CHRISTOPHER T. SUNUNU
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR

Emergency Order #33 Pursuant to Executive Order 2020-04 as extended by Executive Order 2020-05

Activation of the New Hampshire Crisis Standards of Care Plan

WHEREAS, on Friday, March 13, 2020, the President of the United States declared a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on Friday, March 13, 2020, the Governor issued Executive Order 2020-04, An order declaring a state of emergency due to the Novel Coronavirus (COVID-19); and

WHEREAS, on Friday, March 13, 2020, the Governor activated the Emergency Operations Center at the Incident Planning and Operations Center in Concord to assist in the State's response to the COVID-19 outbreak; and

WHEREAS, in the days since the Governor declared a State of Emergency and activated the Emergency Operations Center, the COVID-19 outbreak in New Hampshire has expanded significantly; and

WHEREAS, experts anticipate that while a high percentage of individuals affected by COVID-19 will experience mild flu-like symptoms, some will have severe symptoms and require hospitalization, particularly individuals who are elderly or already have underlying chronic health conditions; and

WHEREAS, on Monday, March 23, 2020, the first New Hampshire death resulting from COVID-19 occurred and there have been 34 additional deaths in New Hampshire since that date; and

WHEREAS, as of April 16, 2020, according to the CDC, there were 632,220 confirmed cases of COVID-19 in the United States and territories, with 29,930 of those confirmed cases resulting in death; and

WHEREAS, as of April 16, 2020, New Hampshire Division of Public Health reported that there have been 1,211 confirmed positive cases of COVID-19 and that of these cases, 187

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individuals have required hospitalization; and

WHEREAS, as of April 16, 2020, there are a total of 426 first responders reported as quarantined due to exposure or possible exposure to COVID-19. There are 11 first responders and 400 healthcare workers who have tested positive for COVID 19; and

WHEREAS, New Hampshire's population of more than 1.37 million people are served by 26 acute care hospitals; and

WHEREAS, through Executive Order 2020-04, on March 13, 2020, the State's assisted living facilities, long-term care facilities, nursing facilities, residential care facilities, as those terms are defined in RSAs 151 – 151-H, and any other similar facilities providing residential care to elderly or infirm patients were closed to visitors, in order to protect this very vulnerable population; and

WHEREAS, if COVID-19 spreads in New Hampshire at a rate comparable to the rate of spread in other states and countries, the number of persons requiring medical care may exceed locally available resources; and

WHEREAS, despite other steps taken to minimize the demands on healthcare professionals, such as Emergency Orders 8 and 15 regarding telehealth, Emergency Orders 13 and 14 regarding pharmacies, as well as the order to stay home and the closure of non-essential businesses in Emergency Order 17, hospital and healthcare facility resources and capacities may not be able to meet actual patient needs due to COVID-19, as those needs develop on a regional, county, or community-by-community basis; and

WHEREAS, fourteen alternative care centers have been established across the state to accommodate the potential surge of patients requiring hospitalization or in-patient medical care due to COVID-19; and

WHEREAS, exigent circumstances could occur in which the healthcare system, including acute care hospitals, assisted living facilities, long-term care facilities, nursing facilities, residential care facilities, as those terms are defined in RSAs 151 – 151-H, and any other similar facilities providing residential care to elderly or infirm patients, becomes overwhelmed and goes into crisis where available resources, including adequate clinical care spaces, medical supplies, medical equipment, and available trained staff, are significantly inadequate to meet all patient needs; and

WHEREAS, the Commissioner of Health and Human Services ("Commissioner"), with the input of dozens of stakeholders, created the New Hampshire Crisis Standards of Care Plan ("CSC Plan"). The CSC Plan serves as a guide for how the State will move forward in creating the CSC Clinical Guidelines ("CC Guidelines"), which shall serve as guidance for how the Governor, through his designee, will oversee the healthcare system, or that part of it that has entered into crisis. The Commissioner will appoint members of the State Disaster Medical Advisory Committee ("SDMAC") and the State Triage Committee ("STC") established in the

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CSC Plan to create the CC Guidelines and advise on the criteria for determining when the healthcare system is in crisis.

Now therefore, pursuant to Section 18 of Executive Order 2020-04 as extended by Executive Order 2020-05, it is hereby ordered, effective immediately, that:

1. The Commissioner shall adopt and activate the CSC Plan that will commence the process for creating the CC Guidelines.

2. The Commissioner shall appoint the members of the SDMAC and the STC. The members shall work, under the direction of the Commissioner, to create the CC Guidelines. The CC Guidelines shall be grounded in the ethical principles that care decisions will be based on survivability, not consideration of age, sex, or disability alone as factors, and will not discriminate based on religion, race, ethnicity, sexual orientation, state or country of origin, insurance status, or ability to pay.

Given under my hand and seal at the Executive Chambers in Concord, this 17th day of April, in the year of Our Lord, two thousand and twenty, and the independence of the United States of America, two hundred and forty-four.

GOVERNOR OF NEW HAMPSHIRE

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