The State of Wisconsin

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER #95

Relating to Declaring a State of Emergency and Public Health Emergency

WHEREAS, Wisconsin is facing a new and deadly disaster in this public health emergency which could result in a lack of medical care for Wisconsinites throughout the state. Wisconsin's hospitals are operating at or very near full capacity, and health care providers are struggling to keep up with the demand for care;

WHEREAS, due in large part to the uncontrolled spread of COVID-19 in Wisconsin, the state faces a public health emergency that concerns the capacity to provide health care. This emergency affects *all* Wisconsinites needing hospital care, regardless of illness or ailment;

WHEREAS, the State of Wisconsin is divided into seven healthcare emergency readiness coalition regions (HERC regions), which coordinate how public health, healthcare institutions, and first responder agencies respond to health emergencies and catastrophic events;

WHEREAS, hospitals in every HERC region are strained, reporting that their intensive care units are often full and that they may no longer be able to accept new patients;

WHEREAS, the majority of hospitals, including hospitals in every HERC region are reporting nearly every intensive care unit bed and every medical-surgical bed is full. More than one-third of all hospitals in Wisconsin are operating at peak capacity and are unable to admit new patients;

WHEREAS, twenty-one percent of medical-surgical beds and thirty-two percent of intensive care unit beds are occupied by COVID-19 patients. With the large and growing influx of COVID-19 patients, there are fewer beds and resources available for people with non-COVID-19 conditions that require hospitalization;

WHEREAS, the surge in patients has caused ripple effects through the hospital system, with intermediate care units treating more patients that would otherwise be transferred to the intensive care unit and fewer transfers to larger hospitals for patients needing higher levels of care;

WHEREAS, Wisconsin's hospitals may continue to adapt to the new reality of a sustained surge by expanding into non-traditional patient care spaces and reducing or limiting elective procedures, ultimately impacting the access to care for COVID-19 and non-COVID19 patients alike;

WHEREAS, however, the lack of hospital beds is not the only stressor for Wisconsin hospitals. Hospitals are facing widespread staffing shortages. One-third of Wisconsin hospitals are reporting critical staffing shortages. Forty-two percent of hospitals expect a critical staffing shortage within a week. Multiple hospital systems have requested and received staffing assistance from the Federal Emergency Management Agency (FEMA);

WHEREAS, as a last resort, the state established the Alternative Care Facility to accommodate the overflow of low-acuity COVID-19 patients from Wisconsin hospitals and other health care facilities. The facility was created in April, 2020, but did not receive its first patient until October, 2020. It now has had dozens of patients, including 17 patients currently at the facility;

WHEREAS, the human and financial cost of this crisis is significant. Patients and medical providers are deferring treatment for non-COVID-19 conditions, which can be harmful to the patient and more expensive in the long-run;

WHEREAS, in order to protect the life and wellbeing of Wisconsinites, Wisconsin must take additional actions to ensure Wisconsinites have access to health care.

NOW, THEREFORE, I, TONY EVERS, Governor of the State of Wisconsin, by the authority vested in me by the Constitution and laws of this state, and specifically by Sections 321.39, 323.10, 323.12, and 323.13 of the Wisconsin Statutes, hereby:

1. Determine that a disaster threatening and negatively impacting the life and health of Wisconsinites exists pursuant to Sections 323.10 and 323.02(6).

2. Proclaim that a public health emergency, as defined in Section 323.02(16) of the Wisconsin Statutes, exists for the State of Wisconsin.

3. Designate the Department of Health Services as the lead agency to respond to the public health emergency and direct the Department to take all necessary and appropriate measures to address this public health emergency.

4. Authorize the Adjutant General to activate the Wisconsin National Guard as necessary and appropriate to assist in the State's response to the public health emergency.

5. Direct all state agencies to assist as appropriate in the State's ongoing response to the public health emergency.

6. Pursuant to Section 323.10 of the Wisconsin Statutes, this State of Emergency from this Public Health Emergency shall remain in effect for 60 days, or until it is revoked by the Governor or by joint resolution of the Wisconsin State Legislature.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this twentieth day of November in the year of two thousand twenty.

Tony Evers

TONY EVERS
Governor

By the Governor:

Douglas La Follette

DOUGLAS LA FOLLETTE
Secretary of State