



EXECUTIVE ORDER NO. 001-20

**DECLARING A STATE OF EMERGENCY DUE TO THE CONFIRMATION OF
THE COVID-19 VIRUS IN REGIONAL AREAS SURROUNDING THE NAVAJO
NATION, CLOSING THE NAVAJO NATION GOVERNMENT OFFICES, AND
SUPPORTING THE CLOSURE OF ALL SCHOOLS AND EDUCATIONAL
FACILITIES ON THE NAVAJO NATION**

**NAVAJO NATION OFFICE OF THE PRESIDENT AND VICE PRESIDENT
MARCH 13, 2020**

WHEREAS:

1. The President of the Navajo Nation serves as the Chief Executive Officer for the Executive Branch of the Navajo Nation government with full authority to conduct, supervise, and coordinate personnel and program matters. 2.N.N.C. §1005 (A);
2. The President shall have the enumerated power of issuing an executive order for the purpose of interpreting, implementing or giving administrative effect to statutes of the Navajo Nation in the manner set forth in such statutes. 2.N.N.C. §1005 (C)(14);
3. With the concurrence of the President of the Navajo Nation, the Emergency Management Commission shall have the power to declare a state of emergency affecting the Navajo Nation and to obtain, coordinate and oversee assistance, whether in the form of goods, services, equipment, motor vehicles, or personnel, from all Divisions, Departments and Enterprises of the Navajo Nation for use in addressing the requirements of the People in any declared emergency. 2 N.N.C. § 884(B)(1)(3);
4. The Emergency Management Commission declared an emergency due to the confirmation of the coronavirus disease (COVID-19) in regional areas surrounding the Navajo Nation. 2 N.N.C. § 884(B)(1), *See* Emergency Management Commission resolution CEM 20-03-11;
5. An Executive Order shall have the force of law upon the recipient. 2 N.N.C. § 1005(C)(14).

THEREFORE:

I, Jonathan Nez, President of the Navajo Nation and I, Myron Lizer, Vice President of the Navajo Nation, by the authority vested in us, hereby issue the following order:


1. With the support of the Emergency Management Commission, CEM-20-03-11, a public health state of emergency is declared affecting the Navajo Nation citizens and residents due to confirmation of the spread of the COVID-19 virus in every state surrounding the Navajo Nation, *see* White House Proclamation, NM Governor Lujan Grisham statement, Utah Governor Herbert Executive Order, Arizona Governor Ducey Executive Order and Declaration of Emergency, as such:
 - a. The Navajo Department of Health Command Operations Center shall be staffed throughout the emergency condition under the direction of the Director, Dr. Jill Jim, Navajo Department of Health; and,
 - b. The Navajo Department of Emergency Management Emergency Operation Center shall be activated to support the Navajo Department of Health Command Center; and,
 - c. All Navajo Nation Branches, Divisions, Departments, programs, offices, and Enterprises shall comply with and adhere to directives, instructions, and/or policies coming from the Navajo Department of Health as related to addressing COVID-19.
2. The Navajo Nation has issued travel restrictions due to the COVID-19 virus which restricted or canceled all off-reservation travel and directed all Navajo Nation employees to return from current off-reservation travel; however, the action of surrounding States by restricting large gatherings and closure of government offices has heightened the concern of the spread of the COVID-19, as such:
 - a. All Navajo Nation government offices shall close to minimize the spread of the COVID-19 virus beginning March 16 to April 3, 2020 and only essential personnel as determined by the Division Director shall report to their respective duty stations – including Navajo Public Safety, Navajo Fire Department, Navajo Emergency Medical Services, Department of Emergency Management, Navajo Division of Finance, Navajo Division of Social Services, and those determined by the Branch Chiefs; and,
 - b. All non-essential Navajo Nation government employees, including non-certified Chapter employees, affected by this Executive Order shall be granted Administrative Leave for the duration of the closure and are expected to refrain from events, gatherings, or other areas where they may contract the COVID-19 virus; and,
 - c. The closure of Navajo Nation government offices may be extended beyond April 3, 2020 on the recommendation of the Navajo Department of Health Command Operations Center and the Navajo Department of Emergency Management Operation Center.

