STATE OF DELAWARE

EXECUTIVE DEPARTMENT
DOVER

EXECUTIVE ORDER
NUMBER THIRTY-NINE

TO: HEADS OF ALL STATE DEPARTMENTS AND AGENCIES
RE: PANDEMIC RESURGENCE ADVISORY COMMITTEE

WHEREAS, an outbreak of the novel coronavirus ("COVID-19") has spread throughout the world resulting in a global pandemic; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) determined that COVID-19 presents a serious public health threat, which consequently impacted the State of Delaware; and

WHEREAS, on March 12, 2020, I issued a State of Emergency (the "COVID-19 State of Emergency") due to the public health threat of COVID-19, and subsequent COVID-19 State of Emergency modifications due to the increasing occurrence and threat to public health and safety arising from the effects of COVID-19; and

WHEREAS, the predicted public health threat created by COVID-19 will likely continue to create dangerous and potentially life-threatening public health conditions and may result in the need for an additional public safety response in the fall of 2020 and beyond; and

WHEREAS, the CDC recommends that states assess and forecast the impact of a fall resurgence of COVID-19 and formulate proactive measures to combat and minimize the spread of COVID-19; and

WHEREAS, the Delaware Department of Health & Social Services' Division of Public Health (DPH) determined that it is vital for the State of Delaware to prepare for the possible community transmission of COVID-19 in the fall and take steps to avoid the transmission of the virus; and

WHEREAS, it is in the best interests of the State to protect its citizens from a potential public emergency that could threaten the lives of those who live and work here.

NOW, THEREFORE, I, JOHN C. CARNEY, by virtue of the authority vested in me as Governor of the State of Delaware, do hereby **DECLARE** and **ORDER** the following:

1. The Pandemic Resurgence Advisory Committee (PRAC) is hereby established and shall consist of 46 members. The Lieutenant Governor and the Secretary of Department of State shall serve as Co-Chairs of the PRAC. The following shall serve both as a member of the PRAC and as a member of 1 of the 3 subcommittees as follows:

a. The Business Subcommittee shall consist of PRAC members as follows:

i. Chair of the Board of Directors of the Delaware State Chamber of Commerce, who shall serve as Chair;

ii. Secretary of the Department of Transportation;

iii. 1 member appointed by the President Pro Tempore of the Senate;

iv. 1 member appointed by the Speaker of the House of Representatives;

v. 1 member appointed by the Minority Leader of the Senate;

vi. 1 member appointed by the Minority Leader of the House of Representatives;

vii. President and Chief Executive Officer of the Delaware Prosperity Partnership; and

viii. The following members to be appointed by the Governor:

1. 1 representative recommended by AFL-CIO;
2. 1 member to represent the Counties;
3. 3 business representatives recommended by the Delaware State Chamber of Commerce, 1 being from each county;
4. 1 representative from the Association of Chambers of Commerce of Delaware;
5. 1 restaurant representative recommended by the Delaware Restaurant Association; and
6. 1 representative from the poultry industry.

b. The Health Subcommittee shall consist of the PRAC members as follows:

i. Chair of the Delaware Health Care Commission, who shall serve as Chair;

ii. Director of the Delaware Division of Public Health;

iii. Director of the Delaware Emergency Management Agency;

iv. 1 member appointed by the President Pro Tempore of the Senate;

v. 1 member appointed by the Speaker of the House of Representatives;

vi. 1 member appointed by the Minority Leader of the Senate;

vii. 1 member appointed by the Minority Leader of the House of Representatives; and

viii. The following members to be appointed by the Governor:

1. 2 representatives of a nursing home facility recommended by the Delaware Nursing Home Association;

2. 2 representatives recommended by the Delaware Hospital Association; and
3. 1 Delaware licensed physician recommended by the Medical Society of Delaware.

c. The Equity Subcommittee shall consist of PRAC members as follows:

i. President of the Wilmington Metropolitan Urban League, who shall serve as Chair;

ii. Commissioner of the Department of Correction;

iii. Director of the Delaware State Housing Authority;

iv. Chief Information Officer of the Department of Technology and Information;

v. 1 member appointed by the President Pro Tempore of the Senate;

vi. 1 member appointed by the Speaker of the House of Representatives;

vii. 1 member appointed by the Minority Leader of the Senate;

viii. 1 member appointed by the Minority Leader of the House of Representatives;

ix. 1 member of the Delaware Behavioral Health Consortium; and

x. The following members to be appointed by the Governor:

1. 8 representatives of community organizations or the public.

2. Appointed members shall serve at the pleasure of the appointing authority. Members serving by virtue of position may request for the Governor to appoint a member to serve in their stead and at the pleasure of the Governor.

3. Administrative and legal support for the PRAC and each of its subcommittees shall be provided by the Office of the Governor, the Office of Management and Budget and the Department of Justice.

4. The PRAC shall:

a. Develop a healthcare system and public health strategy for responding to a resurgence of COVID-19 in the fall of 2020 and beyond;

b. Identify tactics and resources to manage a fall resurgence of COVID-19 including, but not limited to testing capabilities, personal protective equipment (PPE), social distancing, economic recovery and health facility readiness; and

c. Assess methods to protect vulnerable populations and consider disproportionate effects on minority-owned businesses in the event of a fall resurgence of COVID-19.

5. The PRAC shall meet as follows:

a. No less than twice a month beginning June 2020 through September 2020;

b. In addition to PRAC meetings, each subcommittee shall meet regularly; and

c. All meetings shall be conducted using audio-visual technology.

6. The PRAC, in coordination with the subcommittees, shall produce and submit two written reports of its findings and recommendations to the Governor: an interim report, due on or before July 31, 2020, and a final report, due on or before September 30, 2020. If extended by further Executive Order pursuant to paragraph 7, the PRAC shall thereafter report its findings and recommendations to the Governor per the subsequent Executive Order.

7. The PRAC shall dissolve on September 30, 2020 unless extended by further Executive Order.

APPROVED this 1st day of June 2020.

John C. Carney
Governor

ATTEST:

Secretary of State