GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-62

Ensuring Efficient Administration of COVID-19 Vaccine

WHEREAS, on March 11, 2020, pursuant to Arizona Revised Statutes ("A.R.S.") §§ 26-303 and 36-787, I, as Governor of the State of Arizona, issued a declaration of a Public Health State of Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, pursuant to A.R.S. § 26-303(E)(1) and during a state of emergency, the Governor shall have complete authority over all agencies of the state government and the right to exercise, within the area designated, all police power vested in the State by the constitution of this State in order to effectuate the purposes of A.R.S. Title 26, Chapter 2; and

WHEREAS, the Director of the Arizona Department of Health Services ("Director"), pursuant to a Declaration of Emergency and as authorized by A.R.S. §§ 26-307(A) and 36-787(A), may make, amend, and rescind orders, rules, and regulations necessary for emergency functions and shall coordinate all matters pertaining to the public health emergency response of the State; and

WHEREAS, pursuant to A.R.S. § 36-787(A)(1) and (2), the Arizona Department of Health Services ("ADHS") has primary jurisdiction, responsibility, and authority for planning and executing the public health emergency mitigation response for the State and coordinating the public health emergency response among State, local and tribal authorities; and

WHEREAS, A.R.S. § 36-787(B) provides that under a Declaration of Emergency, the Governor in consultation with the Director of the Arizona Department of Health Services may issue orders that provide for the procurement of vaccines; and

WHEREAS, on May 15, 2020, the President of the United States announced Operation Warp Speed ("OWS") to accelerate development, production and distribution of COVID-19 vaccines, therapeutics, and diagnostics to produce and deliver doses of safe and effective vaccines; and

WHEREAS, as of December 30, 2020, there have been 512,489 diagnosed cases of COVID-19 in Arizona including 8,718 deaths; and

WHEREAS, immunization with a safe and effective COVID-19 vaccine is a critical component of the whole government strategy to reduce COVID-19 related illnesses, hospitalizations, and deaths and to help restore societal functioning; and

WHEREAS, the Arizona Department of Health Services, County Health Departments, and local and tribal health care partners are responsible for administering vaccines in a phased vaccination approach initially targeting frontline workers and high-risk populations while supplies are limited; and

WHEREAS, as demand for COVID-19 vaccinations and viral testing increase, Arizona must ensure that all Arizonans who want vaccinations or viral testing are able to receive timely access as supplies are available; and

WHEREAS, the distribution of the COVID-19 vaccine to critical populations is a key consideration in Arizona's strategy to stop the spread of COVID-19, including coordination to address access to vulnerable and/or high risk populations and underserved areas; and

WHEREAS, through statewide partners vaccine availability can be made more readily available; and

WHEREAS, Arizona is committed to containing the spread and reducing the adverse outcomes associated with COVID-19; and

WHEREAS, it is necessary and appropriate to take action to ensure that the COVID-19 pandemic is contained and its effects on the healthcare system are minimized to ensure that the residents of Arizona remain safe and healthy.

NOW, THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state including A.R.S. §§ 26-303 and 36-787, hereby order as follows:

1. ADHS shall establish and implement a state-directed vaccine allocator model for the purpose of rapidly expanding access to vaccinations for high risk and high priority Arizonans through a statewide approach.

2. ADHS may take possession of any vaccine allocation and reallocate it to provide statewide coverage for rapid distribution and administration.

3. Private vaccination distribution sites shall only be established after consultation with ADHS.

4. Local Public Health Departments shall (1) prominently display on their websites the phase their county is currently vaccinating and location of vaccination sites, and (2) inform ADHS of any status change or phase change.

5. If any provision of this Executive Order or others associated with it and their application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

6. This executive order shall expire upon the termination of the Declaration of Public Health Emergency related to COVID-19 and dated March 11, 2020.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

GOVERNOR

DONE at the Capitol in Phoenix on this 30th day of December in the year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fifth.

ATTEST:

Secretary of State