STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 18

AN ORDER TO REDUCE THE SPREAD OF COVID-19 BY LIMITING NON-EMERGENCY HEALTHCARE PROCEDURES

WHEREAS, emergency government action to limit the spread of Coronavirus Disease 2019 (COVID-19) continues to be prudent and necessary as the illness spreads rapidly throughout our community; and

WHEREAS, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 504 additional cases of COVID-19 have since been identified in Tennessee, demonstrating a continued, increasing, and serious risk to the health, safety, and welfare of Tennesseans; and

WHEREAS, the Centers for Disease Control and Prevention advises that the best way to prevent COVID-19 is to avoid exposure to it, and exposure mainly results from close person-to-person contact; and

WHEREAS, unnecessary person-to-person contact within the healthcare community increases the risk of COVID-19 spreading to providers and patients throughout our healthcare system; and

WHEREAS, the American Dental Association and the Tennessee Dental Association recommend that dental providers and patients contribute to reducing the spread of COVID-19 by suspending non-essential services like hygiene visits and cosmetic and elective procedures for a minimum of three (3) weeks; and

WHEREAS, the American College of Surgeons has recommended that each hospital, health system, and surgeon thoughtfully review all scheduled elective procedures with a plan to minimize, postpone, or cancel electively scheduled operations, endoscopies, or other invasive procedures and to immediately minimize use of essential items needed to care for patients, including, but not limited to, ICU beds, personal protective equipment, terminal cleaning supplies, and ventilators; and

WHEREAS, the federal Centers for Medicaid & Medicare Services recommends limiting all non-essential planned surgeries and procedures, including dental, until further notice; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

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, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following statewide:

1. Dental service providers in the State of Tennessee, including but not limited to dentists, pediatric dentists, orthodontists, oral surgeons, periodontists, prosthodontists, and endodontists, shall not perform any non-emergency dental or oral procedures. Non-emergency dental or oral procedures include hygiene visits, cosmetic procedures, and other elective procedures. Emergency procedures for patients with acute dental or oral needs may still be performed, including treatment for pain, swelling, trauma, or an abscess.

2. All hospitals and surgical outpatient facilities in the State of Tennessee shall not perform non-essential procedures, which includes any medical procedure that is not necessary to address a medical emergency or to preserve the health and safety of a patient, as determined by a licensed medical provider. All hospitals and freestanding surgical outpatient facilities must postpone through the expiration of this Order, at a minimum, joint replacement, bariatric surgery, and cosmetic surgery, except for emergency or trauma-related surgery where postponement would significantly impact the health, safety, or welfare of the patient. Medical procedures excluded from postponement include, but are not limited to, surgeries related to advanced cardiovascular disease (including coronary artery disease, heart failure, and arrhythmias) that would prolong life; oncological testing, treatment, and related procedures; pregnancy-related visits and procedures, including labor and delivery; organ transplantation; procedures related to dialysis; and emergency or trauma-related procedures where postponement would significantly impact the health, safety, and welfare of the patient.

3. Non-hospital healthcare providers impacted by this Order are requested and encouraged to provide necessary personal protective equipment in their possession and not required for the emergency care exempted in the Order, including, but not

limited to, medical gowns, N95 masks, surgical masks, TYVEK suits, boot covers, gloves, and/or eye protection to the Tennessee Emergency Management Agency by delivering such equipment to the nearest open Tennessee National Guard Armory listed on the TEMA website (www.tn.gov/tema) between the hours of 9:00 a.m. and 2:00 p.m.

4. Any state or local law, order, rule, or regulation that would limit the application of this Order is hereby suspended.

5. This Order shall be effective and enforceable at 12:01 a.m., Central Daylight Time, on March 24, 2020, and shall remain in effect until 12:01 a.m., Central Daylight Time, on April 13, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 23rd day of March, 2020.

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SECRETARY OF STATE
PUBLICATIONS

Bill Lee
GOVERNOR

Tre Hargett
SECRETARY OF STATE