State of Iowa

Executive Department

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF IOWA

PROCLAMATION OF DISASTER EMERGENCY

WHEREAS, the World Health Organization has reported an outbreak of thousands of cases of Novel Coronavirus 2019 (COVID-19) in multiple countries, causing illness and deaths; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services declared a national public health emergency; and

WHEREAS, on March 9, 2020, a Proclamation of Disaster Emergency was issued to coordinate the State of Iowa's response to this outbreak and such disaster continues to exist; and

WHEREAS, on March 11, 2020 the World Health Organization declared the COVID-19 outbreak a global pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

WHEREAS, on March 17, 2020, a Proclamation of Public Health Disaster Emergency was issued to provide additional needed resources and measures to respond to this disaster, and such public health disaster continues to exist and should be extended until December 10, 2020; and

WHEREAS, the risk of transmission of COVID-19 may be substantially reduced by adjusting appropriate public health measures regarding gatherings and continuing to ensure that business takes appropriate public health precautions while remaining open; and

WHEREAS, strict compliance with Iowa Administrative Code rule 441-7.8(1) requiring an in-person administrative hearing before the Department of Human Services at the request of a party would prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

WHEREAS, strict compliance with many of the provisions of Iowa law previously suspended would continue to prevent, hinder, or delay necessary action in coping with this disaster in all counties of our state.

NOW THEREFORE, I, KIMBERLY K. REYNOLDS, Governor of the State of Iowa, by the power and authority vested in me by the Iowa Constitution, Art. IV, §§ 1, 8 and Iowa Code §§ 29C.6(1), 135.140(6), and 135.144 do hereby proclaim a **STATE OF PUBLIC HEALTH DISASTER EMERGENCY** continues to exist throughout the entire state of Iowa and do hereby **ORDER** and **DIRECT** the following:

PROTECTION OF VULNERABLE IOWANS

SECTION ONE. I continue to strongly encourage all vulnerable Iowans, including those with preexisting medical conditions and those older than 65, in all counties of the state to continue to limit their activities outside of their home, including their visits to businesses and other establishments and their participation in gatherings of any size and any purpose. And I

encourage all Iowans to limit their in-person interactions with vulnerable Iowans and to exercise particular care and caution when engaging in any necessary interactions.

USE OF MASKS OR FACE COVERINGS

SECTION TWO. Consistent with the recommendations of the Iowa Department of Public Health and the Iowa Board of Medicine and to assist in reducing the spread of COVID19, I continue to strongly encourage all Iowans two or older to wear a mask or other face covering when in public settings, especially in circumstances when it is not possible to remain six feet away from others outside their household, unless it is unsafe to do so because of health or disability.

AVOIDANCE OF HIGH-RISK ACTIVITIES

SECTION THREE. I encourage all Iowans to consider how their choice to adhere to public health mitigation strategies impacts the spread of COVID-19 in their family and community. Specifically, I strongly encourage Iowans to consider avoiding events not adhering to social distancing and mask recommendations and thereby considered high risk including but not limited to weddings, funerals, bridal showers, baby showers, birthday parties, holiday celebrations, conventions, indoor entertainment, spectator sports, private parties, tailgating, and vacationing.

EMPLOYEE AND PUBLIC PROTECTION

SECTION FOUR. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that effective at 12:01 a.m. on November 11, 2020, and continuing until 11:59 p.m. on November 30, 2020:

A. All employers shall evaluate whether any more of their employees can feasibly work remotely and to the extent reasonable, shall take steps to enable such employees to work from home.

B. All businesses or other employers remaining open with in-person operations shall take reasonable precautions to ensure the health of their employees and members of the public, including appropriate employee screening, social distancing practices, and increased cleaning and hygiene practices.

C. This section shall not be a basis for closing or taking other enforcement action against a business or other employer absent an additional specific order or directive of the Iowa Department of Public Health.

GATHERINGS

SECTION FIVE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I order that effective at 12:01 a.m. on November 11, 2020, and continuing until 11:59 p.m. on November 30, 2020:

A. Requirements for gatherings of more than ten people: A social, community, recreational, leisure, or sporting gathering or event of more than ten people may be held, but only if the gathering complies with all other relevant provisions in this Proclamation and the following requirements:

(1) Social distancing: The gathering organizer must ensure at least six feet of physical distance between each group or individual attending alone.

(2) Groups limited: A group attending together may not be larger than 8 people unless all the people are members of the same household.

(3) Other social distancing, hygiene, and public health measures: The gathering organizer shall also implement reasonable measures under the circumstances of each gathering to ensure social distancing of gathering participants, increased hygiene practices, and other public health measures to

reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food service, the Iowa Department of Inspections and Appeals.

B. **Large gatherings prohibited unless masks required:** A social, community, recreational, leisure, or sporting gathering or event of more than 25 people held indoors or more than 100 people held outdoors shall be prohibited at all locations and venues unless all participants in the gathering who are two or older wear masks at all times while participating in the gathering, except while eating or drinking.

C. **Sporting and recreational events:** Sporting and recreational gatherings, including practices, games, and competitions, are not prohibited by this section even where athletes are not wearing masks and may have contact within six feet, provided that the organizer and all participants in the gathering comply with the following requirements in addition to all other requirements of this section:

(1) **Outdoor spectator social distancing:** At an outdoor sporting or recreational gathering, the gathering organizer and all spectators attending must ensure at least six feet of physical distance between each group or individual attending alone to watch the event. A group attending together may not be larger than 8 people unless all the people are members of the same household.

(2) **Indoor spectators limited:** At an indoor sporting or recreational gathering for youth 18 years or younger, including but not limited to any gathering sponsored by a middle school or high school, club sports, and gymnastics or dance events, the gathering organizer and all spectators must ensure that spectators are limited to no more than two spectators for each athlete participating in the gathering. The gathering organizer and all spectators must also ensure at least six feet of physical distance between each group of spectators.

(3) **Spectator masks:** Although athletes are not required to wear a mask while participating in an event, the size of a sporting or recreational event shall be determined based on the number of athletes, coaches, spectators, and any other attendees for purposes of the mask requirement in paragraph B.

D. **Wedding receptions:** A wedding reception may still be held, but only to the extent that the hosts of the reception, the venue owner, and all attendees comply with the following requirements, regardless of the venue at which the reception is held:

(1) **Social distancing:** The host, the venue owner, and all attendees must ensure at least six feet of physical distance between each group or individual dining alone. Seating at booths closer than six feet may satisfy this requirement if the booths are separated by a barrier of a sufficient height to fully separate seated customers. All patrons must have a seat at a table, booth, or bar, and must consume their food or beverage while seated at the table, booth, or bar. Establishments must limit patrons from congregating together closer than six feet.

(2) **Groups limited:** The host, the venue owner, and all attendees must limit the group size seated together to no more than eight people unless all members of the group are members of the same household.

(3) **Other social distancing, hygiene, and public health measures**: The host and the venue owner shall also implement reasonable measures under the circumstances of each restaurant to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.

E. **Spiritual and religious gatherings:** Spiritual and religious gatherings, including any funerals or weddings, are not prohibited by this section. But a church, synagogue, or other host of a spiritual or religious gathering shall implement reasonable measures under the circumstances of each gathering to ensure social distancing of employees, volunteers, and other participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

REOPENING OF BUSINESSES AND ESTABLISHMENTS

SECTION SIX. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I order that effective at 12:01 a.m. on November 11, 2020, and continuing until 11:59 p.m. on November 30, 2020:

A. **Restaurants and bars:** A restaurant or bar, including a wedding reception venue, winery, brewery, distillery, country club, or other social or fraternal club, may reopen or remain open to serve food and beverages on its premises, but only to the extent that it complies with the following requirements:

(1) **Social distancing:** The establishment must ensure at least six feet of physical distance between each group or individual dining alone. Seating at booths closer than six feet may satisfy this requirement if the booths are separated by a barrier of a sufficient height to fully separate seated customers. All patrons must have a seat at a table, booth, or bar, and must consume their food or beverage while seated at the table, booth, or bar. Establishments must limit patrons from congregating together closer than six feet.

(2) **Groups limited:** The establishment must limit the group size seated together to no more than eight people unless all members of the group are members of the same household.

(3) **Other social distancing, hygiene, and public health measures**: The restaurant shall also implement reasonable measures under the circumstances of each restaurant to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.

B. **Fitness centers:** A fitness center, health club, health spa, or gym may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Social distancing:** The establishment must ensure that all equipment, such as treadmills, bikes, weight machines, benches, and power racks, are spaced at least six feet apart or take other appropriate measures to ensure that more closely spaced equipment is not used.

(2) **Group activities:** Any group activities or classes must be limited to a number of people that permits maintaining a distance of six feet apart at all times.

