



SPECIAL EDITION ON GOVERNOR'S COVID-19 EXECUTIVE ORDERS

Executive Order #14 – Declares a State of Emergency in Tennessee

Issued March 12, 2020: Executive Order 14 allows the executive branch to implement the Tennessee Emergency Management Plan (TEMP) in conjunction with all applicable annexes to coordinate a state response. Allows the Commissioner of Health to temporarily suspend certain licensing requirements to permit physicians who are licensed in other states to engage in medical practice in Tennessee. It allows pharmacists to dispense an extra 30-day supply of maintenance prescriptions without prior authorization.

This order also gives the Commissioner of Human Services the authority to waive child care licensure requirements including restrictions on capacity, care categories, grouping, license transfers, and drop-in centers.

Expires May 11, 2020

Executive Order #15 – Suspends Healthcare Statutes to Facilitate the Treatment and Containment of COVID-19

Issued March 19, 2020: Executive Order 15 suspends certain regulatory burdens and restrictions on health care providers and state agencies in order to combat COVID-19. It aims to quickly boost health care capacity and enhance consumer protections during the pandemic. Specifically, the order will loosen restrictions and deregulate the following:

- Section 5: Expands Scope of Practice (Nurse Practitioners) – Relieves Nurse Practitioners (NPs) of certain requirements in order to treat more patients.
- Section 6: Expands Scope of Practice (Physician Assistants) – Relieves Physician Assistants (Pas) of certain requirements in order to treat more patients.
- Section 10: Deregulates Hospital Beds – Lifts certain Certificate of Need (CON) statutes which limit the number of licensed hospital beds at a health care facility. Temporarily establishes diagnostic services at hospitals in any location to free up space for use in the COVID-19 outbreak.
- Section 38: Loosens Regulations of Telehealth, Expands Use of Telemedicine – Expands the list of providers and health care professionals eligible to use tech and telehealth services while treating patients. It loosens HIPAA restrictions so that doctors can utilize FaceTime or other audio/visual software to provide medical services. It urges insurance providers to reimburse more telemedicine services.

Expires May 18, 2020

Executive Order #16 – Enables Governing Bodies to Conduct Business Electronically

Issued March 20, 2020: Executive Order 16 allows government entities to hold meetings online and mandates that proceedings are recorded and remain available to the public via electronic means. The order

allows governing bodies to determine if an electronic meeting is necessary to protect public health but may only meet to conduct essential business. The governing body must make reasonable effort to ensure that these meetings are accessible to the public within 48 hours. This order does not change existing notice requirements under the Open Meetings Act.

Expires May 18, 2020

~~Executive Order #17 – Limits Social Exposure to Mitigate the Spread of COVID-19~~

Issued March 22, 2020: Executive Order 17 issues a statewide ban on public gatherings of more than 10 people and limits all restaurants to drive-thru or take out service only. Under the order, restaurants that serve alcohol are permitted to sell alcohol for off-premise consumption. Other public facilities such as gyms and fitness centers will be closed.

The order also pursues additional measures to keep vulnerable populations such as the elderly and those with underlying conditions safe. It restricts visitation to nursing homes, retirement homes, and long-term care or assisted-living facilities to visits involving essential care only. It encourages businesses to enact policies that take extra steps to assist vulnerable populations, such as exclusive shopping hours.

Expires April 6, 2020

Executive Order #18 – Limits Non-Emergency Healthcare Procedures

Issued March 23, 2020: Executive Order 18 institutes a temporary ban on elective surgeries at hospitals, surgery centers, and dental offices. All hospitals and free-standing surgical outpatient facilities must postpone joint replacement, bariatric surgery, and cosmetic surgery, except for in circumstances where postponement may significantly impact the health and welfare of the patient.

The order also asks non-hospital healthcare providers to donate personal protective equipment in their possession to the Tennessee National Guard Armory.

Expires April 13, 2020

Executive Order #19 – Amends Certain Provisions of Executive Order #15 in Relation to Transportation Services

Issued March 26, 2020: Executive Order 19 amends certain provisions in Executive Order 15 to suspend certain federal regulations that limit the hours of service a commercial motor vehicle operators must observe in order to provide supplies, equipment, personnel, and other items related to the maintenance of the food supply and disinfectant or sanitizing supplies of any kind.

Extends other deadlines for drivers' licenses and vehicle registrations.

Expires May 18, 2020

Executive Order #20 – Amends Certain Provisions of Executive Order #15 in Relation to Expanding Telehealth Services

Issued March 26, 2020: Executive Order 19 amends certain healthcare provisions addressed in Executive Order 15 by loosening restrictions on retired healthcare providers in order to mobilize medical professionals to help with COVID-19. It also temporarily suspends continuing education requirements for healthcare workers and allows all licensed providers to use telemedicine during COVID-19 outbreak as long as its practiced within their normal scope of practice.

Expires May 18, 2020

~~Executive Order #21 – Amends Certain Provisions of Executive Order #17 by Limiting Non-Essential Services and Gatherings~~

Issued March 30, 2020: Executive Order 21 includes nine additional businesses and organizations that perform close contact personal services to the list of facilities that will be closed to the public. These include various salons, spas, tattoo facilities, and massage services. The order also closes other entertainment venues used for recreational gatherings such as bowling alleys, arcades, amusement parks, concert venues, and indoor children’s play areas.

Expires April 14, 2020

~~Executive Order #22 – Directs Citizens to Stay at Home Unless Engaging in Essential Activity~~

Issued March 30, 2020: Executive Order 22 urges Tennesseans to stay at home except when engaging in essential activity which include healthcare related appointments and medicine pickup; purchasing food goods, alcohol, sanitation or other necessary supplies to work from home; engaging in outdoor activity while observing CDC precautions; providing, facilitating, or receiving delivery or curbside carry-out delivery of online or telephone orders; and caretaking for a family member, friend, or pet in another household.