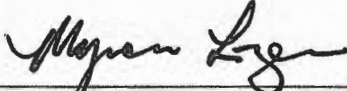
3. The Navajo Nation Board of Education declared an emergency affecting all schools on the Navajo Nation due to the spread of the COVID-19 virus and recommended, among other measures, the closure of all schools and educational facilities on the Navajo Nation to protect our children, their parents, and care givers, NNBEMA-608-2020, as such:
- a. Public Law 100-297 grant schools, Public Law 93-638 contract schools, and Bureau of Education operated schools shall be closed from March 16 to April 3, 2020; and,
 - b. Public schools, including grant schools, private schools, higher education institutions, early childhood programs, including CCDF, Head Start, FACE programs, and all after school programs located on the Navajo Nation shall be closed from March 16 to April 3, 2020; and,
 - c. Off reservation residential halls and dormitories for Navajo students operating under the authority of the Navajo Nation will follow the process and procedure for this host school district; and,
 - d. The Navajo Board of Education may recommend an extension of the closing of the schools and educational facilities beyond April 3, 2020.

The Divisions, Departments and Enterprises are responsible for implementing and ensuring compliance with this order.

The provisions of this order shall be implemented consistent with the laws of the Navajo Nation and in a manner that advances the highest welfare of the People.

EXECUTED this 13th day of March 2020


Jonathan Nez, *President*
THE NAVAJO NATION


Myron Lizer, *Vice-President*
THE NAVAJO NATION

ATTEST:


Doreen N. McPaul, *Attorney General*

THE NAVAJO NATION

JONATHAN NEZ | PRESIDENT MYRON LIZER | VICE PRESIDENT



CEM-20-03-11

RESOLUTION OF THE COMMISSION ON EMERGENCY MANAGEMENT

DECLARING A PUBLIC HEALTH STATE OF EMERGENCY FOR THE NAVAJO NATION DUE TO THE CONFIRMATION OF THE CORONAVIRUS DISEASE ("COVID-19") IN REGIONAL AREAS SURROUNDING THE NAVAJO NATION.

WHEREAS:

1. Pursuant to 2 N.N.C., § 881 the Navajo Nation Council established the Commission on Emergency Management, authorizing it to assess, verify, recommend and declare states of emergency with the concurrence of the President of the Navajo Nation; and
2. Pursuant to 2 N.N.C., § 883 (A) and (C) the Commission is empowered to coordinate immediate emergency and disaster relief services with Navajo Nation and non-tribal entities in conjunction with the Department of Emergency Management to recommend and deploy appropriate resources regarding natural and man-made emergencies; and
3. Pursuant to 2 N.N.C., § 884 (B), (2) the Commission on Emergency Management may seek assistance from federal, state, other tribal governments, and local and private agencies to address emergency and disaster related situations; and
4. The nature of the Coronavirus Disease ("COVID-19") is such that it has spread and increased globally, as indicated by the Centers for Disease Control & Prevention ("CDC"), the World Health Organization ("WHO"), and other public health organizations within the U.S. and regionally; and
5. In the U.S. the number of positive and presumptive positive cases have grown, with the rise in COVID-19 confirmed cases in Arizona, New Mexico, Utah, Colorado; and
6. No confirmed COVID-19 cases have been verified on the Navajo Nation and area Public Health Services are closely monitoring the situation; and
7. The Navajo Nation, in collaboration with various entities such as the U.S. Public Health Services Area Offices (Albuquerque, Navajo, Phoenix), CDC, state departments of health, Navajo Nation 638 Tribal Health Organizations and various other multi-agency groups, have organized an incident command approach to mitigate COVID-19 transmission on the Navajo Nation; and
8. In partial response to addressing the spread of COVID-19 on the Navajo Nation, a Navajo Department of Health ("NDOH") Command Operations Center has been established with an infrastructure to maintain situational awareness, conduct daily communication briefings among NDOH and key collaborative partners and, disseminate information to the public; and