(3) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

C. **Casinos and gaming facilities:** A casino or other facility conducting pari-mutuel wagering or gaming operations may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Social distancing:** The establishment must encourage social distancing by spacing gaming positions at least six feet apart, turning off alternating gaming

machines, or separating positions with a barrier of sufficient height to fully separate patrons. The establishment may operate table games provided that it takes reasonable measures to reduce the risk of transmission, such as limiting the number patrons at a table, encouraging or requiring face covering of patrons or employees, providing hand sanitizer, or taking other precautions.

(2) **Food and Beverage Service:** The establishment shall comply with all the requirements of bars and restaurants in this Proclamation for any food and beverage service.

(3) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food or beverage service, the Iowa Department of Inspections and Appeals.

D. **Senior citizen centers and adult daycare facilities**: A facility that conducts adult day services or other senior citizen centers may reopen, but only to the extent that the establishment complies with guidance issued by the Iowa Department of Public Health to ensure social distancing, increased hygiene practices, and other public health measures.

E. **Salons, barbershops, massage therapy establishments, tattoo establishments, and tanning facilities:** A salon or barbershop (including any establishment providing the services of barbering, cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring), an establishment where an individual is practicing massage therapy as defined by Iowa Code § 152C.1(3), a tattoo establishment regulated by Iowa Code § 135.37, a tanning facility as defined by Iowa Code § 136D.2(5), or other establishment providing personal services requiring close contact with a customer may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Social distancing:** The establishment must ensure that all customers are at least six feet apart when performing cosmetology practices, barbering services, massage therapy, or other services unless customers and providers closer than six feet apart are wearing face coverings.

(2) **Masks required:** All customers and providers shall wear masks or face coverings while in the establishment, unless a service is being provided on the face that requires removing the mask or face covering of the customer and the customer remains at least six feet apart from all other customers.

(3) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

F. **Bowling alleys, pool halls, bingo halls, arcades, indoor playgrounds, children's play centers:** A bowling alley, pool hall, bingo hall, arcade, indoor playground, or children's play center arcade may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Social distancing**: The establishment must ensure at least six feet of physical distance between each group or individual patronizing the establishment.

(2) **Groups limited:** The establishment must limit the group size seated or patronizing the establishment together to no more than eight people unless all members of the group are members of the same household.

(3) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

G. **Medical spas:** A medical spa, as defined in Iowa Admin Code § 653-13.8(1), may reopen or remain open to provide medical aesthetic services, but only if the medical spa complies with the requirements for performing outpatient procedures that utilize PPE in section 5, paragraph A, of this Proclamation.

H. **Theaters and Performance Venues:** Any theater or performance venue at which motion pictures are shown or live performances are held may reopen or remain open, but only to the extent that the theater complies with the following requirements:

(1) **Social distancing:** The theater or performance venue must ensure at least six feet of physical distance between each group or individual attending alone when seated in the theater.

(2) **Other social distancing, hygiene, and public health measures**: The theater shall also implement reasonable measures under the circumstances of each theater to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food service, the Iowa Department of Inspections and Appeals.

I. **Race tracks:** A speedway or race track, including a track conducting horse or dog races, may reopen or continue its operations, provided that the establishment complies with the following requirements:

(1) **Social distancing:** The establishment must ensure at least six feet of physical distance between each group or individual attending alone when seated.

(2) **Other social distancing, hygiene, and public health measures**: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health and, for any food or beverage service, the Iowa Department of Inspections and Appeals.

J. **Malls:** An enclosed mall may reopen or remain open, but only to the extent that it complies with the following requirements:

(1) **Play areas:** Any play area or playground in a common area must remain closed.

(2) **Social distancing, hygiene, and public health measures**: The mall shall also implement reasonable measures under the circumstances of each mall to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

K. **Other establishments:** A museum, aquarium, zoo, library, swimming pool, amusement park, campground, or a retail establishment that was previously ordered to be closed statewide and then only in certain counties under section 5, paragraph I, of the Proclamation of Disaster Emergency issued on April 27, 2020, may reopen or remain open, but only to the extent that the facility takes reasonable measures under the circumstances of each establishment to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with Guidance issued by the Iowa Department of Public Health.

NONESSENTIAL OR ELECTIVE SURGERIES AND PROCEDURES

SECTION SEVEN. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until this disaster proclamation expires:

A. A hospital, outpatient surgery provider, or outpatient procedure provider may conduct in-patient surgeries and procedures that, if further delayed, will pose a significant risk to quality of life and any outpatient surgeries or procedures if the hospital or provider complies with the following requirements:

(1) A hospital or provider must have:

(a) Adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local government PPE stockpiles to support continued operations and respond to an unexpected surge in a timely manner; and

(b) A plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health;

(2) A hospital or provider must have a plan for timely COVID-19 testing of symptomatic patients and staff to rapidly mitigate potential clusters of infection and as otherwise clinically indicated. Providers must comply with any relevant guidance related to testing requirements for patients and staff issued by the Iowa Department of Public Health, the CDC, or a provider's professional specialty society. For scheduled surgeries patients should have a negative COVID-19 test performed within 72 hours of surgery date. If a COVID-19 test is not available, a hospital or provider should consider alternative methods to determine the patient's probability of COVID-19. If the patient has symptoms of fever, cough, or low oxygen saturation, then postponing the surgery is recommended.

(3) A hospital must continue to accept and treat COVID-19 patients and must not transfer COVID-19 patients to create capacity for elective procedures.

(4) A hospital must reserve at least 10% of intensive care unit (ICU) beds and 10% of medical/surgical beds for COVID-19 patients.

(5) A hospital or provider that begins conducting surgeries or procedures as authorized by this paragraph but is no longer able to satisfy all these requirements must cease conducting such surgeries or procedures except as authorized by paragraph B. All hospitals and providers shall have a plan in place to monitor compliance and a transition plan to reduce or suspend procedures and surgeries as necessary.

B. Except as provided in paragraph A, all nonessential or elective surgeries and procedures that utilize PPE must not be conducted by any hospital, outpatient surgery provider, or outpatient procedure provider, whether public, private, or nonprofit.

C. A nonessential surgery or procedure is one that can be delayed without undue risk to the current or future health of a patient, considering all appropriate factors including,

but not limited to any: (1) threat to the patient's life if the surgery or procedure is not performed; (2) threat of permanent dysfunction of an extremity or organ system; (3) risk of metastasis or progression of staging; and (4) risk of rapidly worsening to severe symptoms.

D. Each hospital, outpatient surgery provider, and outpatient procedure provider shall limit all nonessential individuals in surgery and procedure suites and patient care areas where PPE is required. Only individuals essential to conducting the surgery or procedure shall be present in such areas.

E. Each hospital, outpatient surgery provider, and outpatient procedure provider shall establish an internal governance structure to ensure that the principles outlined above are followed.

DENTAL SERVICES

SECTION EIGHT. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until this disaster proclamation expires:

A. A dentist and his or her dental staff may resume providing any dental services if the dentist complies with the following requirements:

(1) All dental services are provided in compliance with the Guidelines for the Safe Transition Back to Practice adopted by the Iowa Dental Board on May 5, 2020.

(2) The dentist has adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local PPE stockpiles to comply with the Guidance for Returning to Work During COVID-19.

(3) The dentist has a plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health.

B. The performance of any dental procedures except in compliance with paragraph A continue to be prohibited.

C. This order shall be enforced by Iowa Dental Board investigators or their designees who, pursuant to Iowa Code § 153.33(1)(b), shall have the powers and status of peace officers when enforcing this order.

MANDATORY SCREENING OF HEALTH FACILITY STAFF

SECTION NINE. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to order all hospitals, nursing facilities, intermediate care facilities, residential care facilities, hospice programs, and assisted living programs to screen all staff at the beginning of their shift for symptoms of COVID-19 and take any preventative measures based on that screening to prevent the spread of COVID-19 within the hospitals, nursing facilities, intermediate care facilities, hospice programs, residential care facilities, and assisted living programs.

IN-PERSON INSTRUCTION AT SCHOOLS

SECTION TEN. Under Iowa law, "in-person instruction is the presumed method of instruction" for all school districts and accredited nonpublic schools during the 2020-2021 school year. I continue to direct that all state agencies, school districts, and other local governmental bodies and agencies shall take all efforts to prepare to safely welcome back students and teachers to school in-person this fall. These efforts shall also ensure that schools have the flexibility to continue providing education remotely if it becomes necessary and that parents have the option to select a learning model for their children that best meets the needs of their family. But the best interests of students and families requires that our schools are prepared to provide a structured, safe, and enriching academic environment.

AUTHORIZATION OF CERTAIN REMOTE LEARNING

SECTION ELEVEN. Pursuant 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 15, subsection 1, I continue to authorize a brick-and-mortar school district or accredited nonpublic school to provide instruction primarily through remote-learning opportunities only in one of the following circumstances:

A. **Parental consent:** If a parent or guardian voluntarily selects the remote learning opportunity from among multiple options provided by the school district or nonpublic school in accordance with its Return-to-Learn Plan.

