STATE OF MINNESOTA
Executive Department

Governor Tim Walz

Emergency Executive Order 20-84

Rescinding Emergency Executive Orders 20-15, 20-16, and 20-32; Amending Emergency Executive Order 20-23

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic continues to present an unprecedented and rapidly evolving challenge to our State. Since I first declared a peacetime emergency in response to this pandemic, my administration has taken proactive measures using the authority granted by the Legislature to the Governor under the Minnesota Emergency Management Act, Minnesota Statutes 2019, Chapter 12. We have used that authority to take bold actions to build hospital capacity, secure critical care and personal protective equipment for healthcare providers, and launch an aggressive testing strategy. These actions have slowed the spread of the virus and have saved lives. Of course, it is important for us to assess the continued need for existing executive orders. In this Executive Order, I am rescinding executive orders that are no longer necessary.

On March 23, 2020, I issued Executive Order 20-15, directing the Department of Employment and Economic Development ("DEED") to fund the Small Business Emergency Loan Program. This program funded forgivable, zero percent interest loans for small businesses during the COVID-19 peacetime emergency. DEED worked with the Legislature to codify this authority in Minnesota Laws 2020, Chapter 71, article 1, section 11, as amended by Minnesota Laws 2020, 1st Special Session, Chapter 1, section 2. All funds from the program have been distributed. For these reasons, Executive Order 20-15 is no longer necessary and can be rescinded.

On March 23, 2020, I issued Executive Order 20-16, which directed non-hospital entities to take inventory of their personal protective equipment ("PPE") and submit this information to the State. Executive Order 20-16 also directed non-hospital entities to refrain from using PPE and to instead donate or sell their PPE for use by healthcare personnel. This Order was necessary to identify and preserve available PPE for healthcare personnel. On May 6, 2020, Executive Order 20-51 amended 20-16 by eliminating the restrictions on non-hospital entities. After Executive Order 20-51 took effect, the directive to submit a PPE inventory was the only active portion of Executive Order 20-16. Because the deadline for the inventory has passed and inventories have been submitted, Executive Order 20-16 is no longer necessary and can be rescinded.

On March 27, 2020, I issued Executive Order 20-23, which authorized Minnesota health-related licensing boards to modify licensure requirements during the COVID-19 peacetime emergency. Executive Order 20-23 also authorized the Minnesota Board of Pharmacy to require that prescription drug orders for chloroquine or hydroxychloroquine must contain an appropriate diagnosis and be dispensed for no more than 30 days at a time. Although the modification of licensure requirements remains necessary during the pandemic, we no longer need to limit the use of chloroquine or hydroxychloroquine because these medicines have not been proven to be effective treatments for COVID-19 and are no longer in high demand. The authorization for the Minnesota Board of Pharmacy to implement dispensing limitations related to these medicines is no longer necessary and can be rescinded.

On April 8, 2020, I issued Executive Order 20-32, which permitted the Minnesota Department of Health ("MDH") to delay, waive, or modify a number of health-related statutory and regulatory requirements for healthcare facilities. Executive Order 20-32 was necessary because strict compliance with these laws and regulations would have limited these facilities' ability to effectively provide essential services. Executive Order 20-32 also gave MDH flexibility in carrying out its other regulatory activities and in administering state-funded grants to meet the needs of responding to the pandemic. MDH worked collaboratively with the Legislature to codify these important changes in Minnesota Laws 2020, Chapter 74, article 1, section 13. Due to this codification, Executive Order 20-32 is no longer necessary and can be rescinded.

For these reasons, I order that:

1. Executive Order 20-15 is rescinded.

2. Executive Order 20-16 is rescinded.

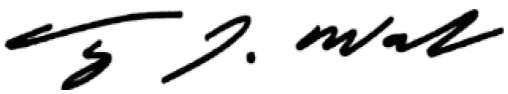
3. Paragraph 5 of Executive Order 20-23, which pertains to chloroquine and hydroxychloroquine, is rescinded. Executive Order 20-23 otherwise remains in effect as approved by the Executive Council until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

4. Executive Order 20-32 is rescinded.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on August 12, 2020.

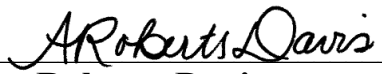


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on August 12, 2020:



Alice Roberts-Davis
Secretary, Executive Council

Filed on August 12, 2020
Office of the Minnesota
Secretary of State,
Steve Simon