



**CLARKSVILLE CITY COUNCIL  
SPECIAL SESSION  
MARCH 23, 2020, 5:00 P.M.**

**IN AN EFFORT TO FACILITATE THE RESPONSE TO CORONAVIRUS DISEASE 2019 (COVID-19), THIS MEETING WILL BE CONDUCTED VIA CONFERENCE CALL. AN AUDIO RECORDING OF THE PROCEEDINGS WILL BE MADE AVAILABLE TO THE PUBLIC WITHIN 48 HOURS. MEMBERS OF THE PUBLIC ARE, BY LAW, ALLOWED TO ATTEND MEETINGS OF THE CLARKSVILLE CITY COUNCIL BUT ARE STRONGLY DISCOURAGED TO DO SO AT THIS TIME.**

**AGENDA**

- 1) CALL TO ORDER
- 2) PRAYER
- 3) ATTENDANCE *City Clerk*
- 4) MAYOR'S EXECUTIVE ORDER #002

**RESOLUTION 49-2019-20** Approving Mayoral Executive Order No. 002  
proclaiming a civil emergency to prevent the spread of the COVID-19 Disease

- 5) ADJOURNMENT

**A RESOLUTION APPROVING MAYORAL EXECUTIVE ORDER No. 002  
PROCLAIMING A CIVIL EMERGENCY TO PREVENT THE SPREAD OF THE  
COVID-19 DISEASE**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

**WHEREAS**, in late 2019, a significant outbreak of COVID-19 occurred, and this disease has since spread to many countries; and

**WHEREAS**, to date, according to the Centers for Disease Control and Prevention (CDC), there have been 41,936 cases of COVID-19 identified in the United States, which have resulted in 508 deaths; and

**WHEREAS**, to date, according to the Tennessee Department of Health, there have been 615 cases of COVID-19 identified in the State of Tennessee, which have resulted in 2 deaths; and

**WHEREAS**, to date, according to the Tennessee Department of Health, there have been 3 cases of COVID-19 identified in Montgomery County, Tennessee; and

**WHEREAS**, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (SHOC), and on January 21, 2020, following CDC guidance, the Department designated COVID-19 as a reportable disease in Tennessee; and

**WHEREAS**, on March 11, 2020, the World Health Organization (WHO) declared the novel coronavirus (COVID-19) outbreak a global pandemic; and

**WHEREAS**, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS**, a state of emergency has been declared through Executive Order issued March 12, 2020, by Governor Bill Lee of the State of Tennessee in connection with the COVID-19 disease outbreak; and

**WHEREAS**, City Mayor Joe Pitts, has previously declared a local state of emergency by Executive Order issued March 18, 2020 in connection with the COVID-19 disease outbreak; and

**WHEREAS**, the spread and identification of additional cases of COVID-19 in Tennessee is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

**WHEREAS**, the City Mayor and the City Council have a responsibility to take all reasonably prudent actions to ensure public health, safety, and welfare in the event of an infectious disease pandemic; and

**WHEREAS**, empirical medical evidence and expert reports strongly indicate and advise that the spread of the COVID-19 disease is effectively slowed by frequent hand washing, social distancing, self-quarantine, and the reduction of public interactions and gatherings of groups of people; and

**WHEREAS**, the provisions of this Order are necessary to maximize efforts to protect the public health, safety and welfare; and

**WHEREAS**, Tennessee Code Annotated §58-2-110 and §58-8-104 provides the City Mayor with the power and authority to declare a local state of emergency, to include in cases of disease outbreaks and epidemics, which shall have an immediate effect when declared for a period of seven (7) days, but may have continuing effect beyond seven (7) days in seven (7) day

increments upon approval by the City Council by resolution; and

**WHEREAS**, Tennessee Code Annotated §38-9-102 provides the City Mayor with the power and authority to proclaim a civil emergency in cases of any natural disaster within the geographic limits of the City resulting in death or injury of persons to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare; and

**WHEREAS**, the state law, private act, City Charter confers general police powers upon the City, and authorizes the City to act and to regulate in the interests of public health and welfare; and

**WHEREAS**, the City Code Section 1-1204, provides that the Mayor shall power and authority to declare a state of emergency, which shall have an immediate effect when declared for a period of seven (7) days, but may have continuing effect beyond seven (7) days upon approval by the City Council by resolution; and

**WHEREAS**, the City Council finds that the Mayor's Executive Order is in the public interest and serves public health and welfare.