B. **Approved temporary school building or district closure:** If the Iowa Department of Education, in consultation with the Iowa Department of Public Health, approves of the temporary move to primarily remote learning for an entire school building or district because of public health conditions in the building or district.

C. **Temporary remote learning for individual students or classrooms:** If the school district or accredited nonpublic school determines, in consultation with state and local public health departments, that individual students or classrooms, but not all the students in a school building, must temporarily move to primarily remote learning because of public health conditions in the building.

D. **Temporary remote learning because of inclement weather:** If the school district or accredited nonpublic school determines that an entire school building or district must temporarily move to primarily remote learning because of inclement weather for a period not exceeding five consecutive school days unless the Iowa Department of Education approves of a longer period.

E. **Temporary remote learning because of damage caused by derecho natural disaster:** If the Iowa Department of Education approves of a temporary move to primarily remote learning for an entire school building or district because of damage to one or more school buildings caused by the derecho natural disaster on August 10, 2020, that prevents the safe use of the buildings for in-person instruction. School districts that are unable to conduct primarily remote learning because of the derecho natural disaster may apply to the Department of Education for a waiver of instructional time under Iowa Code § 256.9(53).

So long as any remote learning is provided in accordance with a compliant Return-to-Learn plan and is authorized in this section or is not the primary method of instruction (because at least half of the school district or accredited nonpublic school's instruction is provided in-person during any two-week period), any instructional time provided by remote learning shall count towards the hours and days requirements of Iowa law as provided for by 2020 Iowa Acts Chapter 1107 (Senate File 2310), section 9.

EDUCATION WORKFORCE LICENSURE RELIEF

SECTION TWELVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2, limiting the number of consecutive days and the total number of days in a 30-day period that a person may serve as a substitute teacher during one job assignment, and of Iowa Admin. Code rule 282-13.16(2) limiting the number of days of teaching in one assignment during a school year. For the duration of this disaster proclamation and any extension of this suspension, a substitute authorization or substitute license shall allow an individual to substitute in grades pre-kindergarten through 12, except in a driver's education classroom for any length of time.

SECTION THIRTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 282-22.2(1)(a)(2), requiring a baccalaureate degree or higher from a regionally accredited institution to be issued a substitute authorization, but only to the extent that the applicant instead has achieved an associate's degree or completed 60 semester hours of college coursework from a regionally accredited institution.

SECTION FOURTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 272.2(14)(b)(2) and Iowa Admin. Code rule 282-22.2(1)(a)(3), requiring the applicant to be at least twenty-one years of age, but only to the extent that the applicant is at least twenty years of age.

SECTION FIFTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 272.12 and Iowa Admin. Code rule 282-22.2, limiting the holder of a paraeducator certificate with a substitute authorization appearing on the certificate to substituting only in the special education classroom in which the paraeducator is employed. For the duration of this disaster proclamation and any extension of this suspension, a paraeducator who holds or obtains a substitute authorization on a paraeducator certificate may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom.

SECTION SIXTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 282-13.16(3), 22.2, 22.9, and any other Iowa law that would prohibit the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district from serving as a substitute teacher in any classroom in grade pre-kindergarten through 12, except in a driver's education classroom. For the duration of this disaster proclamation and any extension of this suspension, the holder of a career and technical secondary authorization or an initial career and technical secondary authorization who has completed at least one year of teaching experience employed by a school district may substitute in any classroom in grades pre-kindergarten through 12, except in a driver's education classroom without any further authorization from the Board of Educational Examiners.

SECTION SEVENTEEN. The Board of Educational Examiners shall provide guidance to school districts and individuals interested in serving as a substitute teacher about these expanded opportunities to assist in providing the necessary education workforce across Iowa.

RETIRED TEACHERS AND EDUCATION STAFF

SECTION EIGHTEEN. Pursuant to Iowa Code § 29C.6(6) and 135.144(3), and in conjunction with the Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code §§ 97B.48A and 97B.52A to the extent those provisions require the repayment or reduction of a member's retirement allowance if the member is reemployed or returns to employment as a teacher, substitute teacher, bus driver, paraeducator, or other employee of a school district or area education agency during the pendency of this Disaster Emergency.

TEMPORARY TEACHER LICENSURE

SECTION NINETEEN. Pursuant to Iowa Code §§ 29C.6(6) and 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code section 272.2(22) and Iowa Admin. Code rule 282-13.6(1) requiring an applicant for a one-year temporary license to provide the board of educational examiners proof of an offer of a teaching position from a school district that can show it has made every reasonable and good faith effort to employ a teacher licensed under Chapter 272, so that the Board of Educational Examiners may issue a one-year temporary license to new teachers unable to complete the requirements for initial licensure as a result of this public health disaster emergency.

EDUCATION FIELD EXPERIENCE FLEXIBILITY

SECTION TWENTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 256.16(1)(a)(2)(d) and (m) and Iowa Admin. Code rules 281-77.10 (9), 281-79.14(5), 281-79.14(7), and 281-79.16(4), to the extent that they require a minimum number of hours of field experience if the higher education institution providing practitioner preparation program determines that the student has completed sufficient field experience to determine that the student should be recommended for licensure.

STATE EDUCATION REPORTING REQUIREMENTS

SECTION TWENTY-ONE. Pursuant to Iowa Code § 29C.6(6), I temporarily suspend the regulatory provisions of any statute or rule establishing any deadline for data submission regarding early childhood education, elementary education, or secondary education to the Iowa Department of Education that occurs during this Proclamation or any extension of this proclamation, including but not limited to deadlines contained in Iowa Code chapter 257, but only to the extent that the Iowa Department of Education, in its sole discretion, grants an extension of the deadline for a period of up to two weeks to all school districts. This suspension does not apply to any deadline for any data submission required by federal law, or the data submissions required by federal law or to the deadlines in Iowa Code section 257.6(3).

PRIVATE INSTRUCTION REQUIREMENTS

SECTION TWENTY-TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-31.3(3)(a), requiring face-to-face contact between children receiving competent private instruction from privately retained licensed practitioners and those practitioners.

SECTION TWENTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-31.4(3)(a), requiring face-to-face contact between children receiving competent private instruction from home school assistance program teachers and those teachers.

SECTION TWENTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code section 299A.1(2)(b) and Iowa Administrative Code rules 281-31.1(2)(b) and 281-31.11, governing the provision of independent private instruction, to the extent those provisions impose any requirement for in-person instruction.

INTERSCHOLASTIC ATHLETICS REQUIREMENTS

SECTION TWENTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-36.15(2), the scholarship rule for interscholastic athletics. When school resumes and athletic competitions resume, all student athletes will be deemed to be academically eligible.

SECTION TWENTY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 281-36.15(3) and (4), the transfer rule for interscholastic athletics, to the extent that these subrules require a certain number of school days of ineligibility. Any day that a school was closed pursuant to a proclamation of the Governor or after receiving a waiver of instructional time because of the derecho natural disaster shall be counted toward the days required by Iowa Administrative Code rule 281-36.15(3) and (4).

REGULATORY RELIEF TO HEALTH CARE SYSTEM

SECTION TWENTY-SEVEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 135.61 through 135.73, and any other provisions of law, requiring an institutional health facility to obtain a certificate of need prior to operating additional bed capacity or to changing the type of institutional health facility or institutional health services offered. Suspension of these provisions is limited to the duration of this proclamation and is further limited to the provision of medical assistance and treatment of victims of this public health emergency.

SECTION TWENTY-EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.20(1) & 58.23(1)(a), requiring residential care facilities and nursing facilities assist residents to obtain regular and emergency dental services, to the extent those facilities continue to assist residents in obtaining emergency dental services.

SECTION TWENTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.23(1) & 58.26(1) requiring group activities provided by residential care facilities and nursing facilities, so long as any group activities that are conducted are in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and/or the Iowa Department of Inspections and Appeals.

SECTION THIRTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-58.47, permitting in-person visits with residents in nursing facilities, so long as any in-person visitation is conducted in accordance with requirements published by the Centers for Medicare and Medicaid Services, Iowa Department of Public Health, and the Iowa Department of Inspections and Appeals.

SECTION THIRTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-58.24(6)(a) and (b), requiring minimum standards for training paid nutritional assistants, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

SECTION THIRTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of any statute or administrative rule that impedes the implementation of a federal waiver issued by the Secretary of the Department of Health and Human Services and Centers for Medicare and Medicaid Services pursuant to section 1135 of the Social Security Act.

SECTION THIRTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-69.29(5) & (6) requiring a new program manager and delegating nurse in assisted living programs complete an assisted living management class and/or an assisted living nursing class within six months of employment.