The order also defines which businesses are deemed “essential” and limits discretionary travel.

Expires April 14, 2020

~~Executive Order #23 – Amends Executive Order #22 to Require Citizens Stay at Home Unless Engaging in Essential Activity~~

Issued April 2, 2020: Executive Order 22 requires Tennesseans to remain at home except when engaging in essential activity or services as defined under Executive Order 21. All other provisions remain in effect.

Expires April 14, 2020

Extended to April 30, 2020 by EO27

Executive Order #24 – Amends Executive Order #15 to Suspend Other Provisions of Certain Statutes to Further Facilitate Treatment and Containment of COVID-19

Issued April 3, 2020: Executive Order 24 suspends certain regulatory burdens and restrictions on health care providers, businesses, and state agencies in order to combat COVID-19. Specifically, the order will do the following:

- Gives the Commissioner of Health authority to allow any person who has completed a masters or doctoral degree in behavioral or mental health to treat diagnosed conditions through telehealth as long as that person is supervised by a licensed provider
- Extends the prohibition of medical supplies price gouging to April 18, 2020
- Lowers the amount of days in which an employer must notify the Commissioner of Labor & Workforce Development of a termination of employment from 7 days to 4 days
- Suspends the expiration of marriage licenses that expire from May 12 – 31, 2020
- Extends the deadline to file for tax relief
- Extends the deadline to file certain forms with the Tennessee Ethics Commission
- Extends the deadline to pay the professional privilege tax
- Allows law enforcement certified in other states to work full time without completing state requirements
- Allows the number of inmates awaiting transfer to the Dept. of Correction penal system to be discounted from any compliance computations
- Provides flexibility to local facilities to implement plans of action to eliminate deficiencies related to COVID-19

Expires May 18, 2020

Executive Order #25 – Limits Non-Emergency Healthcare Procedures

Issued April 3, 2020: Executive Order 25 postpones all surgical and invasive procedures that are elective and non-urgent. Defines elective and non-urgent as procedures that can be reasonably delayed without serious adverse effects on a patient. It also limits personnel in rooms where surgeries are performed and encourages healthcare professionals to provide personal protective equipment in their possession.

The order bans all non-emergency dental procedures including hygiene visits.

Expires April 30, 2020

Executive Order #26 – Suspends Certain Statutes to Facilitate Remote Notarization and Witnessing of Documents

Issued April 8, 2020: Executive Order 26 permits remote notarization to allow persons to execute legal documents without the need for an in-person contact. Requires that signatories, notary publics, and witnesses utilize audio and visual communication. Suspends certain provisions in the Online Notary Act to the extent necessary to remotely notarize in accordance with this order.

Expires May 18, 2020

Extended to July 15, 2020 under E028

~~Executive Order #27 – Extends Temporary Provisions under Executive Orders 17, 21, 22, and 23~~

Issued April 13, 2020: Executive Order 27 extends social distancing (EO17) and stay-at-home orders (EO22) to April 30, 2020.

Expires April 30, 2020

Executive Order #28 – Amends Executive Order 15 to Suspend Certain Statutes to Facilitate Treatment and Containment of COVID-19

Issued April 8, 2020: Executive Order 28 suspends certain scope of practice statutes by relieving Nurse Practitioners and Physician Assistants from direct supervision requirements. Removes and modifies certain licensure requirements for graduating dentistry and nursing students. Allows laboratory personnel to review electronic data remotely. Requires automatic reversion of release eligibility for certain felony offenders to address capacity at penal institutions. Allows governments and officials to accept electronically signed surety bonds and powers of attorney.

Expires May 18, 2020

~~Executive Order #29 – Amends Executive Order 17 to Reopen Dining in Restaurants~~

Issued April 24, 2020: Executive Order 29 amends Executive Order 17 by lifting restrictions on restaurants to allow dine in services. It permits restaurants to continue providing take-out and alcohol delivery sales. Advises that restaurants are expected to operate under the guidelines set forth by the Economic Recovery Group.

Bars, nightclubs, and limited service restaurants will remain closed for the purposes of eating and drinking onsite.

No expiration

Executive Order #30 – Allows Tennesseans to Return to Work Safely While Adhering to Health Guidelines

Issued April 24, 2020: Executive Order 30 allows Tennesseans to return to work in almost all industries but encourages employees and employers to work remotely if possible. The order urges Tennesseans to continue limiting activity by staying at home and wear face masks when in proximity to others. EO30 supersedes and repeals EO nos. 17, 21, 22, 23, 27, and 29 but does not affect EO25 concerning dental and medical procedures.

“Close contact” businesses such as hair salons, tanning salons, tattoo parlors, and massage therapy services will remain closed until May 29 contingent on projected outcomes. Entertainment and recreational venues will continue to remain closed and social gatherings of 10 or more are prohibited.

Guidelines for weddings, funerals, and places of worship are not specified under this executive order.

E030 supersedes any contrary orders or measures, thereby preventing counties from issuing independent orders regarding the businesses or venues covered by this order. However, localities may continue issuing and enforcing measures related to their respective governmental entities.

Expires May 29, 2020

Executive Order #31 – Limits Non-Emergency Dental Procedures

Issued April 29, 2020: Executive Order 30 limits non-emergency dental procedures in order to conserve personal protective equipment (PPE). Dental service providers include dentists, orthodontists, oral surgeons, periodontists, prosthodontists, and endodontists. Emergency procedures may still be performed including treatment for pain, swelling, trauma or abscess.

Expires May 6, 2020