STATE OF MICHIGAN
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING

GRETCHEN WHITMER
GOVERNOR

ROBERT GORDON
DIRECTOR

DIRECTOR'S ORDER

Emergency Order Pursuant to MCL 333.2253
Regarding Executive Orders 2020-11, 2020-20, and 2020-21

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, Governor Gretchen Whitmer issued Executive Order 2020-4 declaring a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33. And in response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, the Governor issued Executive Order 2020-33 on April 1, 2020. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, and the Emergency Powers of the Governor Act of 1945.

As of April 1, 2020, there were 9,334 cases of COVID-19 diagnosed in Michigan and 337 reported deaths. The exponential increase in cases demonstrates that many of these cases are the result of widening community spread.

Social distancing measures, including isolation of persons affected by COVID-19, are essential to control the epidemic. Social distancing is the primary tool available to slow the spread of COVID-19 and reduce the overwhelming strain on the State's healthcare system.

On March 16, 2020, Governor Whitmer issued Executive Order 2020-11 re: Temporary prohibition on large assemblages and events and temporary school closures.

On March 22, 2020, Governor Whitmer issued Executive Order 2020-20 re: Temporary restrictions on the use of places of public accommodation.

On March 23, 2020, Governor Whitmer issued Executive Order 2020-21 re: Temporary requirement to suspend activities that are not necessary to sustain or protect life (i.e., stay home stay safe order).

Considering the above, and upon the advice of scientific and medical experts employed by the Michigan Department of Health and Human Services, I have concluded pursuant to MCL 333.2253 that COVID-19 has reached epidemic status in Michigan. I further conclude that control of the epidemic is necessary to protect the public health and that it is necessary to establish procedures to be followed during the epidemic to ensure the continuation of essential public health services and enforcement of health laws.

I therefore order that:

1. The procedures and restrictions outlined in EO 2020-11, EO 2020-20, and EO 2020-21 and their accompanying frequently asked questions (FAQs) that may be updated from time-to-time (available at www.michigan.gov/coronavirus) are necessary to control the epidemic and protect the public health. Every person, as that term is defined in MCL 333.1106, in this State, must comply with the procedures and restrictions outlined in EO 2020-11, EO 2020-20, and EO 2020-21 and their accompanying FAQs.

2. This Order applies to any future Executive Order that may be issued that rescinds and replaces EO 2020-11, EO 2020-20, or EO 2020-21.

3. Pursuant to MCL 333.2235(1), I authorize local health departments to carry out and enforce the terms of this Order.

4. Chiefs of police, sheriffs, and other local law enforcement leaders are specifically authorized to investigate potential violations of EO 2020-11, EO 2020-20, and EO 2020-21. They may coordinate as necessary with the local health department and enforce this Order within their jurisdiction. Law enforcement is specifically authorized to bar access to businesses and operations that fail to comply with the procedures and restrictions outlined in EO 2020-11, EO 2020-20, and EO 2020-21 and its accompanying FAQs. County prosecutors are likewise specifically authorized to enforce this Order to control the epidemic and protect the public health in coordination with the appropriate local law enforcement authority and, as necessary, the local health department.

This Order is effective immediately and remains in effect until vacated in writing or until the state of emergency in Michigan ceases.

Date: April 2, 2020

Robert Gordon

Robert Gordon, Director

Michigan Department of Health and Human Services