J. Kevin Stitt
Office of the Governor
State of Oklahoma

FILED
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OKLAHOMA SECRETARY
OF STATE

**EXECUTIVE DEPARTMENT**
**EXECUTIVE ORDER 2021-07**

On February 11, 2021, the 409,401st case of a novel coronavirus ("COVID-19"), was confirmed in the State of Oklahoma. As noted in a previous Executive Order, the United States Centers for Disease Control and Prevention ("CDC") has identified the potential public health threat posed by COVID-19 as "high" both globally and in the United States. In addition, on March 14, 2020, the President of the United States declared a national health emergency in the United States as a result of the national spread of COVID-19. On March 15, 2020, I issued Executive Order 2020-07, which was last amended in Eighth Amended Executive Order 2020-07, declaring an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health, and safety, and I have issued a series of Executive Orders over the last few months addressing the ongoing effects of the virus, the last of which, Ninth Amended Executive Order 2020-20, was issued on January 13, 2021. While we are one of the national leaders in COVID-19 vaccinations as more than 14.4% of eligible Oklahomans have received their first dose, the pandemic still needs to be addressed in various ways by Executive Order.

As COVID-19's impact continues to affect our State and its citizens, it is important to continue to take measures to protect all Oklahomans against this threat. Therefore, I believe, after consultation with numerous health experts within my administration, it is still necessary to provide for the rendering of mutual assistance among the State and political subdivisions of the State and to cooperate with the Federal Government with respect to carrying out emergency functions during the continuance of the State emergency pursuant to the provisions of the Oklahoma Emergency Management Act of 2003.

In view of the foregoing, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power vested in me by Section 2 of Article VI of the Oklahoma Constitution hereby declare and order the following:

1. There is hereby declared an emergency caused by the threat of COVID-19 to the people of this State and the public's peace, health, and safety. The counties included in this declaration are:

   ***All 77 Oklahoma Counties***

2. The State Emergency Operations Plan has been activated, and resources of all State departments and agencies available to meet this emergency are hereby committed to the reasonable extent necessary to prepare for and respond to

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COVID-19 and to protect the health and safety of the public. These efforts shall be coordinated by the Director of the Department of Emergency Management with comparable functions of the federal government and political subdivisions of the State.

3. State agencies, in responding to this emergency, may make necessary emergency acquisitions to fulfill the purposes of this declaration. If using a P-Card to make such acquisitions, agencies may purchase the necessary acquisitions without regard to the current P-Card policy limitation of $5,000.00 purchase limit. Agencies may make the necessary emergency acquisitions without the requirement to follow bidding requirement/limitations on such emergency acquisitions, without the need to purchase from State Use Vendors, or to purchase from mandatory Statewide contracts. Such necessary emergency purchases shall be capped at $250,000.00 per transaction. All such purchases must be readily identifiable as such, as following the conclusions of this threat, all such necessary emergency acquisitions will be audited to determine if they were made for emergency purposes.

4. State agencies, in responding to this emergency, may employ additional staff without regard to the classification requirements of such employment.

5. State agencies engaging in rulemaking as set forth in 75 O.S. § 303 may conduct virtual public comment hearings via videoconference.

In addition, I direct as follows:

1. Until March 12, 2021, any medical professional who holds a license, certificate, or other permit issued by any state that is a party to the Emergency Management Compact evidencing the meeting of qualifications for the practice of certain medical services, as more particularly described below, shall be deemed licensed to practice in Oklahoma so long as this Order shall be in effect, subject to the following conditions:

    a. This shall only apply to Medical (MD) and Allied Licenses issued by the Board of Medical Licensure and Supervision, Licenses issued by State Board of Osteopathic Examiners, and Licenses and Certificates issued by the Board of Nursing, all three shall collectively be referred to as "Boards";

    b. Any medical professional intending to practice in Oklahoma pursuant to this Order, hereinafter referred to as "Applicant," shall first apply with and receive approval from appropriate Board;

    c. It is the responsibility of each Board to verify the license status of any applicant and, upon verification of good standing, shall issue a temporary license to practice within this State; and

    d. Any applicant licensed under this Order shall be subject to the oversight and jurisdiction of the licensing Board, which includes the ability of the Board

to revoke said license and to initiate any administrative or civil proceeding related to any alleged misconduct of the applicant.

