NORTH Dakota | Governor Doug Burgum

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EXECUTIVE ORDER 2020-12.2

WHEREAS, on March 13, 2020, a state of emergency was declared in the State of North Dakota through Executive Order 2020-03, in response to the public health crisis resulting from the novel coronavirus (COVID-19); this Order activated the North Dakota State Emergency Operations Plan (SEOP) to assist local and tribal officials, to prevent injuries and save lives, alleviate hardships, implement appropriate response and recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure; and,

WHEREAS, under Executive Order 2020-12 (March 25, 2020), certain provisions of Title 65, North Dakota Century Code were suspended to extend workers compensation eligibility to first responders and health care providers assisting in the State's response to the COVID-19 emergency. This was necessary to reduce the risk of economic hardship for those front-line workers required to be engaged in the fight against COVID-19.

WHEREAS, other health care workers and service providers, including professionals serving individuals with intellectual and developmental disabilities are often required to be in close proximity with individuals who have been infected or exposed to COVID-19.

WHEREAS, to mitigate the risk of economic hardship and to ensure adequate resources to meet the needs of communities during the COVID-19 emergency, extension of the benefits provided under Executive Order 2020-12 to employees providing direct care and services to individuals with intellectual and developmental disabilities is necessary.

NOW THEREFORE, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code 37-17.1, hereby orders that the eligibility for workers' compensation benefits to first responders, health care providers and individual employed in licensed funeral homes under Executive Order 2020-12.1, be extended to individuals employed by :

1.) A provider of treatment, care, programs or services to individuals with intellectual or developmental disabilities, licensed under North Dakota Century Code Chapter 25-16 or North Dakota Administrative Code Article 75-04; or,

2.) The Life Skills and Transition Center, as defined under North Dakota Century Code Chapter 25-04.

Coverage will extend to those employees who provide direct care and services to individuals with intellectual or developmental disabilities, if the employee is exposed to, or diagnosed with COVID-19 resulting from contact with an individual to whom services are being provided.

This order is issued upon the following basis and for the following reasons:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1, of the North Dakota Constitution.

2. The Governor is vested with statutory authority to issue executive orders, to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code.

3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of emergencies and disasters in this state.

This order is in effect as of July 1, 2020 and shall remain in effect for the duration of the declared state of Emergency.

Executed at Bismarck, North Dakota, this 17th day of July, 2020.

Doug Burgum
Governor

ATTEST:

Secretary of State