**NOW, THEREFORE**, the Mayor's Executive Order No. 002 PROCLAIMING A CIVIL EMERGENCY TO PREVENT THE SPREAD OF THE COVID-19 DISEASE, attached hereto and incorporated herein as Attachment One (1), together with any Exhibits thereto, is hereby approved and adopted, **shall be** effective as of 12:01 a.m. on **March 25**, 2020, and same shall have effect for a period seven (7) days, and is hereby approved to be extended, in seven (7) day increments, as may be determined prudent by the Mayor in his discretion.

*ADOPTED:*



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 14

**AN ORDER SUSPENDING PROVISIONS OF CERTAIN STATUTES AND  
RULES IN ORDER TO FACILITATE THE TREATMENT AND CONTAINMENT OF  
COVID-19**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

**WHEREAS**, COVID-19 is frequently spread through close contact between persons and respiratory transmission; and

**WHEREAS**, in late 2019, a significant outbreak of COVID-19 was identified in China, and this disease has since spread to many other countries; and

**WHEREAS**, to date, according to the Centers for Disease Control and Prevention (CDC), there have been 938 cases of COVID-19 identified in the United States, which have resulted in 29 deaths; and

**WHEREAS**, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (SHOC), and on January 21, 2020, following CDC guidance, the Department designated COVID-19 as a reportable disease in Tennessee; and

**WHEREAS**, on March 4, 2020, I announced the formation of a Coronavirus Task Force to enhance Tennessee's coordinated efforts to prevent, identify, and treat potential cases of COVID-19, and that task force convened its first meeting a few days later; and

**WHEREAS**, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and several additional confirmed or presumptively positive cases of COVID-19 have since been identified in Tennessee; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the outbreak a global pandemic; and

**WHEREAS**, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

**WHEREAS**, several states, including Kentucky, Florida, North Carolina, Colorado, Connecticut, New Jersey, New York, and others, have declared states of emergency to facilitate their responses to COVID-19; and

**WHEREAS**, the spread and identification of additional cases of COVID-19 in Tennessee is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

**WHEREAS**, public and private health care, emergency, and other entities are engaged in efforts throughout the state to treat and prevent the additional spread of COVID-19, and the provisions of this Order are necessary to maximize those efforts to protect the health and safety of Tennesseans; and

**WHEREAS**, Tennessee Code Annotated, Section 58-2-107(e)(1), provides that during a state of emergency, the Governor is authorized to "[s]uspend any law, order, rule or regulation prescribing the procedures for conduct of state business or the orders or rules or regulations of any state agency, if strict compliance with any such law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency;" and

**WHEREAS**, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules is necessary to facilitate the response to the current public health situation.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare a state of emergency exists to facilitate the response to COVID-19 and order the following:

1. The Commissioner of Health or her designee, in conjunction with the Director of the Tennessee Emergency Management Agency (TEMA) or his designee, shall implement the Tennessee Emergency Management Plan (TEMP) and all applicable annexes to coordinate the State's response to COVID-19.
2. The relevant provisions of Tennessee Code Annotated, Titles 63 and 68, and related rules are hereby suspended to the extent necessary to give the Commissioner of Health the discretion to allow a health care professional who is licensed in another state, and who would otherwise be subject to licensing requirements under Title 63 or Title 68, to engage in the practice of such individual's profession in Tennessee,

if such individual is a health care professional who is assisting in the medical response to COVID-19.

