GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA

EXECUTIVE ORDER

Executive Order 2020-58

Ensuring the Availability of the COVID Vaccine without Financial Barriers

WHEREAS, on January 31, 2020, Secretary Alex Azar of the United States Department of Health and Human Services ("HHS") declared a public health emergency to address COVID-19; and

WHEREAS, on March 11, 2020, pursuant to Arizona Revised Statutes ("A.R.S.") §§ 26-303 and 36-787, I, as Governor of the State of Arizona, issued a declaration of Public Health State of Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, on May 15, 2020, the President of the United States announced Operation Warp Speed to accelerate development, production, and distribution of safe and effective COVID-19 vaccines; and

WHEREAS, there are currently two COVID-19 vaccine candidates that have filed with the United States Food and Drug Administration ("FDA") for an Emergency Use Authorization ("EUA"); and

WHEREAS, safe and effective COVID vaccines will dramatically reduce the spread of disease; and

WHEREAS, federal law requires that vaccines approved by the United States Preventive Services Task Force be covered by private insurance, group health, self insured group health and state regulated health insurance plans with no copayment; and

WHEREAS, there is an expectation that after a COVID-19 vaccine has been approved for use by the FDA, federal law will require coverage of the COVID-19 vaccine without a copay or coinsurance; and

WHEREAS, A.R.S. § 36-787, provides authority to the Arizona Department of Health Services ("ADHS") to "...Planning and executing public health emergency assessment, mitigation, preparedness response and recovery"... and to "collaborat[e] with...private organizations and private sector companies;" and

WHEREAS, absent the availability and use of a vaccine, the effects of COVID-19 will continue to strain Arizona's health care systems and the everyday lives of Arizonans; and

WHEREAS, it is necessary for the public health that all Arizonans have access to COVID-19 vaccinations without financial barriers such as copays and coinsurance that may prolong and inhibit recovery from the COVID-19 emergency.

NOW THEREFORE, I, Douglas A. Ducey, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this state, including A.R.S. §§ 26-303 and 36-787 hereby order as follows:

1. ADHS, in conjunction with the Arizona Department of Insurance and Financial Institutions, shall require that all insurers regulated by the State waive all cost-sharing requirements for consumers related to the administration of all COVID-19 vaccinations and without regard to whether the provider is in-network.

2. This Executive Order shall expire upon the termination of the Declaration of Public Health Emergency related to COVID-19 and dated March 11, 2020 or upon the effective date of a federal requirement that the COVID-19 vaccine be provided without cost-sharing.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Douglas A. Ducey

GOVERNOR

DONE at the Capitol in Phoenix on this 2nd day of December in the year Two Thousand and Twenty and of the Independence of the United States of America the Two Hundred and Forty-Fifth.

ATTEST:

Secretary of State