2. Hospitals and Physician Clinics (collectively referred to as "hospitals") operating in the State shall cooperate with and respond to all requests for critical data from the OSDH, as applicable to the services they provide. This shall include, but will not be limited to, the submission as set forth below, no later than noon, of critical data in a manner and format prescribed by OSDH. Critical Data shall include, but not be limited to:

   a. The daily submission of the number of available (i) ICU beds, (ii) medical surgery beds, and (iii) the number of Covid positive patients in the hospital receiving treatment; and

   b. The weekly submission, on each Wednesday, of (i) the Personal Protective Equipment stock on hand; (ii) the number of available ventilators; and (iii) the number of available anesthesia machines capable of ventilation.

3. Every public or private entity that is utilizing, or has utilized, an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to OSDH, as well as to the local health department, reports in a format prescribed by OSDH on a daily basis (or as often as new specimens have been received or processed) of all test results, both positive and negative, and the number of samples/specimens received and pending processing, for all days from the date hereof forward. In addition, OSDH shall promptly share this information with the CDC.

4. Oklahoma State regulations requiring Clinical Laboratory Improvement Amendment ("CLIA") certification for testing laboratories are hereby suspended for the universities named below and for the narrow purposes described herein. During this suspension, laboratories operated by or through the University of Oklahoma, including the OU Medicine Laboratory, and Oklahoma State University are authorized to conduct testing and testing-related activities in response to the COVID-19 pandemic. Further, the Oklahoma Commissioner of Health, acting through and on behalf of OSDH, is hereby authorized to contract with the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, the Board of Regents for the University of Oklahoma, and/or their constituent agencies and the OU Medicine Laboratory, to perform laboratory tests and test-related activities, without regard to CLIA certification requirements, as necessary to detect and report COVID-19 infection in compliance with applicable law. The Commissioner of Health is authorized to negotiate and execute any and all agreements and terms necessary to execute and implement this provision.

5. Until March 12, 2021, any statutory or rule-based time requirements for completing training and becoming certified as a peace officer for duly

appointed or elected peace officers during the existence of this emergency are hereby waived.

6. Until March 12, 2021, any requirements that county reserve deputies, municipal reserve officers, or other duly appointed reserve peace officers in this State be CLEET-certified prior to serving in an individual capacity or be accompanied by a CLEET-certified peace officer prior to becoming CLEET-certified are hereby waived. Any such reserve deputy, municipal reserve officer, or other duly appointed reserve peace officer must be commissioned and authorized by his or her appointing agency's head or designee before being allowed to work as a peace officer under this provision.

7. Except as otherwise provided herein, all persons on property, including buildings and office space, owned or leased by the State of Oklahoma shall wear a facial covering or mask over the mouth and nose at all times where physical distancing measures may be difficult to observe. This only applies to persons while indoors or when in an outdoor space, wherever it is not feasible to maintain six feet of social distance from another person. Facial coverings or masks are not required in the following circumstances:

   a. In state owned and leased vehicles, if only occupied by one occupant;

   b. When a person is alone in an enclosed space;

   c. When the individual has a bona fide religious objection to wearing a facial covering or mask;

   d. While eating or drinking;

   e. When a licensed healthcare provider has determined that wearing a facial covering or mask causes or aggravates a health condition for the individual;

   f. When wearing a facial covering or mask would prevent the receipt of services or performing work in the course of employment;

   g. When complying with the directions of law enforcement or for the purposes of verifying a person's identity; and

   h. Children under the age of 10.

8. Unless otherwise provided herein, public and social gatherings of persons not from the same household shall be limited to fifty percent (50%) of the building or area's permitted occupancy as set forth in the Certificate of Occupancy or other building permit for use and occupancy of the building or area. Public and social gatherings mean a gathering or organized event among persons not part of the same household. This shall not apply to gatherings in a private residence, buildings or businesses providing religious, healthcare, educational, public safety, and childcare services, and businesses previously impacted by Paragraph 26 of the Eighth Amended

Executive Order 2020-20 and exempted therein. Exceptions to this prohibition may be granted by the local health authority.

9. Attendance at indoor youth sports and extracurricular activities, including those organized through or sponsored by a public or private school, shall be limited to fifty percent (50%) of the building or area's permitted occupancy as set forth in the Certificate of Occupancy or other building permit for use and occupancy of the building or area.

***This Order shall be effective until the end of thirty days after the filing of this Order.***

Copies of this Executive Order shall be distributed to the Director of Emergency Management, the Oklahoma State Health Commissioner, the Commissioner of the Department of Public Safety, and the Director of the Office of Management and Enterprise Services who shall cause the provisions of this Order to be implemented by all appropriate agencies of State government.

IN WITNESS WHEREOF, I have set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, this 12th day of February, 2021.

BY THE GOVERNOR OF THE STATE OF OKLAHOMA

J. KEVIN STITT

ATTEST:

BRIAN BINGMAN, SECRETARY OF STATE