3. The provisions of Tennessee Code Annotated, Section 63-10-207(a) and (c), are hereby suspended to allow a pharmacist to dispense an extra 30-day supply of maintenance prescriptions without proper authorization to persons as is necessary to respond to and prevent the spread of COVID-19 in Tennessee, subject to all other provisions of Tennessee Code Annotated, Sections 63-10-207 and 63-1-164.
4. The provisions of Tennessee Code Annotated, Section 68-11-201(20), are hereby suspended to the extent necessary to allow health care professionals who would otherwise be subject to licensing requirements to provide localized treatment of patients in temporary residences.
5. The provisions of Tenn. Comp. R. & Regs. 1200-06-03-.16 are suspended to allow testing for COVID-19 at alternate testing sites without prior approval by the Medical Laboratory Board; provided, that laboratories shall notify the Medical Laboratory Board of any such alternate testing sites.
6. The provisions of Tennessee Code Annotated, Section 68-11-202(c)(1)-(8), are hereby suspended to allow for the construction of temporary structures, the plans for which would otherwise be subject to review for new construction, additions, or substantial alterations, as directed by the Commissioner of Health and the Director of TEMA in response to COVID-19; provided, that there shall be inspections of such structures to ensure safety, as necessary.
7. In accordance with Tennessee Code Annotated, Section 47-18-5103, it is hereby declared that in Tennessee an abnormal economic disruption exists, and therefore, persons are prohibited from charging any other person a price for medical supplies or emergency supplies, as listed in Tennessee Code Annotated, Section 47-18-5103(a)(1)(C) and (D), that is grossly in excess of the price generally charged for the same or similar goods or services in the usual course of business. Paragraph 7 of this Order shall remain in effect until 12:01 a.m., Central Daylight Time, on March 27, 2020.
8. The provisions of Tennessee Code Annotated, Section 55-4-401, through Tennessee Code Annotated, Section 55-4-413, Tennessee Code Annotated, Section 55-7-201, through Tennessee Code Annotated, Section 55-7-209, and Tenn. Comp. R. & Regs. 1680-07-01-.01 through Tenn. Comp. R. & Regs. 1680-07-01-.25 that set forth maximum height, length, and width limitations are hereby suspended in the case of vehicles participating in the response to COVID-19, subject to the following conditions:
  - a. A vehicle must be transporting emergency supplies, equipment, or mobile structures to affected areas.

- b. A vehicle shall be permitted only to travel on (1) Interstate Highways; (2) highways on the National Highway System; and (3) other state-maintained roads as may be required to obtain access to needed services off of the aforementioned highways, without any restrictions on their time of movement except as may otherwise be provided in this Order.
  - c. A vehicle may transport a divisible or non-divisible load up to a maximum gross vehicle weight of 95,000 pounds and a maximum axle weight of 20,000 pounds, except on any bridge or overpass with a lower posted weight limit.
  - d. The outer bridge span of any five-axle truck tractor/semi-trailer combination shall be no less than fifty-one feet (51').
  - e. The overall dimensions of a vehicle and load shall not exceed:
    - i. One hundred feet (100') in length;
    - ii. Fourteen feet, four inches (14' 4") in height on the Interstate Highway System, except on Interstate 55, and thirteen feet, six inches (13' 6") in height on Interstate 55 and any other highway on the National Highway System; or
    - iii. Fourteen feet, six inches (14' 6") in width.
  - f. Vehicles that do not exceed ten feet (10') in width may travel seven (7) days per week during daylight or nighttime hours without any time restrictions.
  - g. Any person, firm, company, corporation, or other entity that undertakes the movement of any overweight and/or overdimensional article and/or commodity on the highways of Tennessee shall hold Tennessee and its officers and employees harmless from any claims for damages resulting from the exercise of any of the privileges granted under this Order and, to this end, shall carry liability insurance with an insurer, acceptable to the Tennessee Department of Transportation's Oversize and Overweight Permit Office, in the amount of not less than three hundred thousand dollars (\$300,000) for each claimant and one million dollars (\$1,000,000) per occurrence. The transporter shall carry the certificate of insurance in the vehicle at all times.
  - h. Paragraph 8(c) of this Order shall take effect only upon the issuance of and in accordance with an appropriate declaration by the President of the United States.
9. In accordance with 49 C.F.R. § 390.23, as adopted by Tenn. Comp. R. & Regs. 1340-06-01-.08, there is hereby provided a temporary exception from the federal rules and regulations in 49 C.F.R. Part 395 limiting the hours of service for the