9. The Navajo Department of Emergency Management (NDEM) Emergency Operation Center (EOC) shall be activated to support the Navajo Department of Health Command Center.
10. Locally, it is acknowledged and understood that the threat of transmission of COVID-19 needs to be mitigated to reduce risk of exposure to the Navajo People and the resultant consequential public health impacts.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Navajo Nation Commission on Emergency Management hereby declares a Public Health State of Emergency for the Navajo Nation due to the confirmation of the Coronavirus Disease ("COVID-19") in regional areas surrounding the Navajo Nation.
2. To address increased concerns of potential public health impacts due to risk and exposure to the COVID-19, especially to our older population, the Navajo Nation must encourage independent responsibility and action by the Navajo People in practicing recommended preemptive measures to minimize, prevent and reduce risk of exposure to and from the COVID-19.
3. The Navajo Nation population receives timely, consistent and correct information needed on the COVID-19 on preventive measures against contracting and spread of the virus, signs, symptoms and contacting local hospitals and clinics for reporting.
4. In declaring the Public Health State of Emergency, all Navajo Nation Branches, programs, departments will comply with and adhere to directives, instructions, and/or policies forthcoming from the Navajo Department of Health as related to addressing COVID-19.
5. The needs of the Navajo Nation are to be addressed in a manner so as to provide the necessary resources required to address said Declared Public Health State of Emergency. This includes, but not limited to, resources of personnel, medical supplies and equipment, monetary funding, and other resources as may be required to protect the health, safety and welfare of citizens of the Navajo Nation.


CERTIFICATION

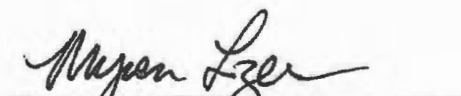
I hereby certify that the foregoing resolution was duly considered by the Navajo Nation Commission on Emergency Management at a duly called meeting at Window Rock, Navajo Nation, Arizona, at which a quorum was present and that same passed by a vote of 4 approved, 0 opposed, and 0 abstained this 11th day of March 2020.


Herman Shorty, Chairperson
Commission on Emergency Management

Motion by: Dicky Bain
Second by: Ben Bennett

CONCURRENCE:


Jonathan Nez, President
THE NAVAJO NATION


Myron Lizer, Vice President
THE NAVAJO NATION



**DEPARTMENT OF DINÉ EDUCATION
THE NAVAJO NATION**

P.O. Box 670 · Window Rock, Arizona 86515
PHONE (928) 871 – 7475 · FAX (928) 871 – 7474



Jonathan Nez
President

Myron Lizer
Vice-President

NNBEMA-608-2020

**RESOLUTION OF THE
NAVAJO NATION BOARD OF EDUCATION**

Relating to Education; Declaration of an Emergency and Recommending the Closure of All Public Law 100-297 Grant Schools, Public Law 93-638 Contract Schools, Bureau of Indian Education-Operated Schools, Higher Education Institutions Operating on the Navajo Nation, All Public Schools (Including Charter Schools) Operating on the Navajo Nation, All Private Schools, All FACE Programs, Early Childhood Programs, Child Care Development Fund (CCDF) Programs, and Navajo Head Start Programs on the Navajo Nation for Three (3) Weeks; Tribally Controlled Residential Halls/Dormitories Shall Follow any Closure Procedures of Their Host School District.

WHEREAS:

1. The Department of Diné Education (hereinafter the “Department”) is the administrative agency within the Navajo Nation with responsibility and authority for implementing and enforcing the educational laws of the Navajo Nation. 2 N.N.C. § 1801 (B); 10 N.N.C. § 107 (A). The Department is under the immediate direction of the Board. 10 N.N.C. § 107 (B).
2. The Navajo Nation Board of Education (hereinafter the “Board”) is the education agent in the Executive Branch for the purposes of overseeing the operation of all schools serving the Navajo Nation. 10 N.N.C. § 106 (A). The Board carries out its duties and responsibilities through the Department of Diné Education. 10 N.N.C. § 106 (G)(3). In addition, “the Board [has the] general power to monitor the activities of all Bureau of Indian Affairs funded schools and local community school boards serving the Navajo Nation...” 10 N.N.C. § 106 (G)(1).
3. The Navajo Nation has substantial authority and broad jurisdiction to regulate all matters within its territorial boundaries pursuant to its inherent sovereignty and Treaty of 1868. This authority and jurisdiction include the ability to oversee and regulate matters regarding state public schools, Public Law 100-297 grant, Public Law 93-638 contract, Bureau of Indian Education-operated schools, high education institutions, and all FACE programs, early childhood education programs, and Navajo Head Start programs located on the Navajo Nation.
4. The Coronavirus disease (“COVID-19”) is a global pandemic infecting substantial numbers of people, and has spread exponentially and increased globally, as indicated by the Centers for Disease

