
FISCAL UPDATE Article

Fiscal Services Division

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COVID-19 — GOVERNOR'S PROCLAMATIONS — DECEMBER 10, 2021'S PROCLAMATIONS — DECEMBER 10, 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 17, 2020, establishing a State of Public Health Disaster Emergency.

On December 10, 2021, the Governor issued an additional [Proclamation of Disaster Emergency](#) in response to the COVID-19 pandemic. Compared to the previous Proclamation issued on November 12, 2021, this Proclamation ordered the following new measure:

- Regulatory provisions requiring the repayment or reduction of a retirement allowance following a member's return to employment by a hospital licensed pursuant to Iowa Code chapter [135B](#) are suspended during this Disaster Emergency.

This Proclamation continues to order the following measures:

- The following regulatory provisions of the Iowa Code and Iowa Administrative Code regarding relief to the health care system continue to be suspended:
 - Regulatory provisions requiring institutional health facilities to obtain certificates of need prior to operating additional bed capacity or changing the type of health facility or health service offered.
 - Regulatory provisions that impede the implementation of a federal waiver issued by the Department of Health and Human Services and Centers for Medicare and Medicaid Services.
 - Regulatory provisions requiring a residential care facility to screen and test an employee for tuberculosis if it is unfeasible to do so, to the extent the new health care workers and residents continue to have a documented symptom review and are placed on a callback list.
 - Regulatory provisions requiring completion and passage of a department-approved medication aide course and exam for a person administering medications in a residential care facility and intermediate care facility for the intellectually disabled, to the extent the person has successfully completed a State-approved medication manager course and passed the exam.
 - Regulatory provisions defining "doctor" and "medical staff" as requiring all doctors and medical staff to be licensed to practice in the State, to the extent that the individual is licensed to practice in another state or in accordance with another section of the Proclamation.
 - Regulatory provisions requiring the completion of a criminal history check prior to employment at a hospital, to the extent an individual may be employed once a criminal history check is submitted, pending completion.
 - Regulatory provisions requiring in-person clinical experience as long as alternative evaluation methods are used. The Iowa Department of Public Health (IDPH) is directed to provide guidance regarding this suspension.
- Regulatory provisions limiting paraeducators with a substitute authorization to substituting only in the special education classroom in which the paraeducators are employed continue to be suspended.

- 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 the 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 the 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 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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