SECTION THIRTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-57.11(6) requiring a residential care facility screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a facility to do so, to the extent the facility continues to perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

SECTION THIRTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 481-57.19(3)(c) & 64.4(9)(b) requiring a person administering medications in a residential care facility and intermediate care facility for the intellectually disabled to complete a department-approved medication aide course and pass a department-approved medication aide exam, to the extent the person has successfully completed a state-approved medication manager course and passed a state-approved medication manager exam to administer medications.

SECTION THIRTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r 641-136.2(2) related to trauma data registry reporting by trauma care facilities within certain timeframes. I hereby direct the Iowa Department of Public Health to provide additional guidance to trauma care facilities regarding the effect of this suspension.

SECTION THIRTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r 641-137.2 and 137.3 related to initial and continuing trauma education requirements for trauma team members. I

hereby direct the Iowa Department of Public Health to provide additional guidance to trauma care facilities and trauma team members regarding the effect of this suspension

SECTION THIRTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.9(1)(a) requiring hospital inspectors be free of conflicts of interest.

SECTION THIRTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.20(1) and Iowa Admin. Code rule 481-51.1, and any statute or rule using terms defined in those provisions, defining a "doctor" and "medical staff" as requiring all doctors and medical staff be licensed to practice in this state, to the extent that individual is licensed to practice in another state or in accordance with another section of this Proclamation of Disaster Emergency.

SECTION FORTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135B.34 and Iowa Admin Code rule 481-51.41, requiring a hospital to complete a criminal history check prior to employment of an individual, to the extent that a hospital may employ an individual once that criminal history check is submitted, pending completion.

SECTION FORTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.4, requiring physical separation and distinction between a long-term acute care hospital located within a general hospital, to the extent that it is not feasible for a hospital to do so.

SECTION FORTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.5(4), requiring written criteria for the granting of clinical privileges, to the extent that policies shall not be required to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

SECTION FORTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.6, requiring hospitals to adopt a statement of principles relating to patient rights and responsibilities, to the extent that policies shall not be require to be rewritten to accommodate waivers provided by the State or the Centers for Medicare and Medicaid Services.

SECTION FORTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(1), requiring the clear definition of authority, responsibility, and function of each nurse, to the extent that there is evidence that each nurse has been assessed competent in any area where they function.

SECTION FORTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(2), requiring utilization of the nursing process, to the extent that it is not feasible to do so.

SECTION FORTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(4), to the extent that all nurses employed in a hospital who practice nursing as a registered nurse or licensed practical nurse must hold an active Iowa license, an active license in another state and be recognized for licensure in this state pursuant to the nurse licensure compact in Iowa Code section 152E.1, or be qualified for employment in accordance with another section of this Proclamation of Disaster Emergency.

SECTION FORTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(8), requiring the nursing service to have adequate numbers of licensed registered nurses, licensed practical nurses, and other personnel to provide nursing care, to the extent that the hospital has made all reasonable efforts to maintain sufficient staffing levels.

SECTION FORTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.9(9), requiring written policies and procedures be established for the administrative and technical guidance of the personnel in the hospital and that each employee be familiar with those policies or procedures.

SECTION FORTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.12, requiring hospital medical record and report maintenance, to the extent that records shall continue to be maintained as required by federal regulation.

SECTION FIFTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-51.14(3), 51.14(4), and 51.15, requiring procedures for authentication of verbal orders and standing orders, to the extent that hospitals comply with federal regulation related to such orders.

SECTION FIFTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-51.20(2)(d), requiring maintenance of a current diet manual, to the extent those manuals would be maintained at surge capacity sites.

SECTION FIFTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.22, requiring hospital equipment be selected, maintained and utilized in accordance with the manufacturer's specifications, to the extent it is not feasible to do so.

SECTION FIFTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.24(1), requiring segregation of patients' beds, to the extent hospitals take all reasonable precautions to provide for the prevention of cross-infections and the control of communicable diseases.

SECTION FIFTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 481-51.24(3), requiring a hospital perform a health assessment and screen and test an employee for tuberculosis pursuant to 481-Chapter 59 if it is not feasible for a hospital to do so, to the extent the hospital continues to assess new employees for infectious or communicable diseases and perform and document sign/symptom review of new health care workers and residents and places the health care worker or resident on a callback list to test as soon as possible.

SECTION FIFTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.30, requiring a hospital to have written policies and procedures specifying the scope and conduct of patient care to be provided in the emergency service, to the extent that policies shall not be required to be rewritten to accommodate this public health disaster emergency.

SECTION FIFTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.50, requiring minimum standards of construction for hospitals, to the extent that the Department of Inspections and Appeals and State Fire Marshal's Office have approved the location as one that sufficiently addresses safety and comfort for patients and staff.

SECTION FIFTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.53(4), requiring critical access hospitals maintain no more than 25 acute care inpatient beds.

SECTION FIFTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-51.53(5), requiring critical access hospitals meet the Medicare conditions of participation as described in 42 CFR Part 485, Subpart F, to the extent waivers have been issued by the Centers for Medicare and Medicaid Services.

SECTION FIFTY-NINE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-58.11(1)(i), requiring a nurse aide who has not completed the state-approved 75-hour nurse's aide program be required to participate in a structured on-the-job training program of 20 hours' duration, to the extent that the individual has completed a comparable training course approved by the department of inspections and appeals or has completed at least 20 hours of the state-approved 75-hour nurse's aide program and the facility has documentation that it has implemented training and supervision measures to ensure the individual's competency in any tasks performed.

SECTION SIXTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 481-58.11(1)(k), requiring that certified nurse aides who have received training other than the Iowa state-approved program must pass a challenge examination, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION SIXTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.13(19)(e)(2)(2), requiring that a facility not use any person working in the facility as a nurse aide for more than four months unless that person has completed a training and competency evaluation program approved by the department of inspections and appeals, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION SIXTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.16(5)(b)(2)(3) and (5)(c)(5)(2), requiring that the department of inspections and appeals remove certified nurse aides from the Iowa Direct Care Workers Registry if they have performed no nursing or nursing-related services for monetary compensation for a period of 24 consecutive months, to the extent that the individual is able to demonstrate competency in skills and techniques necessary to care for residents' needs as required by 42 CFR § 483.35(c) and (d)(1)(i).

SECTION SIXTY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rule 441-81.16(3), requiring minimum standards for nurse aide training and competency evaluation programs the department of inspections and appeals may approve, to the extent that the training is performed in accordance with regulations and waivers administered by the Centers for Medicare and Medicaid Services.

SECTION SIXTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.19(2)(f), 58.21(6)(e), 64.4(9)(d), and 65.17(1)(e) requiring a person who has written documentation of certification as a medication aide in another state complete a department-approved nurse aide competency examination and medication aide challenge examination, to the extent the individual is able to demonstrate competency in safe medication administration.

SECTION SIXTY-FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 481-57.26 and 67.3(6), to the extent those provisions permit in-person visits in residential care facilities or with tenants in an adult day service, so long as any in-person visitation is conducted in accordance with requirements published by the Iowa Department of Public Health and the Iowa Department of Inspections and Appeals.

SECTION SIXTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 135C.16(1), 135C.38(1), and 135C.40(1)(a) to the extent those provisions require on-site inspections of health care facilities.

SECTION SIXTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 232.69 and 235B.3, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they require a person who is subject to the mandatory reporting requirements of those provisions to complete a training provided by the Department of Human Services within six months of initial employment. Suspension of these provisions does not affect the requirement that a person report cases of child or dependent adult abuse to the proper authorities.

TELEHEALTH SERVICES

SECTION SIXTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to suspend the regulatory provision of Iowa Code chapters § 514C.34 to the extent that it excludes from the definition of telehealth the provision of services through audio-only telephone transmission, and I direct the Insurance Commissioner to use all available means, including the authority of Iowa Code §§ 505.8(1), (7), and 29C.19, to ensure that any health carrier, as defined in Iowa Code § 514J.102, shall reimburse a health care professional, as defined in Iowa Code § 514J.102, for medically necessary, clinically appropriate covered services by telehealth, as defined in § 514C.34(1) or via audio-only telephone transmission, provided to a covered person, as defined in Iowa Code § 514J.102, on the same basis and at the same rate as the health carrier would apply to the same health care services provided to a covered person by the health care professional in person for the duration of this proclamation. I also encourage all Iowa businesses to take any necessary action to remove cost-sharing or other financial barriers to the use of telehealth in their health insurance plans.

SECTION SIXTY-NINE. Pursuant to Iowa Code § 29C.6 (6), I continue to suspend the regulatory provisions of Iowa Code § 147.137 and Iowa Admin. Code rule 653-13.11, rule 641-155.2, and other implementing administrative rules establishing preconditions, limitations, or restrictions on the provision of telehealth or telemedicine services, and I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 641-155.21(19) and 155.23(4) and other administrative rules which require face-to-face interactions with health care providers and impose requirements for residential and outpatient substance use disorder treatment and for face-to-face visitations.

