GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
OFFICE OF THE GOVERNOR
LANSING

GARLIN GILCHRIST II
LT. GOVERNOR

SECRETARY OF SENATE
2020 APR 20 PM3:04

EXECUTIVE ORDER

No. 2020-55

Michigan Coronavirus Task Force on Racial Disparities

Department of Health and Human Services

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 is easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4, which declared a state of emergency across the state of Michigan.

In the three weeks that followed, the virus spread across Michigan, bringing deaths in the hundreds, confirmed cases in the thousands, and deep disruption to this state's economy, homes, and educational, civic, social, and religious institutions. In response to the widespread and severe health, economic, and social harms posed by the COVID-19 pandemic, I issued Executive Order 2020-33 on April 1, 2020. This order expanded on Executive Order 2020-4 and declared both a state of emergency and a state of disaster across the state of Michigan.

The COVID-19 pandemic has disproportionately impacted communities of color throughout our state. For example, while African Americans represent 13.6% of our state's population, they represent a staggering 40% of the deaths from COVID-19. The health and safety of this state and its residents, communities, and businesses would benefit from a task force devoted to thoroughly studying and developing strategies to immediately address this troubling disparity and the historical and systemic inequities that underlie it.

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 places each principal department of state government under the supervision of the governor unless otherwise provided.

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. Creating the Michigan Coronavirus Task Force on Racial Disparities

(a) The Michigan Coronavirus Task Force on Racial Disparities ("Task Force") is created as an advisory body within the Department of Health and Human Services ("Department").

(b) The Task Force must consist of:

(1) The lieutenant governor.

(2) The director of the Department, or the director's designee from within the Department.

(3) The chief medical executive.

(4) 24 members appointed by the governor reflecting the diverse geographic, economic, racial, cultural, gender, and occupational composition of this state.

(c) A vacancy on the Task Force must be filled in the same manner as the original appointment.

(d) The lieutenant governor must serve as the chairperson of the Task Force.

2. Charge to the Task Force

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

(1) Study the causes of racial disparities in the impact of COVID-19 and recommend actions to address such disparities.

(2) Recommend actions to increase transparency in reporting data regarding the racial and ethnic impact of COVID-19; remove barriers to accessing physical and mental health care; reduce the impact of medical bias in testing and treatment; mitigate environmental and infrastructure factors contributing to increased exposure during pandemics resulting in mortality; and develop and improve systems for supporting long-term economic recovery and physical and mental health care following a pandemic.

(3) Perform outreach to ensure all stakeholders in impacted areas are informed, educated, and empowered. Stakeholder outreach will include, but is not limited to, community leaders, partner organizations, tribal governments, local government officials, and other elected officials representing the impacted areas.

(4) Perform outreach to ensure the general public is informed about racial disparities in the impact of COVID-19, and the work of the Task Force.

(5) Identify avenues of funding for combatting racial disparities in the impact of COVID-19.

(6) Recommend changes in Michigan law relevant to combatting racial disparities in the impact of and response to pandemics.

(7) Identify other issues and provide recommendations to the governor on any other matters relevant to addressing racial disparities in the impact of and response to pandemics.

(8) Provide other information or advice or take other actions as requested by the governor.

(b) The Task Force must report regularly to the governor on its activities and make recommendations on an ongoing basis.

(c) The Task Force will continue its work until 90 days after the end of the declared states of emergency and disaster, or such other time as the governor identifies.

3. Operations of the Task Force

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

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

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

(d) The Task Force may select from among its members a vice chairperson.

(e) The Task Force may select from among its members a secretary. Task Force staff must assist the secretary with recordkeeping responsibilities.

(f) The Task Force must meet at the call of its chairperson and as otherwise provided in the procedures adopted by the Task Force.

(g) A majority of the members of the Task Force serving constitutes a quorum for the transaction of the business of the Task Force. The Task Force must act by a majority vote of its members.

(h) The Task Force may establish advisory workgroups composed of individuals or entities participating in Task Force activities or other members of the public or of the executive branch of state government, as deemed necessary by the Task Force to assist it in performing its duties and responsibilities. The Task Force may adopt, reject, or modify any recommendations proposed by an advisory workgroup.

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

(j) The Task Force 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 Task Force and the performance of its duties as the chair deems advisable and necessary, consistent with this order and applicable law, rules, and procedures, subject to available funding.

(k) The Task Force 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.

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

(m) Members of the Task Force appointed under sections 1(b)(2)-(4) of this order must refer all legal, legislative, and media contacts to the Department.

4. Implementation

(a) All departments, agencies, committees, commissioners, and officers of this state must give to the Task Force, or to any member or representative of the Task Force, any necessary assistance required by the Task Force, or any member or representative of the Task Force, in the performance of the duties of the Task Force 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 Task Force, 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 signing.

Given under my hand and the Great Seal of the State of Michigan.

Date: April 20, 2020

Time: 12:55 pm

GRETCHEN WHITMER
GOVERNOR

By the Governor:

SECRETARY OF STATE