
FISCAL UPDATE Article

Fiscal Services Division

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COVID-19 — GOVERNOR'S PROCLAMATIONS — MAY 27, 2021

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 13, 2020, establishing a State of Public Health Disaster Emergency.

On May 27, 2021, the Governor issued an additional [Proclamation of Disaster Emergency](#) in response to the COVID-19 pandemic. This Proclamation orders the following measures:

- Dentists and staff may resume providing dental services so long as the guidelines issued by the Iowa Dental Board on November 13, 2020, are followed; the dentist has adequate inventories of personal protective equipment (PPE); and the dentist has a plan to conserve PPE consistent with guidance from the Centers for Disease Control and Prevention (CDC) and the IDPH. Iowans should not expect this suspension beyond June 26, 2021.
- All State agencies, school districts, and other local government bodies and agencies are to take all efforts to safely provide in-person instruction throughout the school year. These efforts must also ensure that schools have flexibility to continue providing education remotely if it becomes necessary and that parents have the option to select a learning model that fits the needs of their family. Iowans should not expect this suspension beyond June 30, 2021.
- Brick-and-mortar school districts and accredited nonpublic schools are to provide instruction primarily through remote learning opportunities, waiving the requirement to provide an opportunity for full-time in-person instruction only in the following circumstances:
 - If a parent or guardian voluntarily selects the remote learning opportunity from among multiple options provided by the school district or nonpublic school in accordance with its Return-to-Learn Plan.
 - If the Iowa Department of Education, in consultation with the IDPH, approves of the temporary move to primarily remote learning for an entire school building or district because of public health conditions in the building or district.
 - If the school district or accredited nonpublic school determines, in consultation with State and local public health departments, that individual students or classrooms, but less than half the students in a school building, must temporarily move to primarily remote learning because of public health conditions in the building.
 - If the school district or accredited nonpublic school determines that an entire school building or district must temporarily move to primarily remote learning because of inclement weather for a period not exceeding five consecutive school days, unless the IDPH approves of a longer period.Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code regarding education workforce licensure relief continue to be temporarily suspended.
- Regulatory provisions of the Iowa Code requiring the repayment of reduction of an Iowa Public Employees' Retirement System (IPERS) member's retirement allowance if the member is reemployed

or returns to employment as a teacher or substitute teacher continue to be temporarily suspended. This suspension will expire on May 31, 2021.

- Provisions of the Iowa Code requiring an applicant for a one-year temporary teaching license to provide the Board of Educational Examiners proof of an offer of a teaching position from a school district that can show it has made every reasonable and good-faith effort to employ a teacher licensed under Iowa Code chapter [272](#) continue to be temporarily suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring teacher licensure candidates to have a minimum number of hours of field experience continue to be suspended if the higher education institution providing the practitioner preparation program determines that the candidate has completed sufficient field experience to determine that the candidate should be recommended for licensure. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code pertaining to private educational instruction requiring face-to-face instruction continue to be temporarily suspended. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Administrative Code regarding interscholastic athletic requirements continue to be temporarily suspended. Iowans should not expect the suspensions of [281 IAC 36.15\(3\)](#) and [281 IAC 36.15\(4\)](#) to extend beyond June 30, 2021.
- Regulatory provisions of the Iowa Code requiring that assessments for remote learning be proctored continue to be temporarily suspended, to the extent that a parent or guardian selects the remote learning opportunity provided by a school and the school implements testing procedures required by the Department of Education. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code regarding relief to the health care system that were temporarily suspended in the April 30, 2021, Proclamation continue to be suspended, with the exception of the following expirations:
 - Provisions related to residential care and nursing facilities assisting residents to obtain dental services.
 - Provisions related to minimum standards for training paid nutritional assistants.
 - Provisions related to completion of an assisted living management or assisted nursing class within six months of employment for program managers and delegating nurses in assisted living programs.
 - Provisions related to trauma data registry reporting by trauma care facilities within certain time frames and initial and continuing trauma education requirements for trauma team members.
 - Provisions related to hospital inspectors being free of conflicts of interest.
 - Provisions related to completion of criminal history checks prior to employment in hospitals.
 - Provisions related to adoption of a statement of principles relating to patient rights and responsibilities.
 - Provisions related to utilization of the codified nursing process.
 - Provisions related to written policies and procedures established for the administration and technical guidance of the personnel in the hospital.
 - Provisions related to hospital medical records and report maintenance.
 - Provisions related to procedures for authentication of verbal and standing orders.
 - Provisions related to maintenance of a current diet manual to the extent that copies of the manual would be maintained at surge capacity sites.
 - Provisions related to hospital equipment being selected, maintained, and utilized in accordance with the manufacturer's specifications.
 - Provisions related to suspending in-person visits in residential care facilities or with tenants in an adult day service.

