STATE OF FLORIDA
DEPARTMENT OF HEALTH

In Re:

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

DOH No. 20-003

EMERGENCY ORDER

Pursuant to the authority granted by Executive Order No. 20-52, I 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:

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, any upcoming licensure renewal deadlines between March 21 and April 30, 2020, for any professional license issued by the Department or a Department board or council are extended until May 31, 2020. Any statute and/or rule to the contrary is hereby suspended until May 31, 2020, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, the state licensing boards may conduct licensure approval and denial hearings, and disciplinary hearings involving standard of care, sexual misconduct,

fraud, impairment, or felony convictions through teleconferencing or other technological means. This exception to section 456.011(3), Florida Statutes, applies for a period of thirty days unless extended by order of the State Surgeon General. Any statute and/or rule to the contrary is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, prelicensure nursing education programs, nursing assistant training programs, and remedial courses may, with the approval of the dean/program director/program chair/program coordinator, substitute supervised remote live videoconferencing for didactic hours and simulation for all supervised clinical instruction hours required by any statute or rule. Any statute and/or rule to the contrary is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, health care professionals not licensed in this state may provide health care services to a patient in this state using telehealth, notwithstanding the requirements of section 456.47(4)(a) through (c), (h), and (i), Florida Statutes, for a period not to exceed 30 days unless extended by order of the State Surgeon General. In addition to the allowed professions under Department of Health Emergency Order 20-002, this exemption shall apply to the following out of state health care professionals holding a valid, clear, and unrestricted license in another state or territory in the United States who are not currently under investigation or prosecution in any disciplinary proceeding in any of the states in which they hold a license: clinical social workers, marriage and family therapists, mental health counselors, and psychologists. All other requirements

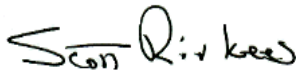
in section 456.47(4) remain in effect, including the requirement that the health care professional provide health care services within the applicable scope of practice established by Florida law or rule. Any statute and/or rule to the contrary is hereby suspended for a period of thirty days, unless extended.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, any emergency medical technician or paramedic possessing a clear and active Florida license or certification under section 456.001(4), and part III of chapter 401, Florida Statutes, may provide basic or advanced life support in an acute care setting at a hospital licensed under chapter 395, Florida Statutes. Any statute and/or rule to the contrary is hereby suspended for a period of thirty days, unless extended.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, individuals who currently receive services through the HIV/AIDS Patient Care Programs and whose eligibility must be recertified between March 1 and April 30, 2020, will have until May 31, 2020 to apply for recertification. Any statute and/or rule to the contrary, including Florida Administrative Code Rule 64D-4.003(7), is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

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. The effective dates of this Order shall correspond with the effective dates of Executive Order No. 20-52, unless otherwise specified above.

Executed this 21st day of March 2020, in Department of Health Offices, Tallahassee, Leon County, Florida.



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