# State of Iowa

## Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

# PROCLAMATION OF DISASTER EMERGENCY

**WHEREAS**, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

**WHEREAS**, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

**WHEREAS**, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

**WHEREAS**, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

**WHEREAS**, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist; and

**WHEREAS,** the risk of transmission of COVID-19 may be substantially reduced by community containment strategies that may include temporarily closing certain public establishments; and

**WHEREAS**, the Department of Housing and Urban Development and the Federal Housing Finance Authority are taking action to temporarily suspend foreclosures and evictions within their jurisdiction; and strict compliance with the regulatory provisions of Iowa Code chapters 646, 654, 655A, and 656 allowing for the commencement and prosecution of foreclosure proceedings under certain circumstances would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and reduction of foreclosures will help prevent the transmission of infectious disease and help ensure that cases of COVID-19 are controlled and treated; and

**WHEREAS**, strict compliance with the provision of Iowa law regarding initial licensure for the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

**WHEREAS**, strict compliance with the provisions of Iowa law which prohibit the practice of pharmacy with an inactive or lapsed license or a pharmacy technician who has not been able to be certified because of a closed testing location would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

**WHEREAS**, strict compliance with the provisions of Iowa law requiring in-person continuing education as a condition of professional license renewal or impose continuing education deadlines or requirements that are unable to be satisfied due to this Disaster

Emergency would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state and reduction in the need for in-person continuing education will help prevent the transmission of infectious disease and help ensure that cases of COVID-19 are controlled and treated; and

**WHEREAS**, strict compliance with the provisions of Iowa law requiring renewal of a processional license upon its expiration during this public health disaster would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa law requiring completion of clinical, practical, or internship experience as a condition of obtaining professional licensure to be a school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa law requiring the completion of background checks for initial applicants as a condition of obtaining professional licensure would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state and reduction in the need for fingerprinting by local law enforcement will help prevent the transmission of infectious disease and help ensure that cases of COVID-19 are controlled and treated; and

**WHEREAS,** strict compliance with the provisions of Iowa law setting an application expiration date and deadline for taking certain examinations to be licensed as a professional engineer or land surveyor would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS,** strict compliance with the provisions of Iowa law establishing examination deadlines for appraisers would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS,** strict compliance with the provisions of Iowa law establishing an 18-month examination deadline as a condition for initial licensure for prospective certified public accountant would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS,** strict compliance with the provisions of Iowa law requiring an applicant for a nursing license to complete an examination within ninety-one days of board authorization would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS,** strict compliance with the provisions of Iowa law requiring an applicant for a pharmacist license to complete all components in Iowa within a period of one year from the date the candidate passed the initial component would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa Code § 206.5(2)(a) solely as it applies to commercial applicators, public applicators, and private applicators who were certified applicators as of December 31, 2019, would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa Admin. Code r. 645-280.2 and 645-31.18, requiring out-of-state marital, family therapy, and mental health counselors, or social workers who provide services by telephone or other electronic means to individuals in the State of Iowa to be licensed in Iowa would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa Code § 9B.6 requiring personal appearance for notarial acts would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa Code §§ 144B.3, 633.279, and 633B.105 requiring personal presence for certain acts would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions Iowa Admin. Code r. 281-21.31 requiring instructional courses for drinking drivers to be delivered in person rather than online would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state; and

**WHEREAS**, strict compliance with the provisions of Iowa Admin. Code r. 661-221.3, that require an unattended fueling dispenser to provide a public phone would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

**NOW THEREFORE, I, KIMBERLY K. REYNOLDS**, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

## ADDITIONAL CLOSURES OF CERTAIN ESTABLISHMENTS

**SECTION ONE.** Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that effective 10:00 p.m., March 22, 2020, and continuing until 11:59 p.m. on March 31, 2020:

A. **Salons**, including all establishments providing the services of cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring, all as defined in - Iowa Code § 157.1.

B. **Medical spas**, as defined in Iowa Admin Code § 653-13.8(1).

C. **Barbershops**, as defined Iowa Code § 158.1.

D. **Tattoo establishments**, as regulated by Iowa Code § 135.37.

E. **Tanning facilities**, as defined by Iowa Code § 136D.2(5).

F. **Massage therapy establishments**, where an individual is practicing massage therapy as defined by Iowa Code § 152C.1(3).

G. **Swimming pools** and spas, wading pools, water slides, wave pools, spray pads, and bath houses, as defined in Iowa Code § 135I.1, if the pool did not already close under the previous order as an aquatic center.

## SUSPENSION OF FORECLOSURES

**SECTION TWO.** Pursuant to Iowa Code §§ 29C.6(6) and 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapters 646, 654, 655A, and 656 allowing for the commencement of foreclosure proceedings, or the prosecution of ongoing foreclosure proceedings, on residential, commercial, and agricultural real property located in the state of Iowa. Suspension of these provisions shall apply during the duration of this Proclamation or any future extension of this suspension.

A. Nothing in this section shall be construed as relieving any individual of their obligation to make mortgage payments, or to comply with any other obligation that an individual may have under a mortgage.

B. The Iowa Division of Banking and the Iowa Division of Credit Unions are hereby directed to immediately engage with banks, credit unions, mortgage bankers, and mortgage services to identify any tools, means, or methods that could be used to relieve Iowans from the threat of foreclosure.