- Provisions related to suspending on-site inspections of health care facilities.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code previously suspended regarding telehealth services continue to be suspended. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code prohibiting pharmacists from practicing therapeutic substitution without prior consent by the prescriber continue to be suspended. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code previously suspended in the April 30, 2021, Proclamation regarding professional licensing relief continue to be suspended with the exception of the following expirations:
 - Provisions related to the practice of certain medicines for individuals who have not obtained an initial license, if the licensing board determines that the individual completed sufficient education to be granted an emergency license.
 - Provisions related to the clinical, practical, or internship experience for school administrator, mental health counselor, independent social worker, psychologist, pharmacist, or speech pathologist or audiologist licenses.
 - Provisions related to background checks prior to obtaining professional licensure.
 - Provisions related to emergency license to individuals unable to sit for required exams.
 - Provisions related to complete examinations as a prerequisite for dentist or dental hygienist licenses.
 - Provisions related to examinations within 91 days of board authorization for nursing licenses.
 - Provisions related to completion of all components in Iowa within one year from the date of the initial component for pharmacist licenses.
 - Provisions related to examinations within one year from the date of the application for plumbing or mechanical system professionals.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring in-person clinical experience for emergency medical services (EMS) provider training continue to be suspended, to the extent that alternative evaluation methods are used.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring a taxpayer who has made contributions to the Iowa Educational Savings Plan Trust on or after January 1, 2021, but on or before the deadline, to elect to be deemed to have made contributions in the preceding tax year are temporarily suspended until midnight on June 1, 2021, so long as that election is made before the end of the suspension.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring the designation of a beneficiary of a first-time homebuyer savings account by April 30, 2021, for accounts opened in 2020 are temporarily suspended until midnight on June 1, 2021, so long as the designation is made before the end of the suspension.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring a food establishment to renew its license within 60 days of expiration continue to be suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code regarding beer, wine, and liquor licenses and permits expiring one year from the date of issuance continue to be suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code previously suspended so that counties may expend allocations from the county commissions of veteran affairs to aid veterans in coping with the disaster continue to be suspended. Iowans should not expect this suspension beyond June 30, 2021.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring an executive director or administrator of a county commission of veteran affairs to complete veterans' staff certification

training within one year of employment continue to be temporarily suspended. Iowans should not expect this suspension beyond June 30, 2021.

- Regulatory provisions of the Iowa Code requiring governmental entities to distribute, receive, open, or record paper documents used under the Iowa Construction Bidding Act continue to be suspended.
- Regulatory provisions of the Iowa Code requiring a physical meeting of shareholders, policyholders, or members for corporate shareholder meetings continue to be suspended to the extent a reasonable means of remote communication is provided.
- Regulatory provisions of the Iowa Code setting requirements for public meetings and hearings for a governmental body continue to be suspended to make allowances for electronic meetings and hearings, provided that a means for the public to participate is still available.
- Regulatory provisions of the Iowa Code requiring a lawful custodian of public records to maintain office hours to receive in-person record requests continue to be suspended to the extent the custodian has posted clear directions for making requests that are easily accessible to the public.
- Regulatory provisions of [441 IAC 7.8\(1\)](#) that require an in-person hearing at the request of an appellant are temporarily suspended so long as no federal law requires an in-person hearing, and the administrative law judge determines that an in-person hearing is not necessary.
- Regulatory provisions of the Iowa Code requiring physical presence for notarizations or the witnessing of certain legal documents continue to be suspended.
- Regulatory provisions of the Iowa Code requiring in-person case reviews of children receiving foster care continue to be suspended.
- Regulatory provisions of the Iowa Code that use the term “forensic interview” that require the interview to be conducted face to face continue to be suspended.
- Previously suspended provisions of the Iowa Code and Iowa Administrative Code restricting the movement of oversize and overweight loads and regulating hours of service when transporting certain goods continue to be suspended. The Iowa Department of Transportation continues to be directed to monitor the operation of this provision.
- Regulatory provisions of the Iowa Code limiting the use of online instruction in determining contact hours for apprenticeship sponsors continue to be suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code requiring an applicant to retake a high school equivalency degree test if the applicant has not earned a high school equivalency degree within five years of taking the first subtest continue to be suspended.
- Regulatory provisions of the Iowa Administrative Code that set a minimum contact hour requirement for community college instruction continue to be suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code providing a maximum teaching load for community college instructors continue to be temporarily suspended with the requirement that a community college administration assigning an instructor a teaching load above the maximum credit load maintains written documentation that the instructor and administration mutually consented to the additional assignments.
- Regulatory provisions of the Iowa Code requiring instructional courses for drinking drivers to be delivered in person rather than online continue to be suspended.
- Regulatory provisions of the Iowa Code regarding licensure to engage in the business of applying pesticides to the lands or property of another continue to be suspended.
- Regulatory provisions of the Iowa Code previously suspended 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 being required to repay the retired employee’s retirement allowance continue to be suspended until midnight on May 31, 2021.
- The disaster response and recovery aspects of the Iowa Department of Homeland Security and Emergency Management’s (HSEMD) Iowa Emergency Response Plan and any additional response plans activated by previous Proclamations continue to be active.

- Regulatory provisions of the Iowa Code prohibiting certain State employees from receiving overtime pay for hours worked in excess of 40 hours continue to be suspended.
- 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 continues to be in place.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code regarding maximum hours a temporary employee may work for the State continue to be suspended.
- Regulatory provisions of the Iowa Code and Iowa Administrative Code regarding the processes, procedures, approvals, or limitations of the procurement of goods and services when those goods and services are necessary to prevent, contain, or mitigate the effects of COVID-19 continue to be suspended.

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