
FISCAL UPDATE Article

Fiscal Services Division

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COVID-19 — GOVERNOR'S PROCLAMATIONS — APRIL 2 AND APRIL 6, 2020

This article summarizes two of the Governor's proclamations regarding COVID-19 that were issued April 2, 2020, and April 6, 2020.

Proclamation of Disaster Emergency, April 2, 2020

Governor Reynolds proclaimed a State of Disaster Emergency on March 9, 2020, in response to the outbreak of COVID-19 following a national public health emergency declaration issued by the United States Department of Health and Human Services on January 31, 2020, and multiple individuals within the State of Iowa testing presumptive positive for COVID-19. The Governor issued an additional Proclamation of Disaster Emergency on March 17, 2020, establishing a State of Public Health Disaster Emergency as of March 17, 2020. On April 2, 2020, the Governor issued an additional Proclamation of Disaster Emergency which included the following:

- Ordered all public and nonpublic schools to remain closed until and including April 30, 2020; waived the minimum school day requirements for school districts and nonpublic schools that adopt an approved continuous learning plan; and waived fire and tornado drill requirements for the remainder of the school year.
- Temporarily suspended provisions of the Iowa Code and Iowa Administrative Code that require minimum hours of field experience for teacher candidates at higher education institutions so that the higher education institution can determine whether the student has completed sufficient field experience to be recommended for licensure.
- Extended the closure of businesses closed in previous Proclamations of Disaster Emergency until 11:59 p.m. on April 30, 2020, and continued to direct State agencies to coordinate to mitigate the economic effects of the ordered closings.
- Extended the prohibition of mass gatherings of more than 10 people until 11:59 p.m. on April 30, 2020.
- Prohibited all auctions with more than 10 people present in person except for livestock auctions for food animals, which may continue to operate so long as there are no more than 25 people present in person.
- Called upon all peace officers of the State to assist in the enforcement of the provisions of the Proclamation that pertain to mass gatherings.
- Extended the prohibition on all nonessential or elective medical and dental surgeries and procedures that utilize personal protective equipment.
- Extended the mandate requiring all health facility staff to undergo screening for fevers and other COVID-19 symptoms prior to entry at any health facility.
- Extended the suspension of regulatory provisions requiring an institutional health facility to acquire a certificate of need prior to operating additional bed capacity.
- Extended the suspension of regulatory provisions of the Iowa Code and Iowa Administrative Code pertaining to health care facilities relaxing certain hiring requirements as well as the requirement of certain services in residential care facilities.
- Extended the suspension of certain regulatory provisions regarding inactive or lapsed licenses for healthcare providers and nursing facilities.

