the economy starting on May 9. Elective procedures were generally permitted to resume as part of this initial phase; patient evaluations and visits are encouraged to continue remotely. On May 5, Governor Raimondo generally ordered all Rhode Island residents in public places to wear masks.

South Carolina: Governor Henry McMaster issued an <u>order</u> on March 19 that prohibited certain non-essential state employees from reporting in-person to work and provided for emergency procurement of critical healthcare resources and supplies. In a <u>press conference</u> announcing the order, Governor McMaster indicated that healthcare providers should no longer perform elective procedures; however, no official guidance or directive was issued. Governor McMaster issued a <u>stay at home order</u> on April 7 that was <u>lifted</u> on May 4. On April 27, Governor McMaster issued an <u>order</u> permitting first responders to ask individuals for household COVID-19 testing results. <u>Restaurants</u> resumed limited <u>on-premises dining services</u> on May 11.

South Dakota: Governor Kristi Noem issued an <u>order</u> on April 6 that directed vulnerable populations to stay home, required employers to encourage remote working arrangements, limited large gatherings and on-premises business operations, and required postponing elective surgeries. The order was <u>rescinded</u> pursuant to an April 28 order, which implemented the <u>Back to Normal Plan</u>.

Tennessee: On March 22, Governor Bill Lee issued <u>Executive Order 17</u>, directing businesses to reduce on-site workforces and imposing visitor restrictions for long-term care facilities until April 6; such measures were later <u>extended until April 30</u> and <u>repealed on April 28</u>. On March 23, Governor Lee issued <u>Executive Order 18</u>, which prohibited the performance of non-essential

procedures (including cosmetic and elective procedures) until April 13; this order was superseded by Executive Order 25, which extended the restrictions on non-essential procedures until April 30. On March 26, Governor Lee issued Executive Order 20, suspending certain licensure and supervision requirements and facilitated remote access to behavioral health care. Governor Lee issued Executive Order 22 on March 30, which restricted large gatherings, urged Tennesseeans to stay home, and directed non-essential business to close to the public until April 14. On April 2, Governor Lee issued Executive Order 23, which amended Executive Order 22 and explicitly required Tennesseans to stay at home; as amended, this stay at home order expired on April 30, and both Executive Order 22 and Executive Order 23 were repealed on April 28. On April 6, Governor Lee announced the award of \$10 million in grant funding to support small and rural hospitals in Tennessee. On April 17, Governor Lee issued Executive Order 28, which expanded facilities in which autopsies could be performed, expanded remote working capabilities of medical laboratories, implemented privacy protections for patient health data sent by the Department of Health to first responders and law enforcement, and extending prior prohibitions of price gouging for medical supplies, among other measures. Governor Lee announced on April 20 that Tennessee's stay at home order would expire on April 30 and provided information for the phased reopening of many businesses starting on May 1. A plan was announced on April 22 for mitigating the spread of COVID-19 in long-term care facilities. On April 23, Nashville Mayor John Cooper released a 4-phase plan to reopen Nashville. Restaurants were permitted to open on a limited basis on April 27, and retailers were permitted to open to the public in accordance with certain guidelines on April 29, in each case pursuant to Executive Order 29, which was repealed on April 28. Certain elective procedures were permitted to resume on May 1; however, non-urgent dental procedures were restricted until May 6. Governor Lee issued Executive Order 30 on April 28, which maintained limits on most large gatherings, directed large venues to remain closed, provided visitation guidelines to long-term care facilities, and provided safety guidelines for businesses and individuals. On May 1, Governor Lee issued Executive Order 32, which extended prior pricegouging measures for medical supplies and expanded reimbursement for physical, occupational, and speech therapy services via telemedicine for workers' compensation recipients, among other measures. On May 5, close contact services were reopened pursuant to safety guidelines specified in Executive Order 33. Governor Lee released Guidelines for Office Buildings on May 7; additional business guidelines have been added to the Economic Recovery website.