PHARMACY THERAPEUTIC SUBSTITUTION

SECTION SEVENTY. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.32 and any implementing administrative rules to the extent they prohibit the practice of therapeutic substitution by a pharmacist without prior consent by the prescriber. Suspension of this provision shall extend through the duration of this Proclamation and any further extension of this suspension. I hereby direct the board of pharmacy to provide additional guidance to licensees regarding the effect of this suspension.

SUSPENSION OF INVOLUNTARY DISCHARGE FOR NONPAYMENT

SECTION SEVENTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin Code rules 481-57.14(1)(e) and 58.40(1)(c), permitting a residential care facility or nursing facility to involuntarily discharge or transfer a resident for nonpayment for the resident's stay.

PROFESSIONAL LICENSING RELIEF

SECTION SEVENTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code chapters §§ 147.2, 148.3, 148.5, 148C.3, 152.7, 152B.7A, and any other implementing administrative rules to the extent they prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant for an individual who has not yet obtained an initial license, if the licensing board determines that the individual has completed sufficient education and should be granted an emergency license to practice in accordance with any guidance issued by the board. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-THREE. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 147.10 and Iowa Admin. Code rules 653-9.13(6) and 9.14, rules 655-3.7(5), rules 645-261.8, and rules 645-326.9(8), and all other implementing administrative rules which prohibit the practice of medicine and surgery, osteopathic medicine and surgery, nursing, respiratory care, and practice as a physician assistant, by a licensee whose license is inactive or lapsed. Suspension of these provisions is limited to licenses which have lapsed or expired within the five (5) years prior to this Proclamation and is further limited to the provision of medical and nursing care and treatment of victims of this public health disaster emergency and solely for the duration of this Proclamation.

SECTION SEVENTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 152.5 and Iowa Admin. Code r. 655-2.10(7)(a), which limit the number of clinical hours that can be satisfied through simulation activities for nursing education programs. Suspension of this provision shall extend through the duration of this Proclamation and any future extension of this suspension. I continue to direct the nursing board to provide additional guidance to licensees regarding the effect of this suspension, including guidance on obtaining an emergency license pursuant to this Proclamation.

SECTION SEVENTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 650-11.2(2), 11.3(2), 11.5(2), 11.6(2),13.2(2), and 20.6(2)(b)(8) requiring an applicant for initial licensure in dentistry, dental hygiene, assisting, or for a faculty permit to attest to current certification in cardiopulmonary resuscitation.

SECTION SEVENTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 47.10 and Iowa Admin. Code r. 657-2.3, 2.11(2), 3.5(1), and any other implementing administrative rules which prohibit the practice of pharmacy by a pharmacist licensee whose license is inactive or lapsed, or by a pharmacy technician trainee who is unable to become nationally certified due to closed testing locations. Suspension of these provisions is limited to pharmacist licenses which have lapsed or expired within the five (5) years prior to this Proclamation, and is limited to pharmacy technician

trainees whose trainee registration expires between March 18, 2020, and the end of this suspension and any extension of this suspension, and who are unable to sit for the examination due to closed testing locations, and is solely for the duration of this Proclamation.

SECTION SEVENTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 206, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they impose requirements for in-person continuing education as a condition of professional license renewal or impose continuing education deadlines or requirements that are unable to be satisfied due to this Disaster Emergency. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 80A, 88A, 88B, 89, 89A, 90A, 91C, 99D, 99F, 100C, 100D, 101A, 103, 105, 124, 126, 135, 136B, 136C, 147, 147A, 147B, 148, 148A, 148B, 148C, 148E, 148F, 149, 151, 152, 152A, 152B, 152C, 152D, 153, 154, 154A, 154B, 154C, 154D, 154E, 154F, 155, 155A, 156, 157, 158, 159, 169, 192, 272, 272C, 321, 441, 455B, 459B, 481A, 502, 522B, 535B, 542, 542B, 543B, 543D, 544A, 544B, 544C, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date or renewal requirement for a professional license that expires during the duration of this Proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION SEVENTY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r 281-79.16(4)(a), 645-31.6(2)(b)(12), 645-280.6(3), 645-240.6(2), 657-4.3, 645-300.3(4)(b)(2), 300.6(3)(a), and 300.6(3)(d), requiring the completion of clinical, practical, or internship experience as a condition of obtaining professional licensure to be a school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to provide additional guidance to licensees regarding the effect of these suspensions.

SECTION EIGHTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 272.2(17), 272C.3(1)(a), 543B.15(9), and 543D.22, and any provisions of the Iowa Administrative Code implementing those provisions, which require the completion of background checks for initial applicants as a condition of obtaining professional licensure. Suspension of these provisions shall apply during the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies or boards governed by these provisions to, upon the expiration of this Disaster Emergency, conduct background checks for those applicants and take any necessary action resulting from completion of those checks, up to and including revocation of licensure.

SECTION EIGHTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.7 and any implementing administrative rules to the extent they prohibit a pharmacist who is licensed in another state from engaging in the practice of pharmacy in this state prior to obtaining an Iowa pharmacist license due to requirements that are unable to be satisfied due to this Disaster Emergency. Suspension of this provision shall extend through the duration of this Proclamation and any further extension of this suspension. I hereby direct the Board of Pharmacy to provide additional guidance regarding the effect of these suspensions.

SECTION EIGHTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 155A.8 and any implementing administrative rules for an individual who has not yet obtained an initial license, if the board of pharmacy determines that the individual has completed sufficient education, is unable to sit for the required exams due to closed testing locations, and should be granted an emergency license to practice until such time as the individual is able to sit for the required exams in accordance with any guidance issued by the board. I hereby direct the board of pharmacy to provide additional guidance to applicants and licensees regarding the effect of this suspension.

SECTION EIGHTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 650-1-1.2, 650-11.5, 650-12.1, and 650-12.4 to the extent an applicant is required to complete specific examinations as a prerequisite for initial licensure as a dentist or dental hygienist, if the dental board determines that the applicant has completed sufficient education and should be granted a temporary license to practice in accordance with any guidance issued by the board. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the dental board to provide additional guidance to applicants regarding the effect of this suspension, including guidance on obtaining a temporary license.

SECTION EIGHTY-FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135.17(3) and Iowa Administrative Code rule 641-51.12 which require each local board of health to furnish the Iowa Department of Public Health with evidence by May 31 annually that each student enrolled in school within the local board's jurisdiction has satisfied dental screening requirements. I hereby direct the Iowa Department of Public Health to provide additional guidance to local boards of health regarding the effect of this suspension.

SECTION EIGHTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 542B.13 and Iowa Admin. Code r. 193C-3.1(1) and 193C-3.2, setting an application expiration date and deadline for taking certain examinations to be licensed as a professional engineer or land surveyor.

SECTION EIGHTY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 543D.8 and Iowa Admin. Code r 193F-3.2, 193F-5.3, and 193F-6.3 and any other implementing administrative rules establishing examination deadlines as a condition for initial licensure for appraisers.

SECTION EIGHTY-SEVEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 542.5 and Iowa Admin. Code r 193A-3.6(1) and any other implementing administrative rules establishing an 18-month examination deadline as a condition for initial licensure for prospective certified public accountants.

SECTION EIGHTY-EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 655-3.4(4) requiring an applicant for a nursing license to complete an examination within ninety-one days of board authorization.

SECTION EIGHTY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 657-2.4(2) requiring an applicant for a pharmacist license to complete all components in Iowa within a period of one year from the date the candidate passed the initial component.

SECTION NINETY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 645-280.2 and 645-31.18, to the extent that they require out-of-state marital, family therapy, and mental health counselors, or social workers who provide services by telephone or other electronic means to individuals in the State of Iowa to be licensed in Iowa.

SECTION NINETY-ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 147.2, 148B.8, and 154B.4, and Iowa Admin. Code r. 645-201.3(4) and 645-208.3(4), to the extent that they require out-of-state physical therapists, physical therapist assistants, occupational therapists, occupational therapy assistants, speech pathologists, audiologists, optometrists, podiatrists, psychologists, dietitians, hearing aid specialists, physician assistants, behavior analysts, assistant behavior analysts, orthotists, pedorthists, and prosthetists who hold an active license in another state to be licensed in Iowa to provide services by telephone or other electronic means to individuals in the State of Iowa.

SECTION NINETY-TWO. Pursuant to Iowa Code section 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code Chapter 80B, and any provisions of the Iowa Administrative Code implementing those chapters, to the extent they set an expiration date, certification requirements, renewal requirement, or deadline for professional certification, or specialty certifications that expire during the duration of this proclamation. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the Iowa Law Enforcement Academy and its Council to provide additional guidance to certified peace officers and holders of specialty certificates regarding the effect of these suspensions.

SECTION NINETY-THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 641-29.6(3) requiring an applicant for a license as a plumbing or mechanical system professional to complete an examination within one year from the date of the application. I hereby direct the plumbing and mechanical systems board to provide additional guidance to its applicants and licensees regarding this suspension.