- Extended the suspension of regulatory provisions prohibiting nursing students from administering medication at certain facilities so long as the facility has implemented training and supervision measures to ensure the student's competency in safe medication administration.
- Extended the suspension of regulatory provisions requiring certain timelines and requirements for newly hired staff at a health care facility, and permitted certain staff to perform duties with those requirements under supervision or following individual training as determined by the facility.
- Extended the suspension of regulatory provisions of the Iowa Administrative Code permitting a residential care facility or nursing facility to involuntarily discharge or transfer a resident for nonpayment for the resident's stay.
- Extended the suspension of certain regulatory provisions requiring face-to-face interactions with health care providers and other provisions restricting telehealth and telemedicine services.
- Temporarily suspended regulatory provisions of the Iowa Code so that county hospitals may borrow moneys secured solely by hospital revenues for the purpose of providing working capital or for general financing needs to sustain the hospital's operations.
- Extended the suspension of, and continued to modify, licensing requirements for healthcare providers, pharmacists, and pharmacy technicians who have completed sufficient education requirements, as well as continuing education and license renewal requirements.
- Extended the suspension of the regulatory provisions of the Iowa Code and Iowa Administrative Code limiting the number of simulated clinical hours that can be used to satisfy clinical hour requirements for nursing education programs, as well as certain provisions pertaining to applicants for initial licensure in dentistry, dental hygiene, assisting, or for a faculty permit to attest to current certification in cardiopulmonary resuscitation.
- Extended the suspension of clinical, practical, or internship experience requirements as a condition of obtaining professional licensure to be a school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist.
- Extended the suspension of background check requirements for certain professions during the duration of the Proclamation.
- Extended the suspension of licensure requirements pertaining to expiration and renewal of licenses of land surveyors or professional engineers; examination deadlines for appraisers, certified public accountants, and nurses; and application timelines for pharmacists; and extended the suspension of the requirement that out-of-state counselors and social workers who provide services by electronic means to individuals in the State of Iowa be licensed in Iowa.
- Extended the suspension of regulatory provisions of the Iowa Administrative Code so that out-of-state counselors or social workers who provide services by telephone or other electronic means to residents of the State of Iowa may do so without being licensed in Iowa.
- Extended the suspension of regulatory provisions of the Iowa Code setting expiration dates and renewal deadlines for professional or specialty certifications for law enforcement officers for the duration of the Proclamation.
- Extended the suspension of regulatory provisions of the Iowa Code requiring an examination deadline for a plumbing or mechanical system professional to become licensed in the State.
- Extended the suspension of regulatory provisions of the Iowa Code to temporarily suspend the commencement and proceedings of foreclosures and certain evictions in the State of Iowa.
- Extended the suspension of regulatory provisions of the Iowa Code requiring the imposition of a penalty and interest for delay in payment of property taxes, and directed that no such penalty be imposed for the duration of the State of Public Health Disaster Emergency.
- Extended the suspension of regulatory provisions of the Iowa Code so that holders of class C liquor licenses can sell unopened bottles of wine, beer, liquor, and mixed drinks or cocktails for consumption off premises on a drive-through, carry-out, or delivery basis until April 7, 2020. The April 7, 2020, expiration was extended to April 30, 2020, in a subsequent proclamation issued on April 6, 2020.

- Extended the suspension of regulatory provisions of the Iowa Code requiring that beer sales at a manufacturing facility for consumption off the premises be in person and the beer be transferred to another container at the time of sale until April 7, 2020. The April 7, 2020, expiration was extended to April 30, 2020, in a subsequent proclamation issued on April 6, 2020.
- Extended the suspension of regulatory provisions of the Iowa Code requiring beverage retailers to accept empty containers for the Iowa beverage container deposit program.
- Extended the suspension of regulatory provisions of the Iowa Code requiring class A beer and wine permit holders to report barrels of beer or gallons of wine sold and the payment of relevant tax by the 10th day of each calendar month, and provisions prohibiting a refund of fees paid for a 6 or 8-month seasonal license or permit or for a 5 or 14-day license or permit.
- Extended the suspension of regulatory provisions of the Iowa Code and Iowa Administrative Code prescribing that raffle fees are nonrefundable and that raffles must conclude during the time of the license.
- Extended the suspension of regulatory provisions of the Iowa Code requiring corporate shareholders, policyholders, or members, as well as governmental bodies, to vote in person so that meetings and votes can happen by means of remote communication.
- Extended the suspension of regulatory provisions of the Iowa Code requiring city council vacancies to be filled within 60 days after the vacancy occurs.
- Extended the suspension of regulatory provisions of the Iowa Code requiring physical presence for notarizations or the witnessing of certain legal documents.
- Extended the suspension of regulatory provisions of the Iowa Code regarding hours of service, weight restrictions, and size restrictions for the transportation of freight in the State of Iowa so that essential medical supplies, food assets, cleaning products, household goods, and agricultural commodities may be transported with greater expediency and in greater amounts. The Proclamation also states that nothing in the Proclamation shall allow a carrier to require or permit a fatigued driver to operate a vehicle, nor does the Proclamation waive any alcohol or drug testing requirements.
- Extended the suspension of regulatory provisions of the Iowa Code regarding driver's license and vehicle license registration, expiration, and renewal timelines during the duration of the Proclamation.
- Extended the suspension of regulatory provisions of the Iowa Code requiring firearm permits applications to be delivered in person and directed each sheriff's office to establish drop-off, mail-in, or electronic submission to the extent practical, and established that permits to carry shall not expire during the Proclamation.
- Extended the suspension of certain regulatory provisions of the Iowa Code so that professional and nonprofessional permits to carry or acquire pistols or revolvers will not expire.
- Extended the suspension of certain provisions of the Iowa Code limiting the use of online instruction in determining contact hours for apprenticeship sponsors.
- Extended the suspension of regulatory provisions of the Iowa Code requiring instructional courses for drinking drivers to be delivered in person rather than online.
- Extended the suspension of regulatory provisions of the Iowa Code that require an unattended fueling dispenser to provide a public phone.
- Extended the suspension of regulatory provisions of the Iowa Code pertaining to pesticide applicators' certification requirements to the extent that they apply to applicators who were certified as of December 21, 2019, or if not certified, so long as the applicator is under the direct supervision of a certified applicator.
- Temporarily suspended regulatory provisions of the Iowa Code requiring certification of commercial applicators of pesticides who apply pesticides to agricultural land so long as the applicator meets the requirements of a private applicator.
- Temporarily suspended regulatory provisions of the Iowa Code requiring certification of a pesticide applicator insofar as the applicator is engaging in the business of applying pesticides to the lands or