operator of a commercial motor vehicle providing supplies, equipment, personnel, and other provisions to assist persons affected by COVID-19, subject to the following conditions:

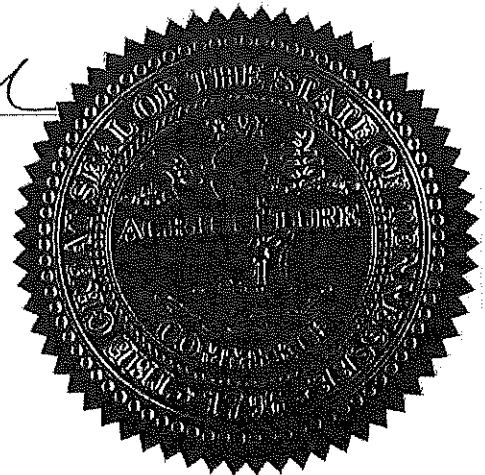
- a. Nothing in this Order shall be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383, the financial requirements in 49 C.F.R. § 387, or applicable federal size and weight limitations.
  - b. No motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.
10. The relevant provisions of Tennessee Code Annotated, Title 71, Chapter 3, Part 5, and related rules are hereby suspended to the extent necessary to give the Commissioner of Human Services the discretion to waive the child care licensure requirements, including requirements concerning capacity, care categories, grouping, license transfers, and drop-in centers, if necessary to respond to the effects of COVID-19.
  11. The Division of TennCare is hereby authorized to create policies or modify existing policies as is necessary to ensure that members of the TennCare and CoverKids programs continue to receive medically necessary services without disruption during this state of emergency.
  12. Pursuant to Tennessee Code Annotated, Section 58-2-107(e)(2), I hereby direct the Tennessee Department of Health and the Tennessee Department of Commerce and Insurance to continue working with health insurance plans operating in the state to identify and remove any burdens to responding to COVID-19 and improve access to treatment options and medically necessary screening and testing for COVID-19.
  13. This Order shall remain in effect until 12:01 a.m., Central Daylight Time, on May 11, 2020, at which time the suspension of any state laws and rules shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 12th day of March, 2020.

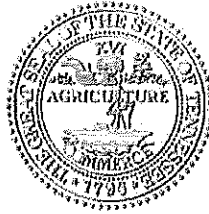
  
GOVERNOR

ATTEST

  
SECRETARY OF STATE







STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 15

**AN ORDER SUSPENDING PROVISIONS OF CERTAIN STATUTES AND  
RULES AND TAKING OTHER NECESSARY MEASURES IN ORDER TO  
FACILITATE THE TREATMENT AND CONTAINMENT OF COVID-19**

**WHEREAS**, Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

**WHEREAS**, the virus causing COVID-19 is frequently spread through close contact between persons and respiratory transmission, and the Centers for Disease Control and Prevention (CDC) has noted that the virus “seems to be spreading easily and sustainably in the community”; and

**WHEREAS**, in late 2019, a significant outbreak of COVID-19 was identified in China, and this disease has since spread to many other countries; and

**WHEREAS**, to date, according to the CDC, there have been 10,442 cases of COVID-19 identified in the United States, which have resulted in 150 deaths; and

**WHEREAS**, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (SHOC), and on January 21, 2020, following CDC guidance, the Department designated COVID-19 as a reportable disease in Tennessee; and

**WHEREAS**, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency to aid the nation’s healthcare community in responding to COVID-19; and