Texas: On March 22, Governor Greg Abbott <u>directed</u> that all surgeries and procedures that are not immediately medically necessary be postponed. Surgeries and procedures that would not deplete resources or capacity necessary for the state's COVID-19 response were permitted to resume pursuant to <u>Executive Order GA-15</u> on April 21. Executive Order GA-15 was superseded by an executive order issued on April 27, which <u>required hospitals to reserve 15% of their capacity</u> for treating COVID-19 patients and directed practitioners to comply with requirements issued by applicable licensing authorities. Governor Abbott implemented hospital capacity <u>reporting requirements</u> on March 24, and on March 25, Governor Abbott <u>expanded hospital bed capacity</u>. On March 31, Governor Abbott issued <u>Executive Order GA-14</u>, which limited contact with persons outside of the household and prohibited large gatherings and non-essential on-premises business operations until April 30. Executive Order GA-14 was replaced by <u>Executive Order GA-16</u> on April 17, which permitted non-essential retailers to resume business by delivery or pickup on April 24. <u>On May 1</u>, additional businesses were permitted to <u>resume operations</u> on a limited basis.

On May 6, recreational venues were permitted to open at limited occupancy and subject to certain conditions pursuant to <u>Executive Order GA-21</u>.

Utah: On <u>March 21</u> and <u>April 2</u>, Dr. Joseph Miner, the Executive Director of the Utah Department of Health, issued a <u>Stay Safe</u>, <u>Stay Home Directive</u> that limited on-premises dining , large gatherings, and non-essential on-premises business operations until April 13; the directive was later <u>extended through May 1</u>. Dr. Miner issued <u>an order</u> on March 23 that required all elective surgeries and procedures to be postponed; this order was <u>rescinded on May 1</u> and elective surgeries and procedures resumed pursuant to the <u>Roadmap for Resuming Elective Procedures</u>. Governor Herbert introduced the three-phase <u>Utah Leads Together Plan</u> for gradually <u>resuming business operations</u>. On May 6, Governor Herbert issued <u>additional guidance</u> for reopening businesses.

Vermont: On March 20, Governor Philip Scott issued an <u>order</u> directing all clinicians to postpone certain elective medical and dental procedures until April 15; the order was later <u>extended until May 15</u>. Certain procedures were <u>permitted to resume</u> on May 4. On March 24, Governor Scott issued a <u>stay at home order</u> that required non-essential <u>in-person operations</u> to cease until April 15; the stay at home order was later <u>extended until May 15</u>. On April 17, Governor Scott commenced a phase restart of certain businesses, subject to certain protocols, pursuant to the <u>Work Smart & Stay Safe Order</u>. Governor Scott issued an <u>order</u> on April 24, which permitted additional businesses (*e.g.*, libraries, outdoor retailers, manufacturers and distributors) to resume limited operations and required such businesses to complete a mandatory training on <u>health and safety requirements</u>.

Virgin Islands: On March 23, Governor Albert Bryan, Jr. issued a <u>stay at home order</u> that prohibited large gatherings and generally directed non-essential business operations to cease until April 12; a March 30 order <u>extended</u> the stay at home order until April 30. A <u>phased reopening</u> of certain businesses started on May 1, and some non-essential businesses were permitted to <u>resume limited operations</u> on May 4. The <u>Department of Health's website</u> recommended postponing elective procedures, but <u>all procedures were permitted to resume</u> on May 4.

Virginia: On March 20, Governor Ralph S. Northam <u>authorized</u> the State Health Commissioner to increase licensed bed capacity for general hospitals and nursing homes. On March 23, Governor Northam <u>ordered</u> the closure of non-essential businesses, restricted large gatherings, and encouraged Virginia residents to stay home until April 23; this order was extended on April 15 <u>until May 8</u>. On March 25, Governor Northam and the State Health Commissioner <u>directed</u> hospitals and facilities to stop performing <u>elective procedures and surgeries</u> that require PPE until April 24; these restrictions were <u>extended until and expired on April 30</u>. On March 30, Governor Northam issued a <u>stay at home order</u> generally requiring Virginia residents to stay at home and prohibiting large gatherings, effective until June 10. On April 17, Governor Northam issued measures to <u>bolster the healthcare workforce</u> until June 10; these measures were <u>expanded</u> by amendment on April 23. Governor Northam announced a <u>plan to contain the spread of the virus</u> through increased testing, personal protective equipment and supplies, and medical capacity at a press conference on April 24. On April 28, <u>Executive Order 60</u> reinforced certain statutory liability protections for health care workers in response to the pandemic. Governor Northam released the <u>Forward Virginia Blueprint</u> for reopening the state tentatively on May 15.