SECTION NINETY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 544A.8 and Iowa Admin. Code rule 193B-2.3 establishing examination deadlines as a condition of initial licensure for architects. I hereby direct the Architectural Examining Board to provide additional guidance to applicants for initial licensure regarding the effect of these suspensions.

SECTION NINETY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 543B.15(7) and 543B.15(8), establishing certain deadlines to complete education requirements prior to examination for initial licensure for real estate salespersons and real estate brokers. I hereby direct the Real Estate Commission to provide additional guidance to applicants for initial licensure regarding the effect of these suspensions.

SECTION NINETY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 536.11(2), 536A.14(1), and 537.2304 (2), and Iowa Admin. Code rules 187-15.12, 187-16.2(1), 187-17.12, 187-19.7, requiring a licensee to file annual reports.

SECTION NINETY-SEVEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 533A.2(7), 533D.3(7), 535B.4(2)(b), 535D.4, 536.30, 536A.32, and 543E.20(5) and Iowa Admin. Code rules 187-15.3(2), 187-16.3(2), 187-17.3(2), 187-18.2(2), 187-19.2(5), 187-20.3(2), and 187-25.2(3), which require the completion of background checks for initial applicants as a condition of obtaining professional licensure. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct all regulatory agencies governed by these provisions to, upon the expiration of this Disaster Emergency, conduct background checks for those applicants and take any necessary action resulting from completion of those checks, up to and including revocation of licensure.

EMS PROVIDER TRAINING REGULATORY RELIEF

SECTION NINETY-EIGHT. Pursuant to Iowa Code § 29C.6(6), and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.5(1) to the extent those provisions require in-person clinical experience, so long as alternative evaluation methods are used including but not limited to scenarios, case studies, or simulations. I hereby direct the Department to provide guidance to training programs regarding the effect of these suspensions.

SECTION NINETY-NINE. Pursuant to Iowa Code § 29C.6(6), and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.4(1)(f) to the extent those provisions require successful completion of the NREMT practical examination to be eligible for state certification, if the department determines that the candidate has completed the cognitive examination and should be granted an emergency certification to practice in accordance with any guidance issued by the department. I hereby direct the department to provide additional guidance to candidates for certification regarding the effect of these suspensions.

SECTION ONE HUNDRED. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-131.5(10)(d), requiring training programs meet certain standards and guidelines in applying to the department, to the extent a training program cannot comply with applicable requirements due to this disaster emergency.

FOOD ESTABLISHMENT LICENSURE RELIEF

SECTION ONE HUNDRED ONE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 137F.4 and Iowa Admin Code rule 481-30.3(6) requiring a food establishment renew its license within 60 days of expiration.

FINANCIAL RELIEF

SECTION ONE HUNDRED TWO. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.34(1) and Iowa Admin. Code rule 185-4.26, to the extent class "A", class "B", class "C", and special class "C" liquor licenses and class "B" beer permits and class "C" wine permits expire one year from the date of issuance, unless sooner suspended or revoked. Suspension of these provisions shall extend through the duration of this Proclamation and any future extension of this suspension. I hereby direct the Iowa Alcoholic Beverages Division to provide guidance to licensees and permittees regarding the effect of these suspensions

SECTION ONE HUNDRED THREE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.137, requiring class "A" or class "A" beer permit holders to report barrels of beer sold or pay to the Iowa Alcoholic Beverages Division the amount of tax due on or before the tenth day of each calendar month. The associated penalty of ten percent if the report is not filed and the tax not paid within the time will not be assessed.

SECTION ONE HUNDRED FOUR. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.184, requiring class "A" wine permit holders and wine direct shipper permit holders to report gallons of wine sold or pay to the division the amount of tax due on or before the tenth day of each calendar month. The associated penalty of ten percent if the report is not filed and the tax not paid within the time will not be assessed.

SECTION ONE HUNDRED FIVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), I continue to temporarily suspend the regulatory provisions of Iowa Code § 123.34(5) prohibiting a refund of fees paid for a six-month or eight-month seasonal license or permit, or for fourteen-day or five-day license or permit.

SECTION ONE HUNDRED SIX. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 99B.12(1)(e) and Iowa Admin. Code 481-100.3(3) prescribing that no raffle license fees are refundable, and temporarily suspend the regulatory provisions of Iowa Admin. Code 481-100.16(1) prescribing raffles to conclude only during the period of the license.

POOL REGISTRATION FEES

SECTION ONE HUNDRED SEVEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Administrative Code rule 641-15.12(1), to the extent it requires a $25 penalty for each month or fraction thereof that the registration for a swimming pool or spa is not received by the Department of Public Health by April 30 or the first business day thereafter if the pool is closed during the month. I hereby direct the Department to issue a refund to any owner having already paid a penalty under this rule for the registration period that began on May 1, 2020.

VETERANS ASSISTANCE

SECTION ONE HUNDRED EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request on behalf of a county commission on veteran affairs, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 35A.16(3) and 35B.6, and any provisions of the Iowa Administrative Code implementing those provisions, to the extent a county is prohibited from expending an allocation from the county commissions of veteran affairs fund for fiscal year 2020 or fiscal year 2021 to provide services to veterans in coping with this disaster, including but not limited to the provision of food or other basic necessities.

VETERANS STAFF CERTIFICATION TRAINING

SECTION ONE HUNDRED NINE. Pursuant to Iowa Code § 29C.6(6), and at the request on behalf of a county commission of veteran affairs, I continue to temporarily suspend the regulatory provisions of Iowa Code § 35B.6(1)(c) and Iowa Admin. Code rules 801-7.2(2) and 801-7.2(3)(c), to the extent an executive director or administrator is required to complete a course of certification training within one year of employment.

SUSPENSION OF PAPER BIDDING PROCEDURES

SECTION ONE HUNDRED TEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, and at the request of the City of Des Moines and the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code chapter 26 to the extent they require the distribution, receipt, opening, or recording of paper documents by a governmental entity under the Iowa Construction Bidding Procedures Act, so long as the governmental entity otherwise complies with those provisions of chapter 26 by electronic means, including but not limited to the use of an electronic public bidding service.

ELECTRONIC MEETINGS AND HEARINGS

SECTION ONE HUNDRED ELEVEN. Pursuant to Iowa Code § 29C.6(6), and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 21.8, 26.12, and 414.12, or any other statute imposing a requirement to hold a public meeting or hearing, to the extent that the statutes could be interpreted to prevent a governmental body from holding the meeting by electronic means, provided that the governmental body properly notices the meeting or hearing and includes a telephone conference number or website address that permits the public to participate in the meeting or hearing. I also temporarily suspend those statutes to the extent they could be interpreted to prevent a governmental body from limiting the number of people present at an in-person location of the meeting, provided that the governmental body provides a means for the public to participate by telephone or electronically as provided in this section.

IN-PERSON OPEN RECORDS REQUESTS

SECTION ONE HUNDRED TWELVE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health and at the request

of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code § 22.4 to the extent those provisions require a lawful custodian of records to maintain office hours to receive in-person record requests, so long as the custodian has posted clear direction for making requests in writing, by telephone, or by electronic means in a prominent place that is easily accessible to the public.

IN-PERSON DHS ADMINISTRATIVE HEARINGS

SECTION ONE HUNDRED THIRTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Administrative Code rule 441-7.8(1), to the extent that it requires an in-person hearing at the request of an appellant, so long as no federal law requires an in-person hearing and an administrative law judge determines that the hearing may conducted by telephone or other remote means.

REMOTE WITNESSING OF LEGAL DOCUMENTS

SECTION ONE HUNDRED FOURTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 144B.3, 633.279, and 633B.105, to the extent that they require the physical presence of a testator, settlor, principal, witness, or other person, if the person is present in a manner in which the witness or other person can see and hear the acts by electronic means, such as video conference, Skype, Facetime, Zoom, or other means, whether or not recorded.

SUSPENSION OF IN-PERSON FOSTER CARE REVIEW

SECTION ONE HUNDRED FIFTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 237.20(1)(a)(1)-(5) to the extent those provisions require any in-person case review of a child receiving foster care.

SUSPENSION OF IN-PERSON CHILD HEALTH PROTECTION INTERVIEWS

SECTION ONE HUNDRED SIXTEEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 641-94.2, and any rule using the term "forensic interview" as defined in that provision, to the extent a forensic interview must be conducted face to face.

SUSPENSION OF NEW ELEVATOR STANDARDS

SECTION ONE HUNDRED SEVENTEEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rules 875-72.10 and 73.1, to the extent they set an enforcement date of May 1, 2020, for the American Society of Mechanical Engineers Safety Code for Existing Elevators and Escalators, A17.3 (2011).

