
FISCAL UPDATE Article

Fiscal Services Division

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COVID-19 — GOVERNOR'S PROCLAMATIONS — APRIL 24, 2020

Proclamation of Disaster Emergency, April 24, 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.

On April 24, 2020, the Governor issued an additional Proclamation of Disaster Emergency, which ordered the following measures to be in effect from April 27, 2020, at 11:59 p.m. until the end of this public health disaster emergency:

- Allows in-patient surgeries and procedures whose delay would pose significant risk to the quality of life of the individual so long as the provider complies with certain requirements related to personal protective equipment (PPE) conservation and COVID-19 testing, including the following:
 - All nonessential or elective surgeries or procedures requiring PPE not specifically permitted by the Proclamation may not be conducted by any hospital, outpatient surgery provider, or outpatient procedure provider during the term of the Proclamation.
 - Each hospital, outpatient surgery provider, and outpatient procedure provider must limit the number of individuals present to essential individuals only for surgeries and procedures where PPE is required.
- Allows farmers markets as defined in Iowa Code section [137F](#) to be excluded from the prohibition of mass gatherings under previous Proclamations of Disaster Emergency so long as the following conditions are met:
 - Only food and farm product vendors are permitted.
 - All common seating areas must be removed, and no vendor may provide seating for the public to congregate or consume food on-site.
 - Vendors must space their booths so that there is no less than six feet of separation between vendors.
 - Farmers markets must also implement social distancing measures and increased hygiene practices to reduce the transmission of COVID-19.
- Continues to prohibit auctions with more than 10 people present until 11:59 p.m. on April 30, 2020, except for livestock auctions of food animals, which are limited to 25 people present. People who remain inside enclosed vehicles are not counted in considering the number of people present. This provision has been extended to May 15 in a subsequent Proclamation.
- Temporarily suspends emergency medical services (EMS) provider training regulations so that in-person clinical experience is not required so long as alternative evaluation methods are used, and so that passage of the National Registry of Emergency Technicians (NREMT) practical examination is no longer required for licensure so long as the Iowa Department of Public Health (IDPH) determines that the candidate has completed the cognitive examination and should be granted an emergency certification. Also suspends other requirements that a training program meet certain standards and

guidelines, to the extent that the program cannot comply with the requirements due to the disaster emergency.

- Temporarily suspends certain regulatory requirements so that certain out-of-state telehealth providers who hold licenses in another state may be licensed in Iowa to provide services by telephone or other electronic means to individuals in the State of Iowa.
- Allows election activities including voting and training for precinct election officials to be excluded from the prohibition on gatherings of more than 10 people and from the closure of schools or any other facility used as a polling place.
- Temporarily suspends regulatory provisions of the Iowa Code and Iowa Administrative Code so that counties may expend allocations from the county commissions of veteran affairs to aid veterans in coping with the disaster.
- Temporarily suspends regulatory provisions of the Iowa Code limiting the amount of School Ready Children Grant funding an Early Childhood Iowa Area Board may carry forward from fiscal year 2020 to fiscal year 2021, thereby raising the limit from 20.0% to 35.0%.
- Temporarily suspends regulatory provisions of the Iowa Code requiring governmental entities to distribute, receive, open, or record paper documents used under the Iowa Construction Bidding Act.
- Temporarily suspends regulatory provisions of the Iowa Code requiring a peace officer's statement on a return of service to be made under oath so that the peace officer may use electronic means to file the return of service and submit an inventory of seized property.
- Temporarily suspends regulatory provisions of the Iowa Administrative Code so that individuals seeking licensure as a dentist or dental hygienist need not complete specific examinations as a prerequisite for initial licensure if the Dental Board determines the applicant has completed sufficient education and should be granted a temporary license.
- Temporarily suspends regulatory provisions of the Iowa Code and Iowa Administrative Code requiring each local board of health to furnish the IDPH with evidence by May 31 annually that every student enrolled in school within the local board's jurisdiction has satisfied dental screening requirements.
- Temporarily suspends regulatory provisions of the Iowa Code and the Iowa Administrative Code prohibiting attorneys from submitting interim indigent defense fee claims in juvenile and criminal defense cases.
- Temporarily suspends regulatory provisions of the Iowa Code requiring a county treasurer to hold a tax sale for any parcel on which real estate taxes are delinquent including notice and publication requirements, permitting a county treasurer to collect delinquent taxes by alternative remedies, extending a property owner's right of redemption, requiring the accrual or imposition of interest for a tax sale redemption, and requiring a treasurer to make out a deed immediately after the expiration of ninety days from the date of completed service of a notice of expiration of the right of redemption.
- Temporarily suspends regulatory provisions of the Iowa Code and the Iowa Administrative Code requiring a taxpayer who has made contributions to the Iowa Educational Savings Plan Trust on or after January 1, 2020, but on or before the deadline to elect to be deemed to have made contributions in the preceding tax year so long as that election is made before the end of this suspension.
- Temporarily suspends regulatory provisions of the Iowa Code and the Iowa Administrative Code requiring the designation of a beneficiary of a first-time homebuyer savings account by April 30, 2020, for accounts opened in 2019 so long as the designation is made before the end of this suspension.
- Temporarily suspends regulatory provisions of the Iowa Code that prevent a board of trustees of a county hospital from authorizing noncurrent debt for the purpose of providing working capital or for general financing needs to sustain the hospital's operations and in the form of natural disaster loans, and those regulatory provisions requiring notice and publication of the proposed action prior to the authorization of noncurrent debt.
- Temporarily suspends regulatory provisions of the Iowa Code allowing for the recovery of collateral for nonpayment of a debt.

- Temporarily suspends regulatory provisions of the Iowa Code authorizing the commencement of proceedings or the prosecution of ongoing proceedings subject to mandatory mediation between farmers and creditors under Iowa Code section [654A.6](#).
- Temporarily suspends regulatory provisions of the Iowa Code authorizing garnishment except for those provisions relating to enforcement of domestic support orders.

For additional information regarding the Proclamation of a State Disaster Emergency see the LSA [Legal Background Briefing](#).

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