



Statewide Email

DATE SENT: 04/23/2020

FROM: Henry Mack, Chancellor

TO: District Technical Center Directors
District CTE Directors
FCS Workforce Administrators

Via: Henry.Mack@fldoe.org

SUBJECT: Board of Nursing Request

The Department of Health (DOH) entered EO 20-005 that extends EO 20-003 (attached). EO 20-005 is an important document in that it links EO 20-003 (i.e., the original DOH order that permitted simulations for nursing programs) to the Governor's principal Emergency Order (EO 20-52) regarding the COVID-19 emergency. Therefore, as long as the Governor's Emergency Order (20-52) is extended, which historically happens for all other emergencies (e.g., hurricanes), no additional action is needed by the Board of Nursing or the DOH – the simulation provision for all our programs, here, will be extended.

Please call me if you have any questions.

Henry

Henry Mack
Chancellor
Division of Career and Adult Education

Attachments (2)

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, M.D.
State Surgeon General

Vision: To be the **Healthiest State** in the Nation

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

EXTENSION OF SUSPENSION
OF STATUTES, RULES AND
ORDERS, MADE NECESSARY BY
COVID-19.

DOH No. 20-005

EMERGENCY ORDER

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, on March 1, 2020, I declared a Public Health Emergency exists in the State of Florida as a result of COVID-19 pursuant to Executive Order number 20-51; and

WHEREAS, on March 9, 2020, Governor Ron DeSantis issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19, and allowing for the waiver of certain statutes and rules that prevent, hinder, or delay any necessary action in coping with the state of emergency caused by COVID-19; and

WHEREAS, on March 21, 2020, I issued DOH Emergency Order 20-003 suspending certain rules and statutes; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals to adopt far-reaching social distancing measures; and

WHEREAS, as March 29, 2020, the President extended such guidance to be in effect until April 30, 2020; and

WHEREAS, it is necessary to waive certain statutes and rules of the Florida Department of Health in order to effectively respond to the emergency caused by COVID-19, including certain statutes or preventing the safe and efficient provision of health care services to patients in the state of Florida.

NOW, THEREFORE, I, SCOTT A. RIVKEES, M.D., pursuant to the authority granted by Executive Order No. 20-52, find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for conduct of state business by the Florida Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by COVID-19. In order to effectively respond to the threat posed by COVID-19 it is necessary to promulgate the following:

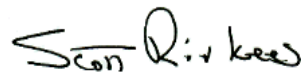
Section 1:

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, the provisions of DOH Emergency Order 20-003 are extended until the expiration of Executive Order No. 20-52, including any extensions thereof. Any statute or rule to the contrary is suspended until the expiration of Executive Order No. 20-52, including any extensions thereof.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of “any regulatory statute prescribing the procedures for [the] conduct of

state business,” and because Section 4. B. of Executive Order No. 20-52 provides the State Surgeon General with the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order. The effective dates of this Order shall correspond with the effective dates of Executive Order No. 20-52, unless otherwise specified above.

Executed this 21st day of April 2020, in Department of Health Offices,
Tallahassee, Leon County, Florida.

A handwritten signature in black ink that reads "Scott Rivkees". The signature is written in a cursive style with a horizontal line underneath it.

Scott A. Rivkees, M.D.
State Surgeon General

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Ron DeSantis
Governor

Scott A. Rivkees, MD
State Surgeon General

Vision: To be the **Healthiest State** in the Nation

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES, RULES AND
ORDERS, MADE NECESSARY BY
COVID-19.

DOH No. 20-003

EMERGENCY ORDER

Pursuant to the authority granted by Executive Order No. 20-52, I find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for conduct of state business by the Florida Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by COVID-19. In order to effectively respond to the threat posed by COVID-19 it is necessary to promulgate the following:

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, any upcoming licensure renewal deadlines between March 21 and April 30, 2020, for any professional license issued by the Department or a Department board or council are extended until May 31, 2020. Any statute and/or rule to the contrary is hereby suspended until May 31, 2020, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, the state licensing boards may conduct licensure approval and denial hearings, and disciplinary hearings involving standard of care, sexual misconduct,

fraud, impairment, or felony convictions through teleconferencing or other technological means. This exception to section 456.011(3), Florida Statutes, applies for a period of thirty days unless extended by order of the State Surgeon General. Any statute and/or rule to the contrary is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, prelicensure nursing education programs, nursing assistant training programs, and remedial courses may, with the approval of the dean/program director/program chair/program coordinator, substitute supervised remote live videoconferencing for didactic hours and simulation for all supervised clinical instruction hours required by any statute or rule. Any statute and/or rule to the contrary is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, health care professionals not licensed in this state may provide health care services to a patient in this state using telehealth, notwithstanding the requirements of section 456.47(4)(a) through (c), (h), and (i), Florida Statutes, for a period not to exceed 30 days unless extended by order of the State Surgeon General. In addition to the allowed professions under Department of Health Emergency Order 20-002, this exemption shall apply to the following out of state health care professionals holding a valid, clear, and unrestricted license in another state or territory in the United States who are not currently under investigation or prosecution in any disciplinary proceeding in any of the states in which they hold a license: clinical social workers, marriage and family therapists, mental health counselors, and psychologists. All other requirements

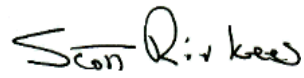
in section 456.47(4) remain in effect, including the requirement that the health care professional provide health care services within the applicable scope of practice established by Florida law or rule. Any statute and/or rule to the contrary is hereby suspended for a period of thirty days, unless extended.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, any emergency medical technician or paramedic possessing a clear and active Florida license or certification under section 456.001(4), and part III of chapter 401, Florida Statutes, may provide basic or advanced life support in an acute care setting at a hospital licensed under chapter 395, Florida Statutes. Any statute and/or rule to the contrary is hereby suspended for a period of thirty days, unless extended.

For purposes of preparing for, responding to, and mitigating any effect of COVID-19, individuals who currently receive services through the HIV/AIDS Patient Care Programs and whose eligibility must be recertified between March 1 and April 30, 2020, will have until May 31, 2020 to apply for recertification. Any statute and/or rule to the contrary, including Florida Administrative Code Rule 64D-4.003(7), is hereby suspended for the period of time provided in this paragraph, unless extended by order of the State Surgeon General.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of “any regulatory statute prescribing the procedures for [the] conduct of state business,” and because Section 4. B. of Executive Order No. 20-52 provides the State Surgeon General with the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order. The effective dates of this Order shall correspond with the effective dates of Executive Order No. 20-52, unless otherwise specified above.

Executed this 21st day of March 2020, in Department of Health Offices,
Tallahassee, Leon County, Florida.

Handwritten signature of Scott A. Rivkees in black ink.

Scott A. Rivkees, M.D.
State Surgeon General