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Secretary of State
Tre Hargett

STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 58

AN ORDER TERMINATING EXECUTIVE ORDER NO. 53 UPON LIMITED LIABILITY LEGISLATION BECOMING LAW

WHEREAS, on July 1, 2020, I issued Executive Order No. 53 providing limited COVID-related liability protection for health care providers, except in cases of gross negligence or willful misconduct, as permitted by Tennessee Code Annotated, Section 58-2-107(*l*), to facilitate the provision of additional medical resources required to respond to the COVID-19 emergency; and

WHEREAS, Executive Order No. 55, dated July 31, 2020, extended Executive Order No. 53 through August 30, 2020; and

WHEREAS, on August 17, 2020, I signed into law the "Tennessee COVID-19 Recovery Act", enacted as SB2/HB1 of the Second Extraordinary Session of the 111th General Assembly, which provides COVID-related liability protection to health care providers and all other persons, except in cases of gross negligence or willful misconduct; and

WHEREAS, the enactment of the Tennessee COVID-19 Recovery Act eliminates the need for the limited liability protection provided by Executive Order No. 53, as extended by Executive Order No. 55, and therefore, to avoid confusion regarding the effect of Executive Order No. 53 on the provisions of the Act, Executive Order No. 53, as extended by Executive Order No. 55, should be terminated; and

WHEREAS, pursuant to the authority under Tennessee Code Annotated, Section 58-2-107, and the general emergency management powers of the Governor under law, the measure contained herein is necessary to facilitate the response to the ongoing effects of the emergency resulting from COVID-19.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare that a state of emergency continues to exist in Tennessee and accordingly order the following:

Effective immediately, Executive Order No. 53, dated July 1, 2020, regarding limited liability protection for health care providers and hospitals, is amended by adding the following language to the end of Paragraph 4:

> Notwithstanding the provisions of this Paragraph 4 to the contrary, this Order is terminated and ceases to be effective on August 17, 2020, upon SB2/HB1 of the Second Extraordinary Session of the 111th General Assembly becoming law.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 17th day of August, 2020.

GOVERNOR

ATTEST:

SECRETARY OF STATE