NAVAJO NATION BOARD OF EDUCATION

*Priscilla B. Manuelito, President · Spencer W. White, Vice President · Dr. Victoria Yazzie, Secretary
Member: Sharon A. Toadecheenie · Marlene Burbank · Dr. Henry Fowler · Andrea K. Thomas
Freda Nells · Joan A. Gray · Emerson John · Dr. Pauletta White
Dr. Anselm Davis, Acting Superintendent of Schools*

Control (“CDC”) and World Health Organization (“WHO”) and other public health organizations located within the United States and regionally.

5. At the moment, there are no confirmed or verified COVID-19 cases on the Navajo Nation and area public health services are closely monitoring the situation. The Navajo Nation, in collaboration with various entities such as the U.S. Public Health Service Area Offices (Albuquerque, Navajo, Phoenix), CDC, state departments of health, Navajo Nation 638 tribal health organizations, and other multi-agency groups have organized an incident command approach to mitigate COVID-19 transmission on the Navajo Nation.
6. On March 12, 2020, the New Mexico Public Education Department directed the closure of all New Mexico public and charter schools for three (3) weeks, effective March 16, 2020. On March 10, 2020, the Arizona Department of Education left it up to local school districts and governing boards on whether or not they should close schools. The Utah State Board of Education also has not ordered a state-wide closure of schools and left it up the Utah Department of Health and local health departments who are empowered to close schools when necessary to protect public health. School districts are recommended to act in accordance with guidance from their corresponding local health departments in making the final decision as to whether conditions require the closure of schools.
7. Some Navajo Nation tribally controlled grant schools have decided to close their schools until further COVID-19 guidance and updates are provided. At the moment, BIE-operated schools have not closed any schools.
8. There are also five (5) Navajo Nation border-town residential halls/dormitories (Winslow Residential Hall, Kinteel Residential Campus, Kinlani Bordertown Dormitory, T’iisyaakin Residential Hall, Richfield Residential Hall) that host students attending public schools in their respective areas.
9. There are several higher education institutions operating on the Navajo Nation and serve substantial numbers of Navajo students. There are several private schools located on the Navajo Nation serving Navajo students.

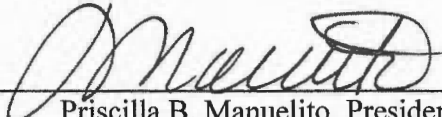
NOW THEREFORE BE IT RESOLVED THAT:

1. The Navajo Nation Board of Education hereby declares an emergency and recommends the closure of all Public Law 100-297 grant schools, Public Law 93-638 contract schools, Bureau of Indian Education-operated schools, public schools (including charter schools) located on the Navajo Nation, private schools, higher education institutions operating on the Navajo Nation, early childhood programs including CCDF, Head Start, FACE Programs, and all after-school programs located on the Navajo Nation for three (3) weeks, effective March 16, 2020.

2. The Navajo Nation Board of Education further directs that off-residential halls/dormitories operating under the authority and jurisdiction of the Navajo Nation to follow to any closure processes/procedures of their host school district. If the host school district closes their schools, the residential hall/dormitory shall also close as well.
3. The Navajo Nation Board of Education further directs that all higher education institutions operating on the Navajo Nation to use web-based technology, video conferencing, or alternative means of delivering instruction.
4. The Navajo Nation Board of Education hereby recommends and empowers the Superintendent of Schools to take any actions deemed necessary and proper to carry out the purposes of this resolution and directive.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Board of Education of the Navajo Nation at a duly called meeting at Window Rock, Arizona (Navajo Nation) at which a quorum was present, motion by Dr. Pauletta White and seconded by Andrea K. Thomas and that the same was passed by a vote of 7 in favor; 0 opposed; 0 abstained, this 13th day of March 2020.



