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Secretary of State
Tre Hargett

STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 25

AN ORDER TO REDUCE THE SPREAD OF COVID-19 BY LIMITING NON-EMERGENCY HEALTHCARE PROCEDURES

WHEREAS, emergency government action to limit the spread of Coronavirus Disease 2019 (COVID-19) continues to be prudent and necessary as the illness spreads rapidly throughout our community; and

WHEREAS, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 4,362 additional cases of COVID-19 have since been identified in Tennessee, demonstrating a continued, increasing, and serious risk to the health, safety, and welfare of Tennesseans; and

WHEREAS, the Centers for Disease Control and Prevention advises that the best way to prevent COVID-19 is to avoid exposure to it, and exposure mainly results from close person-to-person contact; and

WHEREAS, unnecessary person-to-person contact within the healthcare community increases the risk of COVID-19 spreading to providers and patients throughout our healthcare system; and

WHEREAS, the American Dental Association and the Tennessee Dental Association recommend that dental providers and patients contribute to reducing the spread of COVID-19 by suspending non-essential services like hygiene visits and cosmetic and elective procedures for a minimum of three (3) weeks; and

WHEREAS, the American College of Surgeons has recommended that each hospital, health system, and surgeon thoughtfully review all scheduled elective procedures with a plan to minimize, postpone, or cancel electively scheduled operations, endoscopies, or other invasive procedures and to immediately minimize use of essential items needed to care for patients, including, but not limited to, ICU beds, personal protective equipment, terminal cleaning supplies, and ventilators; and

WHEREAS, the federal Centers for Medicaid & Medicare Services recommends limiting all non-essential planned surgeries and procedures, including dental, until further notice; and

WHEREAS, limiting the dental and medical procedures that may be performed during the current state of emergency serves the joint goals of preserving personal protective equipment for emergency and essential needs and preventing community spread of COVID-19 through non-essential patient-provider interactions; and

WHEREAS, on March 23, 2020, I issued Executive Order No. 18, which limited non-emergency dental procedures and non-essential medical procedures; and

WHEREAS, the spread of COVID-19 throughout Tennessee continues to intensify and warrant additional limitations on non-essential medical procedures, thus necessitating amendment of the provisions Executive Order No. 18 by the issuance of this superseding Order; and

WHEREAS, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

WHEREAS, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following statewide:

1. Dental service providers in the State of Tennessee, including but not limited to dentists, pediatric dentists, orthodontists, oral surgeons, periodontists, prosthodontists, and endodontists, shall not perform any non-emergency dental or oral procedures. Non-emergency dental or oral procedures include hygiene visits, cosmetic procedures, and other elective procedures. Emergency procedures for patients with acute dental or oral needs may still be performed, including treatment for pain, swelling, trauma, or an abscess.

2. All healthcare professionals and healthcare facilities in the State of Tennessee shall postpone surgical and invasive procedures that are elective and non-urgent. Elective and non-urgent procedures are those procedures that can be delayed until the expiration of this Order because they are not required to provide life-sustaining treatment, to prevent death or risk of substantial impairment of a major

bodily function, or to prevent rapid deterioration or serious adverse consequences to a patient's physical condition if the surgical or invasive procedure is not performed, as reasonably determined by a licensed medical provider.

3. In order to conserve personal protective equipment, healthcare providers and facilities in Tennessee must limit attendance to essential personnel in the rooms where surgeries and invasive procedures are being performed.

4. Non-hospital healthcare providers impacted by this Order are requested and encouraged to provide necessary personal protective equipment in their possession and not required for the emergency care exempted in the Order, including, but not limited to, medical gowns, N95 masks, surgical masks, TYVEK suits, boot covers, gloves, and/or eye protection to the Tennessee Emergency Management Agency by delivering such equipment to the nearest open Tennessee National Guard Armory listed on the TEMA website (www.tn.gov/tema) between the hours of 9:00 a.m. and 2:00 p.m.

5. Any state or local law, order, rule, or regulation that would limit the application of this Order is hereby suspended.

6. This Order shall take effect at 12:01 a.m., Central Daylight Time, on April 9, 2020, and shall remain in effect until 12:01 a.m., Central Daylight Time, on April 30, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

7. Upon becoming effective, this Order amends and supersedes the provisions of Executive Order No. 18, dated March 23, 2020.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 8th day of April, 2020.

Bill Lee

GOVERNOR

ATTEST:

Tre Hargett

SECRETARY OF STATE