GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

EXECUTIVE ORDER

No. 2020-193

Protect Michigan Commission

Department of Health and Human Services

SECRETARY OF SENATE
2020 DEC 10 PM1:28

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. COVID-19 has already taken the lives of more than 10,000 Michiganders and fundamentally disrupted our way of life.

But through tireless effort, a return to normal is in sight. An approved COVID-19 vaccine, once available, is our best hope for eliminating and eradicating this virus.

Scientists worldwide are working together to develop COVID-19 vaccines through a proven process involving extensive safety testing. In the United States, this process has produced safe and effective vaccines for the flu, polio, measles, mumps, and more. While the development process for the COVID-19 vaccine has been accelerated, no steps in that rigorous process have been omitted. As of the date of this order, two requests for emergency use authorization of COVID-19 vaccines are under review by the U.S. Food and Drug Administration.

The creation of a statewide Protect Michigan Commission will heighten awareness of the safety and effectiveness of an approved COVID-19 vaccine, educate the people of this state, and help protect the health and safety of all Michigan residents.

Section 1 of article 5 of the Michigan Constitution of 1963 vests the executive power of the State of Michigan in the governor.

Section 8 of article 5 of the Michigan Constitution of 1963 obligates the governor to take care that the laws be faithfully executed.

Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. Creation of the Protect Michigan Commission

(a) The Protect Michigan Commission ("Commission") is created as an advisory body within the Department of Health and Human Services ("Department").

(b) The Commission must consist of:

(1) The lieutenant governor;

(2) The chief medical executive,

(3) At least 50 members appointed by the governor representing various sectors and communities within this state and reflecting the diverse geographic, economic, racial, cultural, age, gender, and occupational composition of this state.

2. Charge to the Commission

(a) The Commission must act in an advisory capacity to the governor and must do the following:

(1) Provide public leadership to elevate and reinforce the importance of an approved COVID-19 vaccine;

(2) Identify barriers that may impede the acceptance of an approved COVID-19 vaccine by Michigan residents, which must include, but not be limited to, identifying areas or groups within this state that are likely to experience vaccine hesitancy;

(3) Support the development and implementation of an outreach action plan designed to overcome these barriers and encourage use of an approved COVID-19 vaccine;

(4) Coordinate with the Racial Disparities Task Force and other relevant task forces, committees and commissions working on similar issues and consider relevant recommendations;

(5) Provide input on, and assist in the distribution of, educational and promotional materials designed to heighten awareness of, and encourage use of an approved COVID-19 vaccine by Michigan residents;

(6) Identify opportunities to coordinate its efforts and resources with those of the various individuals and entities working on the federal, state, and local levels to ensure as widespread use as possible of an approved COVID-19 vaccine by Michigan's population; and

(7) Provide other advice and take other action as requested by the governor.

(b) The Commission must complete its work and submit a final report to the governor by December 31, 2021, including a brief summary of the efforts of this Commission and its conclusions. The Commission is dissolved on December 31, 2021.

3. Operations of the Commission

(a) The Department must assist the Commission in the performance of its duties and provide personnel to staff the counsel. Any budgeting, procurement, and related management functions must be performed under the direction and supervision of the director of the Department.

(b) The Commission must adopt procedures, consistent with this order and applicable law, governing its organization and operations.

(c) The Commission must comply with the Freedom of Information Act, 1976 PA 442, as amended, MCL 15.231 to 15.246.

(d) The governor must designate the chairperson and vice chairperson of the Commission.

(e) The governor may appoint one or more individuals to serve as honorary chairpersons of the Commission.

(f) The Commission must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Commission. The Commission must meet at least quarterly until December 31, 2021.

(g) The Commission may establish advisory workgroups, which may include Commission members, representatives of state departments or agencies, or members of the public as deemed necessary by the Commission to assist the Commission in performing its duties and responsibilities. The Commission may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

(h) The Commission may, as appropriate, make inquiries, studies and investigations, hold hearings, and receive comments from the public. The Commission also may consult with outside experts to perform its duties, including experts in the private sector, organized labor, government agencies, and at institutions of higher education.

(i) The Commission may hire or retain contractors, sub-contractors, advisors, consultants, and agents, and may make and enter into contracts necessary or incidental to the exercise of the powers of the Commission and the performance of its duties as the director of the Department deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.

(j) The Commission may accept donations of labor, services, or other things of value from any public or private agency or person. Any donations must be received and used in accordance with law.

(k) Members of the Commission must not receive additional compensation for their participation. Members of the Commission may receive reimbursement for necessary travel and expenses consistent with applicable law, rules, and procedures, subject to available funding.

(l) Members of the Commission must refer all legal, legislative, and media contacts to the Department.

4. Implementation

(a) All departments, committees, commissioners, or officers of this state must give to the Commission, or to its chairperson, any necessary assistance required by the Commission, or its chairperson, in the performance of the duties of the Commission so far as is compatible with their duties and consistent with this order and applicable law. Free access also must be given to any books, records, or documents in their custody relating to matters within the scope of inquiry, study, or review of the Commission, consistent with applicable law.

(b) This order is not intended to abate a proceeding commenced by, against, or before an officer or entity affected by this order. A proceeding may be maintained by, against, or before the successor of any officer or entity affected by this order.

(c) Nothing in this order should be construed to change the organization of the executive branch of state government or the assignment of functions among its units, in a manner requiring the force of law.

(d) If any portion of this order is found to be unenforceable, the rest of the order remains in effect.

(e) This order is effective upon filing.

(cont.)

Given under my hand and the great seal of the State of Michigan.

Date: December 10, 2020

GRETCHEN WHITMER

GOVERNOR

By the Governor:

SECRETARY OF STATE