Priscilla B. Manuelito, President
Navajo Nation Board of Education



PROCLAMATIONS

Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak

Issued on: March 13, 2020



In December 2019, a novel
(new) coronavirus known as
SARS-CoV-2 (“the virus”) was
first detected in Wuhan, Hubei
Province, People’s Republic of
China, causing outbreaks of
the coronavirus disease
COVID-19 that has now spread

globally. The Secretary of Health and Human Services (HHS) declared a public health emergency on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d), in response to COVID-19. I have taken sweeping action to control the spread of the virus in the United States, including by suspending entry of foreign nationals seeking entry who had been physically present within the prior 14 days in certain jurisdictions where COVID-19 outbreaks have occurred, including the People's Republic of China, the Islamic Republic of Iran, and the Schengen Area of Europe. The Federal Government, along with State and local governments, has taken preventive and proactive measures to slow the spread of the virus and treat those affected, including by instituting Federal quarantines for

individuals evacuated from foreign nations, issuing a declaration pursuant to section 319F-3 of the Public Health Service Act (42 U.S.C. 247d-6d), and releasing policies to accelerate the acquisition of personal protective equipment and streamline bringing new diagnostic capabilities to laboratories. On March 11, 2020, the World Health Organization announced that the COVID-19 outbreak can be characterized as a pandemic, as the rates of infection continue to rise in many locations around the world and across the United States.

The spread of COVID-19 within our Nation's communities threatens to strain our Nation's healthcare systems. As of March 12, 2020, 1,645 people from 47 States have been infected with the virus that causes COVID-19. It is incumbent on hospitals and

medical facilities throughout the country to assess their preparedness posture and be prepared to surge capacity and capability. Additional measures, however, are needed to successfully contain and combat the virus in the United States.

NOW, THEREFORE, I, DONALD J. TRUMP, President of the United States, by the authority vested in me by the Constitution and the laws of the United States of America, including sections 201 and 301 of the National Emergencies Act (50 U.S.C. 1601 *et seq.*) and consistent with section 1135 of the Social Security Act (SSA), as amended (42 U.S.C. 1320b-5), do hereby find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020. Pursuant to this declaration, I direct as follows:

Section 1. Emergency

Authority. The Secretary of HHS may exercise the authority under section 1135 of the SSA to temporarily waive or modify certain requirements of the Medicare, Medicaid, and State Children's Health Insurance programs and of the Health Insurance Portability and Accountability Act Privacy Rule throughout the duration of the public health emergency declared in response to the COVID-19 outbreak.

Sec. 2. Certification and

Notice. In exercising this authority, the Secretary of HHS shall provide certification and advance written notice to the Congress as required by section 1135(d) of the SSA (42 U.S.C. 1320b-5(d)).

Sec. 3. General Provisions.

(a) Nothing in this proclamation shall be construed to impair or

otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(b) This proclamation shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any

other person.

IN WITNESS WHEREOF, I have
hereunto set my hand this
thirteenth day of March, in the
year of our Lord two thousand
twenty, and of the
Independence of the United
States of America the two
hundred and forty-fourth.

DONALD J. TRUMP



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New Mexico schools to temporarily close

Mar 12, 2020 | Press Releases

Governor, education & health officials to address the public Friday morning

SANTA FE – Gov. Michelle Lujan Grisham, the New Mexico Public Education Department and the New Mexico Department of Health on Thursday announced that New Mexico K-12 public schools will close for three weeks beginning Monday, March 16, in response to the ongoing international novel coronavirus pandemic. The closure will begin at the end of the school day tomorrow, Friday, March 13.

Gov. Lujan Grisham and state officials will be holding a news conference at 10 a.m. on Friday morning to announce additional details.

The press conference will be streamed live at www.facebook.com/GovMLG/.

As of Thursday evening, New Mexico has had six presumptive positive tests for COVID-19.

State Cabinet secretaries' ongoing work of developing telework policies specific to their agencies will not be affected by this decision; state

government services will remain in place at this time.

The governor's office and state officials will send another notice with additional details following the news conference.

