EXECUTIVE ORDER
20-04

WHEREAS, on March 13, 2020, Executive Order 20-02 invoked the provisions of sections 44.100 and 44.110, RSMo, and declared a state of emergency that exists in the State of Missouri due to the spread of COVID-19; and

WHEREAS, I have been advised by the Missouri Department of Health and Senior Services and the State Emergency Management Agency that there have been confirmed cases of COVID-19 in this state; and

WHEREAS, COVID-19 can result in mild or severe symptoms, is highly contagious, and is spread through close contact between persons and respiratory transmission; and

WHEREAS, COVID-19 poses a serious health risk for Missouri residents and visitors; and

WHEREAS, the spread of COVID-19 and identification of additional cases in Missouri is likely to continue, and steps should be taken to prevent a substantial risk to public health and safety; and

WHEREAS, section 44.100, RSMo, provides that during a state of emergency, the Governor is authorized to "waive or suspend the operation of any statutory requirement or administrative rule prescribing procedures for conducting state business, where strict compliance with such requirements and rules would prevent, hinder, or delay necessary action by the department of health and senior services to respond to a declared emergency or increased health threat to the population"; and

WHEREAS section 44.100, RSMo, provides that during a state of emergency, the Governor is authorized to "perform and exercise such other functions, powers and duties as may be necessary to promote and secure the safety and protection of the civilian population"; and

WHEREAS, section 44.100, RSMo, provides that during a state of emergency, the Governor is authorized to "waive or suspend the operation of any statutory requirement or administrative rule requirement regarding the licensing, certification or issuance of permits evidencing professional, mechanical or other skills"; and

NOW, THEREFORE, I, MICHAEL L. PARSON, GOVERNOR OF THE STATE OF MISSOURI, by virtue of the authority vested in me by the Constitution and the Laws of the State of Missouri, including Chapter 44, RSMo, hereby incorporate the declarations made in Executive Order 20-02, and further order the following:

1. The Director of the Department of Health and Senior Services is hereby vested with authority to temporarily waive or suspend the operation of any statutory requirement or administrative rule, upon approval of the Office of the Governor, where strict compliance with such requirements and rules would prevent, hinder, or delay necessary action by the department to respond to the COVID-19 health threat and to best serve public health and safety during the period of the emergency and subsequent recovery period.

2. The Director of the Department of Public Safety is hereby vested with authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation under the Director's purview, upon approval of the Office of the Governor, in order to best serve the public health and safety during the period of the emergency and subsequent recovery period.

3. The Director of the Department of Social Services is hereby vested with authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation under the Director's purview, upon approval of the Office of the Governor, in order to best serve public health and safety during the period of the emergency and subsequent recovery period.

4. The Director of the Department of Commerce and Insurance and the Division of Professional Registration and its Boards are hereby vested with authority to temporarily waive or suspend the operation of any statutory requirement or administrative rule under their purview, upon approval of the Office of the Governor, in order to best serve public health and safety during the period of the emergency and subsequent recovery period.

5. The Director of the Department of Labor and Industrial Relations is hereby vested with authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation under the Director's purview, upon approval of the Office of the Governor, in order to best serve public health, safety, and financial needs during the period of the emergency and subsequent recovery period.

6. The Commissioner of the Office of Administration is hereby vested with authority to temporarily waive or suspend the operation of any statutory or administrative rule or regulation under the Commissioner's purview, upon approval of the Office of the Governor, in order to best serve the public health and safety during the period of the emergency and subsequent recovery period.

7. I temporarily suspend the provisions of subsections 1 and 4 of section 334.108, section 191.1146, and 20 CSR 2220-020(11) relating to telemedicine and pharmacology for telemedicine, in order to allow physicians licensed under Chapter 334, RSMo, to decrease the risk of exposure to both healthcare providers and patients.

8. I temporarily suspend the provisions of section 307.400, RSMo, pertaining to hours of service of motor carriers and drivers of commercial motor vehicles in accordance with the Federal Motor Carriers Safety Administration Emergency Declaration under 49 CFR 390.23, No. 2020-02, allowing the immediate transportation of essential supplies, equipment, and persons.

9. I temporarily suspend the provisions of subsection 3 of section 161.210, RSMo, and 5 CSR 20-400.330, 500-560, 590-610, and 640 relating to teacher certification with regard to qualifying scores on exit examinations, and culminating clinical experience in terms of semester hours, weeks, and number of placements, in order to ensure that the teacher workforce shortage is not exacerbated by COVID-19.

10. Any executive agency, board, commission, or department, not specifically mentioned herein may submit a written request to the Office of the Governor to temporarily waive any statutory requirement or administrative rule under their purview in order to best serve public health and safety during the period of the emergency and subsequent recovery period. Such suspensions shall be effective upon written approval by the Office of the Governor.

11. Nothing in this Executive Order shall be construed to limit the Governor's direct emergency powers as set forth in Chapter 44.

This order shall terminate on May 15, 2020, unless extended in whole or in part.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Missouri, in the City of Jefferson, on this 18th day of March, 2020.

MICHAEL L. PARSON
GOVERNOR

ATTEST:

JOHN R. ASHCROFT
SECRETARY OF STATE