property of another with the purpose of disinfecting or sanitizing areas where humans live, work, or congregate.

- Extended the suspension of certain regulatory provisions of the Iowa Code so that retired State health care professionals, police officers, or fire fighters may return to work during this Public Health Disaster Emergency without receiving a reduction or requiring a repayment of the retired employee's retirement allowance.
- Continued the activation of the disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management's (HSEMD) Iowa Emergency Response Plan authorizing the use and deployment of all available State resources, supplies, equipment, and materials reasonably necessary to respond to COVID-19, and the public health response and recovery aspects of the State Disaster Emergency Plan.
- Continued the direction to the Iowa Department of Public Health (IDPH) to take all reasonable and necessary action authorized by Iowa Code section [135.144](#) to address this public health disaster.
- Continued to suspend regulatory provisions of the Iowa Code prohibiting certain State employees from receiving overtime pay for hours worked in excess of 40 hours by suspending regulatory provisions of 11 Iowa Administrative Code [53.11](#)(3).
- Continued the order to all State agencies to utilize personnel, equipment, and facilities as necessary to assist the HSEMD and IDPH in performing any and all activities necessary to prevent, contain, and mitigate the effects of COVID-19.
- Continued to temporarily suspend rules regarding maximum hours a temporary employee may work for the State.
- Continued to temporarily suspend regulations regarding the procurement of goods and services when those goods and services are necessary to prevent, contain, or mitigate the effects of COVID-19.

All of the above provisions of the Proclamation were effective immediately and were scheduled to expire on April 30, 2020, unless otherwise noted, sooner terminated, or extended in a subsequent written order.

Proclamation of Public Health Disaster Emergency, April 6, 2020

The Governor issued an additional Proclamation of Public Health Disaster Emergency on April 6, 2020, continuing the State of Public Health Disaster Emergency established on March 17, 2020, and extending the State of Disaster Emergency established by Proclamation on March 9, 2020. This Proclamation, dated April 6, 2020, was effective immediately and was set to expire April 30, 2020, unless sooner terminated or extended in writing by the Governor. In order to prevent, contain, and mitigate the effects of COVID-19, the Governor issued the following orders and directives:

- Extended the closure of businesses to include malls; tobacco or vaping stores; toy, gaming, music, movie, or adult entertainment stores; social and fraternal clubs; amusement halls; museums; libraries; zoos; race tracks; skating rinks, playgrounds, and parks; campgrounds; and all door-to-door sales.
- Continued the closure of business previously ordered closed to April 30, 2020, and continued to direct State agencies to work to mitigate the economic effects of the closures.
- Continued the prohibition of public gatherings of more than 10 people, and directed that planned large gatherings and events must be cancelled or postponed until after the termination of the disaster.
- Continued the prohibition of public auctions with more than 10 people present in person, except for livestock auctions for food animals, where the limitation for people present shall be 25. People who remain inside parked and enclosed motor vehicles are not counted among those physically present.
- Continued to call upon all peace officers of the State to enforce the provisions of the Proclamation.
- Extended the expiration of the provisions in previous Proclamations for the sale of beer, wine, liquor, and mixed drinks or cocktails by class C license holders and manufacturers for off-site consumption to April 30, 2020.

Summaries for previous proclamations regarding COVID-19 can be found [here](#).

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