"This is a proactive measure to limit the potential community spread of COVID-19," said Education Secretary Ryan Stewart. "We have seen other states take this measure after they have experienced community spread of this virus. New Mexico is going to be proactive and do everything we can to prevent the potential spread of the virus. I have been in communication with all of our superintendents about this proactive step, and we are all going to work together to address this public health challenge."

"We are advising the public of this forthcoming announcement tonight so that parents and students can prepare for this upcoming change and begin to make arrangements," Gov. Lujan Grisham said. "We will be informing the public of additional measures that the state will be taking to ease the burden on families and educators and ensure that children continue to be fed and cared for."

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CONTACT

The Office of Governor Michelle Lujan Grisham is located on the fourth floor of the New Mexico State Capitol in Room 400.

Address:

490 Old Santa Fe Trail Room 400

Santa Fe, NM 87501

Phone: (505) 476-2200

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GOVERNOR

EXECUTIVE ORDER

Declaring a State of Emergency Due to Infectious Disease COVID-19 Novel Coronavirus

WHEREAS, On January 21, 2020, the Utah Department of Health activated its Department Operations Center in response to the evolving the global outbreak of novel coronavirus;

WHEREAS, The Utah Department of Health recognizes COVID-19 as a threat to the health and safety of the residents of Utah;

WHEREAS, Although no confirmed cases have been diagnosed in the state, the Utah Department of Health, local health departments, and health and medical partners have activated response plans and protocols to prepare for the likely arrival of the virus in Utah;

WHEREAS, These partners have also worked to identify, contact, and test individuals in the State of Utah who have been potentially exposed to COVID-19 in coordination with the United States Centers for Disease Control and Prevention (CDC);

WHEREAS, Proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the state of Utah and its people;

WHEREAS, COVID-19, a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person;

WHEREAS, The CDC identifies the potential public health threat posed by COVID-19 both globally and in the United States as "high," and has advised that person-to-person spread of COVID-19 will continue to occur globally, including within the United States;

WHEREAS, On January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020;

WHEREAS, As of March 6, 2020, the CDC indicates there are over 100,000 confirmed cases of COVID-19 worldwide, with over 200 of those cases in the United States;

WHEREAS, On February 28, 2020, the State Emergency Operations Center raised its activation level to Level 3 - Elevated Action and the Utah Division of Emergency Management and Department of Health activated a Joint Information System for public information;

WHEREAS, The Utah Department of Public Safety, Division of Emergency Management, State Emergency Operations Center, is coordinating resources across state government to support the Utah Department of Health and local officials in alleviating the impacts to people, property, and infrastructure, and is assessing the magnitude and long-term effects of the incident with the Utah Department of Health;

WHEREAS, The State of Utah has implemented the Utah COVID-19 Community Task Force to coordinate the response to the incident throughout the entire state and among all levels of government;

WHEREAS, the circumstances of this outbreak may exceed the capacity of the services, personnel, equipment, supplies and facilities of any single city, county, or city and county, and require the combined forces of a mutual aid region or regions to combat; and

WHEREAS, these conditions do create a "State of Emergency" within the intent of the Disaster Response and Recovery Act found in Title 53, Chapter 2a of the Utah Code Annotated 1953, as amended:

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, declare a "State of Emergency" due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order:

The continued execution of the State Emergency Operations Plan;

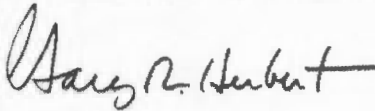
Assistance from State government to political subdivisions as needed and coordinated by the Utah Department of Health, the Utah Department of Public Safety, and other state agencies as necessary;

The continued dissemination of timely and accurate information by state agencies to the public that will slow the spread of COVID-19, prevent unnecessary confusion and alarm, and mitigate impacts to the economy;

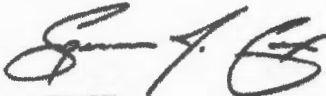
The continued outreach and assistance to the populations most vulnerable to COVID-19; and

Coordination with local authorities and the private sector to maximize access to appropriate medical care while preserving critical services for those most in need.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 6th day of March, 2020.



