STATE OF INDIANA

EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 20-51

FOR: **ADDITIONAL DIRECIVES AND RENEWAL OF OTHER DIRECTIVES ISSUED IN RESPONSE TO THE COVID-19 OUTBREAK**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and a confirmed report that the disease had spread to the State of Indiana and this initial declaration has been extended by me in subsequent Executive Orders (Executive Orders 20-17, -25, -30, -34, -38, -41, -44 & -49);

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic, and, on March 13, 2020, the President of the United States declared a national emergency with respect to this dangerous virus;

WHEREAS, as of the date of this Executive Order, the virus has now spread to every county throughout Indiana with over 471,000 confirmed cases and over 7,200 deaths;

WHEREAS, despite significant steps being taken in our State, the virus remains a threat to the health, safety and welfare of all residents of Indiana such that the emergency conditions continue to exist, and continued efforts are needed to address, control and reduce the threat posed by COVID-19;

WHEREAS, as Governor, under Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3 ("Emergency Disaster Law"), I have authority to take actions necessary to prepare for, respond to and address a public health disaster emergency including the following:

- making, amending and rescinding the necessary orders, rules and regulations to carry out the response to a public health disaster emergency;
- suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business, including the orders, rules or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder, or delay necessary action in coping with the emergency;
- transferring the direction, personnel, or functions of state departments and agencies or units for performing or facilitating emergency services; and
- using any and all available resources of state government and of each political subdivision of our State as reasonably necessary to cope with the public health disaster emergency; and

WHEREAS, in light of the above, it is necessary and proper to take further action to protect the health, safety and welfare of all Hoosiers in connection with COVID.

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order that:

1. <u>Temporary Licensing of Health Care Workers Extended</u>

   As provided by Executive Orders 20-13, -19, -21, -33 & -45, any individual in the below categories may apply for an initial temporary health care license if he or she is not currently licensed to practice in the state, either because his or her Indiana license is no longer active or

they are licensed by another state to provide health care services during this public health emergency.

Individuals who have been granted a temporary license may be granted up to an additional 90-day authorization to continue to provide health care services during this public health emergency.

All application procedures for reinstatement or approval will be reinstituted and must be followed upon expiration of these temporary licenses or the lifting of the COVID-19 public health emergency.

This 90-day extension applies to the following health care workers:

a. *Retired Health Care Professionals:* Any health care professional whether licensed in the state or not, who within the past five years has retired or surrendered his or her license or whose license is otherwise inactive but whose license was not revoked, suspended or relinquished.

b. *Physician Assistant Students.* Physician assistant students who have successfully completed all required course work at an accredited school, have applied for a license with the Professional Licensing Agency (PLA) and supplied the PLA a certificate of completion.

c. *Nursing Students*: Nursing students who have successfully completed all required course work at an accredited school, have applied for a license with the PLA and have supplied PLA a certificate of completion.

d. *Respiratory Care Practitioner Students.* Respiratory care practitioner students who have successfully completed all required course work at an approved school, have applied for a license with the Professional Licensing Agency and supplied PLA a certificate of completion.

e. *Out-of-State Health Care Professionals*: Individuals who are currently licensed by another state and who were previously authorized to provide health care services in Indiana pursuant to Executive Order 20-05.

f. *Graduate Pharmacists*: Pharmacy students who have successfully completed all required course work at an accredited school, have applied for licensure with the PLA, and have supplied PLA a certificate of completion.

2. **Registration Requirement for Certain Indiana or Out-of-State Health Care Providers**

Health Care Professionals, except Emergency Medical Services (EMS) personnel, who are granted a temporary license to provide health care services in the state in response to this public health emergency must register with the PLA via their website at www.in.gov/pla.

EMS personnel who are granted a temporary license to provide health care services in the state in response to this public health emergency must register with the Indiana Department of Homeland Security.

3. **COVID-19 Vaccinations**

a. *Federal Authority:* The Secretary of Health and Human Services, Alex M. Azar, issued a Public Readiness and Emergency Preparedness Act (PREP Act) Declaration for medical countermeasures against COVID-19. Vaccines, approved by an Emergency Use Authorization by the United States Food and Drug Administration (FDA), to fight COVID-19 are medical countermeasures under the PREP Act. As Governor, I am an "authority having jurisdiction" and as such, can authorize, to the extent allowed, individuals to administer medical countermeasures in response to a public health emergency under the PREP Act within the state.

b. *PREP Act Coverage:* Under my authority under the PREP Act, the following professionals are to be considered "covered persons" when administering the FDA-approved COVID-19 vaccines:

i) physicians, advanced practice registered nurses, registered nurses, licensed practical nurses, physician assistants, pharmacists, pharmacist interns (including students) who are acting under the direct supervision of a pharmacist or other authorized health care provider, pharmacy technicians who are acting under the direct

supervision of a pharmacist, medical students while performing duties as an intern or a resident under the supervision of the staff of a hospital or in a program approved by a medical school, and nursing students under the supervision of their preceptor, as determined by the nursing school;

ii) paramedics and advanced emergency medical technicians (AEMTs) who are authorized by the EMS Commission to administer intramuscular vaccinations when their Emergency Medical Services (EMS) provider agency is operating and offering a COVID-19 vaccination administration site at a location specified by the local public health agency or by the Indiana State Department of Health, and as to basic EMTs (EMTs), I suspend the relevant provision in Ind. Code § 16-18-2-33.5(b) which prohibits the performance of invasive medical care techniques by EMTs for the limited purpose of allowing EMTs, if authorized by the Indiana EMS Commission under its authority in Ind. Code § 16-18-2-33.5(a)(11), to administer the COVID-19 vaccination when their Emergency Medical Services (EMS) provider agency is operating and offering a COVID-19 vaccination administration site at a location specified by the local public health agency or by the Indiana State Department of Health;

iii) members of the Indiana National Guard who have been trained to administer intramuscular vaccinations at a location specified by the local public health agency or by the Indiana State Department of Health; and

iv) medical assistants when authorized by an employing physician to administer the FDA-approved COVID-19 vaccine and when performed at the direction and under the supervision of the employing physician or group of physicians;

v) as to medical assistants employed by a licensed health care facility, I suspend the relevant provisions of Ind. Code §25-22.5-1-2(a)(2) for the limited purpose of allowing medical assistants employed by such a facility and who have been trained to administer an intramuscular vaccine to administer the FDA-approved COVID-19 vaccine if performed at the direction and under the supervision of a physician, physician assistant, advanced practice registered nurse, or registered nurse.

4. <u>Vaccination/Immunization Information</u>

The relevant provisions in Ind. Code § 16-38-5-3 regarding immunization information received by ISDH is suspended to the extent necessary to allow COVID-19 vaccination information to be submitted to the Indiana Network for Patient Care.

5. <u>DWD Contract Employees</u>

If authorized and permitted by federal law, the relevant provisions of Ind. Code §§ 4-15-2.2-12(a)(4) and -21(a)(1) pertaining to the classification and retention of employees working in Unemployment Insurance shall be suspended, for the limited purpose of allowing the Department of Workforce Development, in conjunction with the State Personnel Department, to expedite hiring, training and employment of temporary staff to adjudicate and hear appeals of Unemployment Insurance claims.

IT IS SO ORDERED.

IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 22nd day of December, 2020.

Eric J. Holcomb
Governor of Indiana

ATTEST: for Connie Lawson
Secretary of State