## PROFESSIONAL LICENSING RELIEF

**SECTION THREE.** Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapters §§ 147.2, 148.3, 148.5, 148C.3, 152.7, 152B.7A, and any other implementing administrative rules to the extent they prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant for an individual who has not yet obtained an initial license, if the licensing board determines that the individual has completed sufficient education and should be granted an emergency license to practice in accordance with any guidance issued by the board. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

**SECTION FOUR.** Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code § 47.10 and Iowa Admin. Code r. 657-2.3, 2.11(2), 3.5(1), and any other implementing administrative rules which prohibit the practice of pharmacy by a pharmacist licensee whose license is inactive or lapsed, or by a pharmacy technician trainee who is unable to become nationally certified due to closed testing locations. Suspension of these provisions is limited to pharmacist licenses which have lapsed or expired within the five (5) years prior to this Proclamation, and is limited to pharmacy technician trainees whose trainee registration expires between March 18, 2020, and May 31, 2020, and who are unable to sit for the examination due to closed testing locations, and is solely for the duration of this Proclamation.

**SECTION FIVE.** Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 206, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they impose requirements for in-person continuing education as a condition of professional license renewal or impose continuing education deadlines or requirements that are unable to be satisfied due to this Disaster Emergency. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

**SECTION SIX.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date or renewal requirement for a professional license that expires during the duration of this Proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

**SECTION SEVEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r 281-79.16(4)(a), 645-31.6(2)(b)(12), 645-280.6(3), 645-240.6(2), 657-4.3, 645-300.3(4)(b)(2), 300.6(3)(a), and 300.6(3)(d), requiring the completion of clinical, practical, or internship experience as a condition of obtaining professional licensure to be a school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

**SECTION EIGHT.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code §§ 272.2(17), 272C.3(1)(a), 543B.15(9), and 543D.22, and any provisions of the Iowa Administrative Code implementing those provisions, which require the completion of background checks for initial applicants as a condition of obtaining professional licensure. Suspension of these provisions shall apply during the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to, upon the expiration of this Disaster Emergency, conduct background checks for those applicants and take any necessary action resulting from completion of those checks, up to and including revocation of licensure.

**SECTION NINE.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code § 542B.13 and Iowa Admin. Code r. 193C-3.1(1) and 193C-3.2, setting an application expiration date and deadline for taking certain examinations to be licensed as a professional engineer or land surveyor.

**SECTION TEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code § 543D.8 and Iowa Admin. Code r 193F-3.2, 193F-5.3, and 193F-6.3 and any other implementing administrative rules establishing examination deadlines as a condition for initial licensure for appraisers.

**SECTION ELEVEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code § 542.5 and Iowa Admin. Code r 193A-3.6(1) and any other implementing administrative rules establishing an 18-month examination deadline as a condition for initial licensure for prospective certified public accountants.

**SECTION TWELVE.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r. 655-3.4(4) requiring an applicant for a nursing license to complete an examination within ninety-one days of board authorization.

**SECTION THIRTEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r. 657-2.4(2) requiring an applicant for a pharmacist license to complete all components in Iowa within a period of one year from the date the candidate passed the initial component.

**SECTION FOURTEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code § 206.5(2)(a) solely as it applies to commercial applicators, public applicators, and private applicators who were certified applicators as of December 31, 2019.

**SECTION FIFTEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r. 645-280.2 and 645-31.18, to the extent that they require out-of-state marital, family therapy, and mental health counselors, or social workers who provide services by telephone or other electronic means to individuals in the State of Iowa to be licensed in Iowa.

## REMOTE NOTARIZATION AND WITNESSING

**SECTION SIXTEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the personal appearance requirement in Iowa Code § 9B.6, but only to the extent that the notarial act complies with the requirements of section 6 of 2019 Iowa Acts chapter 44 (Senate File 475) and any additional guidance provided by the Iowa Secretary of State regarding approved communication technology.

**SECTION SEVENTEEN.** Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code §§ 144B.3, 633.279, and 633B.105, to the extent that they require the physical presence of a testator, settlor, principal, witness, or other person, if the person is present in a manner in which the witness or other person can see and hear the acts by electronic means, such as video conference, Skype, Facetime, Zoom, or other means, whether or not recorded.

## OTHER REGULATORY RELIEF

**SECTION EIGHTEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r. 281-21.31 to the extent it requires instructional courses for drinking drivers to be delivered in person rather than online.

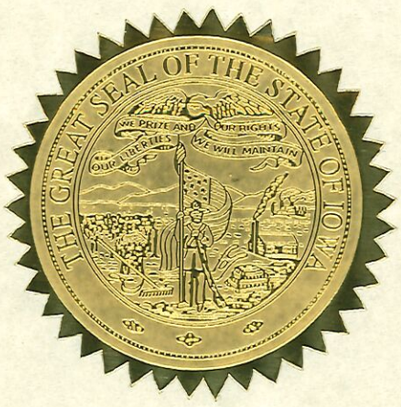
**SECTION NINETEEN.** Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Admin. Code r. 661-221.3, that require an unattended fueling dispenser to provide a public phone.

## IMPLEMENTATION AND INTERPRETATION

**SECTION TWENTY.** The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

**SECTION TWENTY-ONE.** Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

**SECTION TWENTY-TWO.** The provisions of this proclamation shall be effective immediately, unless otherwise noted. This proclamation shall not be construed to otherwise modify the proclamations issued on March 17, 2020 or March 19, 2020. This state of public health disaster emergency shall continue to expire on April 16, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.




**IN TESTIMONY WHEREOF**, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS 27 DAY OF MARCH IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY.

KIMBERLY K. REYNOLDS
GOVERNOR

**ATTEST:**

PAUL D. PATE
SECRETARY OF STATE