CRITICAL TRUCKING OPERATIONS

SECTION ONE HUNDRED EIGHTEEN. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 321.463 (6) (a) and (b) and 321E.29 and Iowa Admin. Code chapter 761-511, to the extent that those provisions restrict the movement of oversize and overweight loads of vaccines, antivirals, prescription drugs, protective equipment, other necessary medical assets food, medical supplies, cleaning products, other household goods, agricultural supplies and commodities (including, but not limited to, livestock, raw milk, and crop supplies), agricultural waste (including, but not limited to, animal carcasses), or any other goods and supplies necessary to respond to this public health disaster and its economic effects and require a permit to transport such loads.

A. Suspension of these provisions applies to loads transported on all highways within Iowa, excluding the interstate system, and those which do not exceed a maximum of 90,000 pounds gross weight, do not exceed the maximum axle weight limit determined under the non-primary highway maximum gross weight table in Iowa Code §321.463 (6) (b), by more than twelve and one-half percent (12.5%), do not

exceed the legal maximum axle weight limit of 20,000 pounds, and comply with posted limits on roads and bridges.

B. This action is intended to allow vehicles transporting food, medical supplies, cleaning products, and other household goods to be oversize and overweight, not exceeding 90,000 pounds gross weight, without a permit, but only for the duration of this proclamation.

SECTION ONE HUNDRED NINETEEN. Pursuant to Iowa Code § 29C.6(6) and 49 CFR § 390.23, I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.449 pertaining to hours of service of motor carriers and drivers of commercial motor vehicles, while transporting vaccines, antivirals, prescription drugs, protective equipment, other necessary medical assets food, medical supplies, cleaning products, other household goods, agricultural supplies and commodities (including, but not limited to, livestock, raw milk, and crop supplies), agricultural waste (including, but not limited to, animal carcasses), and any other goods and supplies necessary to respond to this public health disaster and its economic effects subject to the following condition:

A. Nothing contained in this Proclamation shall be construed as an exemption from the controlled substances and alcohol use and testing requirements set out in 49 CFR Part 382, the commercial drivers' license requirements set out in 49 CFR Part 383, the financial responsibility requirements set out in 49 CFR Part 387, or any other portion of the Code of Federal Regulations not specifically identified in this Proclamation.

B. No motor carrier operating under the terms of this agreement shall require or allow a fatigued or ill driver to operate a motor vehicle. A driver who informs a carrier that he or she needs immediate rest shall be given at least ten consecutive hours off duty before the driver is required to return to service.

C. Upon the request of a driver, a commercial motor carrier operating under this proclamation must give the driver at least thirty-four (34) consecutive hours off when the driver has been on duty for more than seventy (70) hours during any eight (8) consecutive days.

D. Motor carriers that have an out-of-service order in effect may not take advantage of the relief from regulations that this proclamation provides under title 49 CFR § 390.23.

E. Upon the expiration of this Proclamation, or when a driver has been relieved of all duty and responsibility to transport necessary medical assets under the conditions of this Proclamation, a driver who has had at least thirty-four (34) consecutive hours off duty shall be permitted to start the driver's on-duty status hours with the 60/70 hour clock at zero.

F. This portion of this Proclamation of Disaster Emergency applies only to hours of service of motor carriers and drivers of commercial motor vehicles while actively transporting the items identified in this section for the duration of this proclamation related to the COVID-19 event.

SECTION ONE HUNDRED TWENTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 321.463(3), 321E.2, 321E.8, and 321E.9 that limit issuance of permits for oversize or overweight loads to loads which are indivisible, to allow annual permits issued under Iowa Code § 321E.8 and single-trip permits issued under § 321E.9 to be issued for loads which are divisible and related to responding to and recovering from this disaster. I further waive for vehicle and loads, whether divisible or indivisible, the regulatory provisions of Iowa Code § 321E.12 that require the vehicle traveling under a permit to be registered for the gross weight of the vehicle and load and the regulatory provisions of Iowa Code § 321E.14 that require the payment of a fee for a permit issued for a vehicle and load related to responding to and recovering from this disaster. The provisions of this paragraph apply only when the movement of the vehicle and load is related to responding to and recovering from this disaster. The movement of any vehicle or load under this paragraph must comply with all other requirements of Chapter 321E of the Iowa Code and of the permit issued, other than as suspended in this proclamation. The provisions of this paragraph relating to the

permitting and movement of divisible loads authorize the movement of such loads on all highways of this state, excluding the interstate system.

SECTION ONE HUNDRED TWENTY-ONE. The Iowa Department of Transportation is hereby directed to monitor the operation of this proclamation to assure the public's safety and facilitate the movement of trucks involved in transporting vaccines, antivirals, prescription drugs, protective equipment, other necessary medical assets food, medical supplies, cleaning products, other household goods, agricultural supplies and commodities (including, but not limited to, livestock, raw milk, and crop supplies).

MOTOR VEHICLE LICENSING AND REGISTRATION RELIEF

SECTION ONE HUNDRED TWENTY-TWO. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.196 prescribing that a driver's license issued to a person age seventy-two or older expires after two years and that other licenses expire after eight years. Suspension of this provision is limited to driver's licenses which have expired within the 60 days prior to the declaration of this public health disaster emergency or during the duration of this Proclamation or any subsequent extension of this suspension. And upon the expiration of the terms of this Proclamation or any subsequent extension of this suspension, the statutory sixty-day period for renewing shall resume. This suspension shall not apply if the person is not eligible for a license due to the person's license being suspended, revoked, denied or barred for any reason or if the person is physically or mentally incapable of operating a motor vehicle safely.

SECTION ONE HUNDRED TWENTY-THREE. Pursuant to Iowa Code § 29C.6 (6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 321.174A prescribing that a person shall not operate a motor vehicle on the highways of this state with an expired driver's license as applied to a person whose driver's license is expired and Iowa Code § 321.1. Suspension of this provision is limited to driver's licenses which have expired within the 60 days prior to the declaration of this public health disaster emergency or during the duration of this Proclamation or any subsequent extension of this suspension. And upon the expiration of the terms of this Proclamation or any subsequent extension of this suspension, the statutory sixty-day period for renewing shall resume.

SECTION ONE HUNDRED TWENTY-FOUR. Pursuant to Iowa Code section 29C.6(6), I temporarily suspend the regulatory provisions of Iowa Code section 321.25 prescribing that a vehicle may be operated upon the highways of this state without registration plates for a period of 45 days after the date of delivery of the vehicle to the purchaser from the dealer, but only to the extent that the vehicle is operated for a period of 90 days or less after the delivery of the vehicle to the purchaser from a dealer. For the duration of this Proclamation and any subsequent extension of this suspension, a vehicle may be operated upon the highways of this state without registration plates for a period of 90 days after the date of delivery of the vehicle to the purchase from a dealer if the vehicle has temporary cards displayed otherwise consistent with the requirements of section 321.25.

SECTION ONE HUNDRED TWENTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 326.14 prescribing a late filing penalty for renewals under the International Registration Plan and prescribing an enforcement deadline for the failure to display a registration plate and registration. Suspension of this provision is limited to renewals that have expired during the duration of this public health disaster emergency or any subsequent extension of this suspension. Registrants should not expect that this suspension will be extended beyond December 10, 2020.

WEAPONS PERMITTING PROCEDURES

SECTION ONE HUNDRED TWENTY-SIX. Pursuant to Iowa Code section 29C.6(6) and 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code section 724.18 requiring personal delivery of applications for permits to acquire pistols or revolvers and direct that each sheriff's office to formulate and implement a policy for the procedure for accepting applications for permits to acquire pistols or revolvers and applications for permits to carry weapons that shall include in-person drop-off without involving in-person interactions between the public and staff, acceptance by mail, and to the extent practical by electronic means.

SECTION ONE HUNDRED TWENTY-SEVEN. Pursuant to Iowa Code section 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code sections 724.6, 724.7, and 724.20 regarding professional and nonprofessional permits to carry and permits to acquire pistols or revolvers, in that, for State purposes only, the permit to carry weapons will not expire during this Proclamation. This suspension will not extend to the ability of the permits to be used to purchase, in lieu of a NICS check, once the permit is past its original expiration date.

ONLINE APPRENTICESHIP INSTRUCTION

SECTION ONE HUNDRED TWENTY-EIGHT. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 15B.4, to the extent they limit the use of online instruction in determining contact hours for apprenticeship sponsors or lead apprenticeship sponsors. Suspension of this provision is limited only to instruction provided during the duration of this Proclamation or any subsequent extension of this suspension.

HIGH SCHOOL EQUIVALENCY TESTING

SECTION ONE HUNDRED TWENTY-NINE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 281-32.7(1), requiring an applicant to retake a high school equivalency degree test if he or she has not earned a high school equivalency degree within five years of taking the first subtest. Suspension of these provisions shall apply during the duration of this Proclamation or any future extension of this suspension.

