STATE OF MINNESOTA
Executive Department

Governor Tim Walz

Emergency Executive Order 20-11

Securing Federal Authority to Continue Human Services Programs During the COVID-19 Peacetime Emergency

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 presents an unprecedented challenge to our State. Minnesota has taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. In Executive Order 20-01, I directed all state agencies to submit proposed orders and rules to protect and preserve public health and safety.

Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 3(1), the Governor may "make, amend, and rescind the necessary orders and rules to carry out the provisions" of Minnesota Statutes, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the pendency of a peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency.

Minnesotans served by the Minnesota Department of Human Services ("DHS") face many challenges due to COVID-19. The common good and public health are promoted by timely and safe access to, and delivery of, programs and services administered by DHS. Strict compliance with laws related to these programs and services during the peacetime emergency will limit the availability of essential programs and services for Minnesotans and increase the risk for spread of COVID-19. Securing temporary waiver or modification of certain federal requirements will allow DHS and its human services partners to continue to provide essential programs and services to Minnesotans safely and without undue delay during the peacetime emergency.

For these reasons, I order as follows:

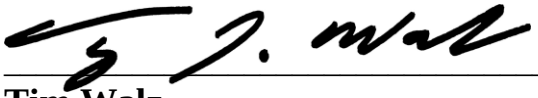
1. Effective immediately, the Commissioner of the Department of Human Services may seek federal authority to change or waive all federal requirements applicable to its programs and services, including but not limited to, the Minnesota Family Investment

Program, Medical Assistance, and MinnesotaCare, as necessary in order to ensure maximum federal funding, maintain enrollee coverage and provider participation, and otherwise protect and preserve public health and safety. The requests for federal approval shall include any waivers or amendments necessary to comply with and implement changes to state or federal law resulting from existing and forthcoming COVID-19 related Executive Orders or legislative enactments.

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. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

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 March 20, 2020.

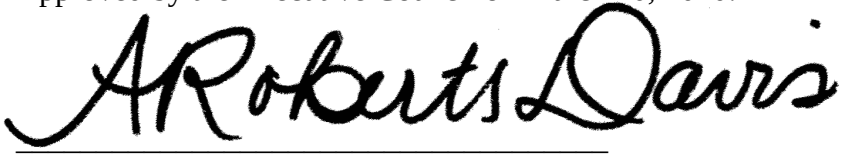


Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

Approved by the Executive Council on March 20, 2020:



Alice Roberts-Davis
Secretary, Executive Council

Filed March 20, 2020
Office of the Minnesota
Secretary of State,
Steve Simon