Gary R. Herbert
Governor, State of Utah



ATTEST:
Spencer J. Cox
Lieutenant Governor, State of Utah

GOVERNOR DOUGLAS A. DUCEY

STATE OF ARIZONA
★
EXECUTIVE ORDER

Executive Order 2020-07

Proactive Measures to Protect Against COVID-19

WHEREAS, on January 31, 2020, Secretary Alex Azar of the United States Department of Health and Human Services, declared a public health emergency to address the 2019 novel coronavirus (COVID-19); and

WHEREAS, on March 11, 2020, I, as Governor of the State of Arizona, issued a declaration of Public Health Emergency due to the necessity to prepare for, prevent, respond to, and mitigate the spread of COVID-19; and

WHEREAS, as of March 11, 2020, there have been 9 diagnosed cases of COVID-19 in Arizona including cases of community spread, and it is likely that there will continue to be additional cases diagnosed; and

WHEREAS, COVID-19 is contagious and can be fatal; and

WHEREAS, the elderly population and those with serious underlying health conditions are most at risk from COVID-19; and

WHEREAS, it is important to institute enhanced protections at facilities that treat and house populations most at risk if they contract COVID-19; and

WHEREAS, it is necessary that all Arizonans who need to be tested for COVID-19 have access to testing that is covered by their healthcare insurance and that both providers and consumers are not subject to price gouging as it relates to COVID-19 diagnosis and treatment related services; and

WHEREAS, visits by telemedicine can reduce the spread of disease by allowing potentially contagious patients to see a doctor without visiting an office, clinic, urgent care center or hospital where other individuals could be exposed.

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 hereby order as follows:

1. The Department of Health Services shall issue emergency rules for skilled nursing facilities, intermediate care facilities and assisted living facilities to implement visitor policies designed to prevent the spread of COVID-19 including:

- a. Instituting policies to require screening and triage before entry by staff, visitors, vendors, and contractors;
- b. Establishing disinfectant schedules for frequently touched surfaces; and
- c. Establishing policies of distancing patients who exhibit symptoms of COVID-19 from other patients in common areas.

2. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State cover COVID-19 diagnostic testing from all qualified laboratories without regard to whether the laboratory is in-network.

3. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State waive all cost-sharing requirements for consumers related to COVID-19 diagnostic testing.

4. The Department of Health Services in conjunction with the Department of Insurance shall require that all insurers regulated by the State cover telemedicine visits at a lower cost-sharing point for consumers than the same in-office service to encourage utilization of telemedicine for the duration of the state's public health emergency.

5. The Department of Health Services and all Arizona health regulatory boards shall prohibit, investigate, and take action against any licensed health professional or healthcare institution that engages in price gouging in relation to COVID-19 diagnosis and treatment-related services. In this context, price gouging is defined as the provider or institution charging a grossly higher price than that which was charged before the onset of the emergency.

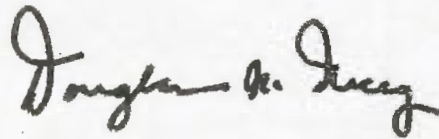
6. The Attorney General shall investigate and vigorously prosecute complaints of consumer fraud in relation to COVID-19 diagnosis and treatment-related services under the consumer protection laws.

7. This executive order shall expire upon the termination of the Declaration of Public Health Emergency related to COVID-19 and dated March 11, 2020.

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

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

ATTEST:



GOVERNOR

DONE at the Capitol in Phoenix on this 11th day of March in the Year Two Thousand Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Fourth.

ATTEST:



Secretary of State



DECLARATION OF EMERGENCY

COVID-19

WHEREAS, the World Health Organization declared a Public Health Emergency of International Concern on January 30, 2020, the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020, and the World Health Organization officially declared a pandemic due to COVID-19 on March 11, 2020; and

WHEREAS, globally there are 124,908 total confirmed cases and 4,591 total deaths to-date related to COVID-19, and the situation is rapidly evolving with person-to-person transmission and continued community transmission; and

WHEREAS, COVID-19 was first discovered in Wuhan, China, and is known to cause respiratory illness, which can result in severe disease complications and death; and

WHEREAS, Arizona is proactively leading on the COVID-19 response in the United States, as the third of 39 states that have confirmed cases of COVID-19; and