COMMUNITY COLLEGE INSTRUCTION HOURS

SECTION ONE HUNDRED THIRTY. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 281-21.2(12)(i)-(m) which set minimum contact-hour requirements for community college instruction, but only to the extent that the community college notifies the Department of Education of any modification consistent with the Department's guidance . Suspension of these provisions shall apply during the duration of this Proclamation or any future extension of this suspension.

COMMUNITY COLLEGE MAXIMUM TEACHING LOAD

SECTION ONE HUNDRED THIRTY-ONE. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I temporarily suspend the regulatory provisions of Iowa Code § 260C.48(2) and Iowa Admin. Code rule 281-24.5(2), providing a maximum teaching load for community college instructors, but only to the extent that a community college administration assigning an instructor a teaching load above the maximum credit load maintains written documentation that the instructor and community college administration mutually consented to the additional assignments.

IOWA YOUTH SURVEY

SECTION ONE HUNDRED THIRTY-TWO. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 135.11(28) requiring administration of the Iowa youth survey every two years to students in grades six, eight, and eleven in Iowa's public and nonpublic schools. I continue to direct the Iowa Department of Public Health to provide guidance to Iowa's public and nonpublic schools regarding administration of the survey in 2021.

OTHER REGULATORY RELIEF

SECTION ONE HUNDRED THIRTY-THREE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 281-21.31 to the extent it requires instructional courses for drinking drivers to be delivered in person rather than online.

SECTION ONE HUNDRED THIRTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code r. 661-221.3, that require an unattended fueling dispenser to provide a public phone.

SECTION ONE HUNDRED THIRTY-FIVE. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 206.5(2)(a) solely as it applies to commercial applicators, public applicators, and private applicators who were certified applicators as of December 31, 2019.

SECTION ONE HUNDRED THIRTY-SIX. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 206.5(3) requiring a commercial, public, or private applicator to be certified to apply pesticides so long as the applicator is under the direct supervision of a certified applicator. Suspension of this provision shall apply during the duration of this Proclamation and any future extension of this suspension.

SECTION ONE HUNDRED THIRTY-SEVEN. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 206.6(1) requiring licensure to engage in the business of applying pesticides to the lands or property of another, to the extent that a person may engage in the business of applying pesticides to the property of another with nonrestricted general use pesticides indoors and for the sole purpose of disinfecting or sanitizing areas where humans live, work, or congregate. Suspension of this provision does not exempt a person from acquiring any other license or certification required under Iowa Code chapter 206.

SECTION ONE HUNDRED THIRTY-EIGHT. Pursuant to Iowa Code § 29C.6(6) and Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to temporarily suspend the regulatory provisions of Iowa Code § 206.5(4) requiring a commercial applicator who applies pesticides to agricultural land to be certified so long as the applicator meets the requirements of a private applicator. This suspension shall not apply to aerial applicators. Suspension of this provision shall apply during the duration of this Proclamation and any future extension of this suspension.

RETIRED PUBLIC DISASTER RESPONDERS

SECTION ONE HUNDRED THIRTY-NINE. Pursuant to Iowa Code § 29C.6(6) and 135.144(3), and in conjunction with the Department of Public Health, and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 97B.48A and 97B.52A to the extent those provisions require the repayment or reduction of a member's retirement allowance if the member is reemployed or returns to employment during the pendency of this Disaster Emergency as a licensed health care professional employed by a hospital licensed pursuant to chapter 135B, any state or local government public health employee, any "protection occupation" as defined by Iowa Code § 97B.49B(1)(e), a member of the board of parole, or any sheriff or deputy sheriff as defined by Iowa Code § 97B.49C(1)(b) or (c).

SECTION ONE HUNDRED FORTY. Pursuant to Iowa Code § 29C.6(6) and 135.144(3), and in conjunction with the Department of Public Health, and at the request of the Iowa League of Cities on behalf of numerous local governmental bodies, I continue to temporarily suspend the regulatory provisions of Iowa Code §§ 411.3(3), 411.6(1)(c), and 411.21(3), to the extent those provisions limit a retired police officer or firefighter from continuing to receive service retirement allowances, without interruption, if reemployed as a police officer or firefighter during the pendency of this Disaster Emergency.

STATE AGENCY OPERATIONS

SECTION ONE HUNDRED FORTY-ONE. As required by Iowa Code § 29C.6(1), (10) and 42 U.S.C. § 5170 in cases of Presidential Disaster Declarations, this Proclamation of Disaster Emergency continues to activate the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's Iowa Emergency Response Plan and those additional response plans applicable to the counties affected by this disaster and authorizes the use and deployment of all available state resources, supplies, equipment, and

materials as are reasonably necessary to assist those citizens located in the disaster affected counties.

SECTION ONE HUNDRED FORTY-TWO. Pursuant to Iowa Code § 29C.6(1) and (10), I continue to activate the public health response and recovery aspects of the state disaster emergency plan applicable to this public health disaster and authorize the use and deployment of all available state resources, supplies, equipment, and materials as are reasonably necessary pursuant to those plans to assist those citizens located in the counties subject to this proclamation.

SECTION ONE HUNDRED FORTY-THREE. I continue to direct the Iowa Department of Public Health, in conjunction with whatever further direction I provide, to take those reasonable and necessary actions authorized by Iowa Code § 135.144 to address this public health disaster, including but not limited to mobilizing as many public health response teams as are necessary to supplement and support disrupted or overburdened local medical and public health personnel, hospitals, and resources, as allowed by Iowa Code § 135.143 and 641 Iowa Admin. Code 113.2(1), with the understanding that the registered members of those public health response teams providing assistance under this authority shall receive the protections and benefits of state employees as allowed by law.

SECTION ONE HUNDRED FORTY-FOUR. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Admin. Code rule 11-53.11(3) prohibiting pay to those State of Iowa employees for hours worked in excess of 40 hours per workweek while present in the State's Emergency Operations Center or otherwise engaged in assigned disaster response missions or other activities.

SECTION ONE HUNDRED FORTY-FIVE. Pursuant to Iowa Code § 29C.6(8) and (10), I continue to order all state agencies to utilize such personnel, equipment, and facilities as necessary to assist the Iowa Department of Public Health and the Iowa Department of Homeland Security and Emergency Management in performing any and all activities necessary to prevent, contain, and mitigate the effects of the COVID-19 virus.

SECTION ONE HUNDRED FORTY-SIX. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code § 8A.413(12) and Iowa Admin. Code rules 11-57.4 and 11-57.7 that limit the number of hours per fiscal year for temporary employees in state agencies, and the regulatory provisions of Iowa Code § 20.4(5) to the extent it limits the period of time a temporary employee may work in state agencies as an excluded public employee.

SECTION ONE HUNDRED FORTY-SEVEN. Pursuant to Iowa Code § 29C.6(6), I continue to temporarily suspend the regulatory provisions of Iowa Code chapters 8A and 8B, Iowa Code § 313.10, Iowa Admin. Code Chapters 11-117, 11-118, 129-10, 641-176, requiring the Iowa Department of Public Health, the Iowa Department of Homeland Security and Emergency Management, and other state agencies involved in the response to this disaster emergency to procure goods and services through a competitive selection process or to otherwise follow, adhere to, or obtain other procurement-related processes, procedures, approvals, or limitations. Suspension of these provisions is limited to the duration of this proclamation and is further limited to procurements which are necessary to prevent, contain, or mitigate the effects of the COVID-19 virus, facilitate telework by state employees, and mitigate and respond to increased cyber-attacks and threats.

IMPLEMENTATION AND INTERPRETATION

SECTION ONE HUNDRED FORTY-EIGHT. The Iowa Department of Public Safety, Iowa Department of Public Health, Iowa Department of Education, Iowa Department of Homeland Security and Emergency Management, Iowa Department of Transportation, Iowa Alcoholic Beverages Division, Iowa Department of Inspections and Appeals, and other participating state agencies are hereby directed to monitor the operation and implementation of this proclamation to assure the public's health and safety.

SECTION ONE HUNDRED FORTY-NINE. In conjunction with the Department of Public Health pursuant to Iowa Code §§ 29C.18 and 135.35, all peace officers of the state are hereby called upon to assist in the enforcement of the provisions of this Proclamation.

SECTION ONE HUNDRED FIFTY. Nothing contained in this declaration shall be construed as an exemption from any other portion of the Iowa Code or Iowa Administrative Code not specifically identified in this proclamation.

SECTION ONE HUNDRED FIFTY-ONE. The provisions of this proclamation shall be effective immediately, unless otherwise noted. This state of public health disaster emergency shall now expire on December 10, 2020, at 11:59 p.m., unless sooner terminated or extended in writing by me.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND CAUSED THE GREAT SEAL OF THE STATE OF IOWA TO BE AFFIXED AT DES MOINES, IOWA THIS 10TH DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND TWENTY.

KIMBERLY K. REYNOLDS
GOVERNOR

ATTEST:

PAUL D. PATE
SECRETARY OF STATE