Washington: On March 19, Governor Jay Inslee issued a <u>proclamation</u> that prohibited hospitals and facilities from providing most non-emergent healthcare services and procedures until May 18. On April 29, Governor Inslee issued <u>guidance</u> to clarify limits on elective surgeries. Governor Inslee issued a <u>Stay Home – Stay Healthy Order</u> on March 23 that limited large gatherings and ordered non-essential business operations to cease until <u>May 4</u>; the order was extended to <u>May 31</u>. On March 25, Governor Inslee issued a <u>proclamation</u> implementing healthcare provider payment parity in providing telemedicine. On April 10, Governor Inslee <u>suspended certain requirements</u> related to the transfer and discharge of nursing home residents to other long-term care facilities. Governor Inslee issued a <u>proclamation</u> giving high-risk workers the right to protect themselves from COVID-19 without jeopardizing their employment status or loss of income. On April 21, Governor Inslee announced <u>Washington's Recovery Plan</u>, and on May 4, Governor Inslee issued an <u>order</u> announcing his <u>Safe Start Washington</u> plan, which proposed a phased approach to recovery.

West Virginia: Governor Jim Justice issued a <u>stay at home order</u> on March 23 that required non-essential on-site business operations to cease. Non-elective medical care was explicitly deemed to be a permissible essential activity by the order, and by implication, elective medical care was not. In an April 30 <u>Executive Order</u>, Governor Justice amended the March 23 order from a stay at home order to a safer at home order and allowed certain small businesses to resume with precaution. In an April 17 <u>order</u>, Governor Justice directed all nursing home residents and staff to be tested for COVID-19. Governor Justice issued an <u>order</u> on April 20 outlining the process for hospitals and ambulatory surgical centers to resume elective medical procedures. On April 27, Governor Justice announced a <u>plan to reopen the state</u>, with the first week permitting hospitals and outpatient healthcare facilities to open, with certain exceptions. In an April 28 press conference, Governor Justice provided <u>additional guidelines</u> for reopening certain businesses. Governor Justice signed an <u>order</u> on May 6 directing that all individuals who reside or work in assisted living residence and residential care communities be tested for COVID-19.

Wisconsin: On March 24, Secretary-designee of the Department of Health Services, Andrea Palm, issued the <u>Safer At Home Order</u>, effective until <u>May 26</u>. Restrictions on non-essential businesses were <u>gradually relaxed</u> starting on April 24. On April 3, Governor Tony Evers issued an <u>order</u> suspending certain facility licensure requirements. Secretary-designee Palm announced the <u>Badger Bounce Back Order</u> establishing guidelines for a phased re-opening of the state and <u>reduced</u> certain restrictions on businesses. An April 23 <u>order</u> established the operations for an alternate care facility to accommodate the overflow of low-acuity COVID-19 patients. On May 11, Governor Evers issued an <u>order</u> allowing the limited reopening of certain retailers and amusement businesses.

Wyoming: State Health Officer, Alexia Harrist, issued orders on March 19 and April 3 directing that places of public accommodation be closed. Officer Harrist issued additional orders on March 19 and on April 3, prohibiting large gatherings, subject to broad exceptions for healthcare and long-term care facilities. These orders were extended through May 15. Although the Wyoming Department of Health and Governor Harrist did not prohibit elective procedures through statewide orders, on April 24, the Department of Health issued guidance on resuming elective and non-emergency procedures. On April 28, Officer Harrist issued an order allowing certain businesses, including certain personal care services, to open with limitations.

28018529.15