Executive Order 2020-68

(COVID-19 EXECUTIVE ORDER NO.64)

October 30, 2020

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WHEREAS since early March 2020, Illinois has faced a pandemic that has caused extraordinary sickness and loss of life, infecting over 335,000 and growing, and taking the lives of thousands of residents; and,

WHEREAS, as Illinois adapts and responds to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that spreads rapidly through respiratory transmissions and that continues to be without an effective treatment or vaccine, the burden on residents, healthcare providers, first responders, and governments throughout the State is unprecedented; and,

WHEREAS, on October 16, 2020, considering the expected continuing spread of COVID-19 and the ongoing health and economic impacts that that will be felt over the coming month by people across the State, I declared all counties in the State of Illinois as a disaster area; and,

WHEREAS, at all times but especially during a public health crisis, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

WHEREAS, public health guidance advises that minimizing physical interactions between people who do not reside in the same household is critical to slowing the spread of COVID-19; and,

WHEREAS, ensuring patients have access to routine medications for conditions unrelated to COVID-19 keeps more people healthy and frees up health care resources for the treatment of COVID-19; and,

WHEREAS, the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/55, and its accompanying regulations, 77 Ill. Admin. Code 946.200 et. seq., require the Department of Public Health to issue medical cannabis registry identification cards (“registry identification cards”) to medical cannabis qualifying patients and their designated caregivers; and,

WHEREAS, registry identification cards are effective for a period of up to 3 years after the date of issuance, 410 ILCS 130/70(d), 77 Ill. Admin. Code 946.290; and,

WHEREAS, in order to maintain a valid registry identification card, qualifying patients and their designated caregivers must submit a renewal fee and completed renewal application at least 45 days

prior to the expiration of their registry identification card, 410 ILCS 130/70(c); and,

WHEREAS, to complete a renewal application, qualifying patients also must obtain and submit a physician's written certification for the use of medical cannabis, 77 Ill. Admin. Code 946.290(c)(1)(C), and designate one medical cannabis dispensing organization ("medical cannabis dispensary") where the qualifying patient will purchase their medical cannabis, 77 Ill. Admin. Code 946.290(c)(2); and,

WHEREAS, registered qualifying patients and designated caregivers may only obtain medical cannabis from the medical cannabis dispensary designated on their registry identification application, 77 Ill. Admin Code 946.280(a); and,

WHEREAS, due to COVID-19, many medical cannabis qualifying patients and their designated caregivers face difficulties in obtaining a physician's written certification in a timely manner;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following:

Section 1. Registry Identification Renewals.

a. The requirement pursuant to the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/70(c), and its accompanying regulations, 77 Ill. Admin. Code 946.290(c), that registered qualifying patients and caregivers submit a completed renewal application and renewal fee at least 45 days prior to the expiration date stated on their registry identification card in order to maintain a valid registration identification card is suspended.

b. The requirement pursuant to the Compassionate Use of Medical Cannabis Program Act, 410 ILCS 130/55(a), that the Department of Public Health collect completed renewal applications and renewal fees prior to renewing a valid registry identification card is suspended.

c. The requirement pursuant to 77 Ill. Admin. Code 946.290(b) that a qualifying patient or designated caregiver complete an extension form and submit an extension fee no more than 45 days prior to the expiration date of a registry identification card in order to extend their card for one or two years is suspended.

d. The Department of Public Health shall grant a one-year renewal or extension, as appropriate, for all valid registry identification cards that expire between October 1, 2020 and April 30, 2021.

Section 2. Savings Clause. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Issued by the Governor October 30, 2020
Filed by the Secretary of State October 30, 2020