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DEPARTMENT OF HEALTH
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STATE OF FLORIDA
DEPARTMENT OF HEALTH

In Re:

EXTENSION OF SUSPENSION OF STATUTES, RULES AND ORDERS, MADE NECESSARY BY COVID-19.

DOH No. 20-007

EMERGENCY ORDER

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, on March 1, 2020, I declared a Public Health Emergency exists in the State of Florida as a result of COVID-19 pursuant to Executive Order number 20-51; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19, and allowing for the waiver of certain statutes and rules that prevent, hinder, or delay any necessary action in coping with the state of emergency caused by COVID-19; and

WHEREAS, on March 10, 2020, I issued DOH Emergency Order 20-001 suspending certain rules and statutes; and

WHEREAS, on March 16, 2020, I issued DOH Emergency Order 20-002 suspending certain rules and statutes; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures; and

WHEREAS, as March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

WHEREAS, on May 8, 2020, Governor Ron DeSantis issued Executive Order 20-114, renewing Executive Order 20-52; and

WHEREAS, it is necessary to waive certain statutes and rules of the Florida Department of Health in order to effectively respond to the emergency caused by COVID-19, including certain statutes or preventing the safe and efficient provision of health care services to patients in the state of Florida.

NOW, THEREFORE, I, SCOTT A. RIVKEES, M.D., pursuant to the authority granted by Executive Order No. 20-52, as extended by Executive Order No. 20-114, find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for conduct of state business by the Florida Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by COVID-19. In order to effectively respond to the threat posed by COVID-19 it is necessary to promulgate the following:

Section 1:

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, the provisions of DOH Emergency Order 20-001 are extended until May 31, 2020.

Section 2:

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, the provisions of DOH Emergency Order 20-002 are extended until May 31, 2020.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of "any regulatory statute prescribing the procedures for [the] conduct of state business," and because Section 4. B. of Executive Order No. 20-52 provides the State Surgeon General with the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order. This order shall remain in effect until May 31, 2020, unless otherwise modified by order of the State Surgeon General.

Executed this 8th day of May 2020, in Department of Health Offices, Tallahassee, Leon County, Florida.

Scott A. Rivkees, M.D.
State Surgeon General