WHEREAS, the Arizona Department of Health Services and local public health departments have identified 9 cases of COVID-19, including cases spreading in the community, and have additional patients under investigation linked to the global outbreak; and

WHEREAS, COVID-19 poses a serious public health threat for infectious disease spread to Arizona residents and visitors if proper precautions recommended by public health are not followed; and

WHEREAS, the Arizona Department of Health Services in partnership with the Centers for Disease Control and Prevention (CDC) and local public health departments have implemented disease surveillance and testing for confirmed COVID-19 case(s) and patients under investigation; and

WHEREAS, in Arizona, public health and health care systems have identified precautions and interventions that can mitigate the spread of COVID-19; and

WHEREAS, the Arizona Department of Health Services requires a more robust and integrated response to successfully combat the COVID-19 outbreak; and

WHEREAS, the Governor and the Director of the Arizona Department of Health Services have reasonable cause to believe the spread of COVID-19 can lead to severe respiratory illness, disease complications, and death for Arizona residents, particularly those with underlying medical conditions or the elderly; and

WHEREAS, it is necessary and appropriate to take action to ensure the spread of COVID-19 is controlled and that the residents of Arizona remain safe and healthy; and

WHEREAS, the Governor is authorized to declare an emergency pursuant to A.R.S. § 26-303(D) and in accordance with A.R.S. § 26-301(15).

WHEREAS, pursuant to A.R.S. § 26-307(A), a state agency, when designated by the Governor, may make, amend and rescind orders, rules and regulations necessary for emergency functions;

WHEREAS, pursuant to A.R.S. § 36-787(A), during a state of emergency declared by the Governor as a result of an occurrence or imminent threat of illness or health condition caused by an epidemic that poses a substantial risk of a significant number of human fatalities or incidents of permanent or long-term disability, the Arizona Department of Health Services shall coordinate all matters pertaining to the public health emergency response of the State; and

WHEREAS, pursuant to A.R.S. § 36-787(B) and (C), during a state of emergency declared by the Governor, the Governor, in consultation with the Director of the Arizona Department of Health Services, may issue orders pertaining to the public health emergency response of the State; and

WHEREAS, pursuant A.R.S. §§ 36-788 and 36-789, during a state of emergency declared by the Governor, the Arizona Department of Health Services, to protect the public health, may establish and maintain places of isolation and quarantine and require the isolation or quarantine of any person who has contracted or been exposed to a highly contagious and fatal disease;

WHEREAS, the Legislature has authorized the expenditure of funds in an event of an emergency pursuant to A.R.S. § 35-192; and

WHEREAS, Executive Order 2017-06 establishes the Arizona Emergency Response and Recovery Plan to assist in responding to emergencies including public health emergencies; and

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 the State, do hereby determine that the *COVID-19* outbreak presents conditions in Arizona, which are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city or town, and which require the combined efforts of the State and the political subdivision, and thus justifies a declaration of a State of Emergency; accordingly, pursuant to A.R.S. §§ 26-303(D) and 36-787, I do hereby:

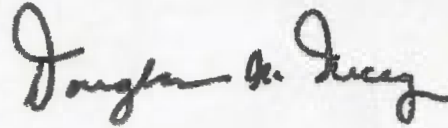
- a. Declare that a State of Emergency exists in Arizona due to the *COVID-19* outbreak, effective March 11, 2020; and
- b. Direct that the State of Arizona Emergency Response and Recovery Plan be used, and the Division of Emergency Management to be engaged, as necessary or requested, to assist the Arizona Department of Health Services' coordination of the public health emergency response and authorize the use of state assets as necessary; and

- c. Authorize the Director of the Arizona Department of Health Services to coordinate all matters pertaining to the public health emergency response of the State in accordance with A.R.S. Title 36, Chapter 6, Article 9;

This Emergency Declaration will be eligible for termination upon the resolution of the outbreak as determined by the Arizona Department of Health Services.

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

ATTEST:



GOVERNOR

DONE at the Capitol in Phoenix on this 11th day of March in the Year Two Thousand Twenty and of the Independence of the United States of America the Year Two Hundred and Forty-Four.

ATTEST:



Secretary of State