**WHEREAS**, on March 4, 2020, I announced the formation of a Coronavirus Task Force to enhance Tennessee’s coordinated efforts to prevent, identify, and treat potential cases of COVID-19, and that task force convened its first meeting a few days later; and

**WHEREAS**, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 153 additional confirmed or presumptively positive cases of COVID-19 have since been identified in Tennessee, indicating that the number of cases continues to increase; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the outbreak a global pandemic; and

**WHEREAS**, on March 12, 2020, I issued Executive Order No. 14, which declared a state of emergency and waived certain laws to facilitate the response to COVID-19; and

**WHEREAS**, on March 13, 2020, President Trump issued a proclamation declaring that the COVID-19 outbreak in the United States constitutes a national emergency; and

**WHEREAS**, nearly all other states have also declared states of emergency to facilitate their responses to COVID-19; and

**WHEREAS**, the spread and identification of additional cases of COVID-19 in Tennessee is likely to continue, and therefore, taking proactive steps to mitigate to the greatest extent possible the risk to public health and safety is paramount; and

**WHEREAS**, public and private health care, emergency, and other entities are engaged in efforts throughout the state to treat and prevent the additional spread of COVID-19, and the provisions of this Order are necessary to maximize those efforts and avoid undue strain on the health care system; and

**WHEREAS**, Tennesseans, businesses, and governmental and nongovernmental entities of all types are working and enduring consequences of efforts to limit the spread of COVID-19, and the provisions of this Order are designed to support those efforts and persons, while also maintaining continuity of state government services; and

**WHEREAS**, taking further measures to limit the opportunities for community spread is imperative to containing COVID-19 and thereby protecting the health and safety of Tennesseans, including facilitating the uninterrupted delivery of materials, supplies, goods, and services, as well as providing state services and conducting state business remotely or delaying such business or services where appropriate, and such measures are designed to allow Tennesseans to avoid large gatherings to the greatest extent possible to prevent community spread; and

**WHEREAS**, in addition to the other powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, utilize all available state and local resources and state departments and personnel to combat the emergency, order evacuations, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

**WHEREAS**, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current public health emergency.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare a state of emergency and major disaster exists to facilitate the response to COVID-19 and accordingly order the following:

1. The Commissioner of Health or her designee, in conjunction with the Director of the Tennessee Emergency Management Agency (TEMA) or his designee, shall implement the Tennessee Emergency Management Plan (TEMP) and all applicable annexes to coordinate the State's response to COVID-19.
2. The relevant provisions of Tennessee Code Annotated, Titles 63 and 68, and related rules are hereby suspended to the extent necessary to give the Commissioner of Health the discretion to allow a health care professional who is licensed in another state, and who would otherwise be subject to the licensing requirements under Title 63 or Title 68, to engage in the practice of such individual's profession in Tennessee, if such individual is a health care professional who is assisting in the medical response to COVID-19, including treating routine or other medical conditions. The Commissioner of Health shall provide the requisite form for practicing under this Paragraph on the Department of Health's Health Professional Boards webpage.
3. The provisions of Tennessee Code Annotated, Section 63-10-207(a) and (c), are hereby suspended to allow a pharmacist to dispense up to a 90-day supply of maintenance prescriptions without proper authorization to persons as is necessary to respond to and prevent the spread of COVID-19 in Tennessee, subject to all other provisions of Tennessee Code Annotated, Sections 63-10-207 and 63-1-164.
4. The provisions of Tennessee Code Annotated, Section 68-11-201(20), are hereby suspended to the extent necessary to allow health care professionals who would otherwise be subject to licensing requirements to provide localized treatment of patients in temporary residences.
5. The provisions of Tennessee Code Annotated, Section 63-7-123, Tenn. Comp. R. & Regs. 1000-04-.04, Tenn. Comp. R. & Regs. 0880-06-.01 through Tenn. Comp. R. & Regs. 0880-06-.03, and Tenn. Comp. R. & Regs. 1050-02-.15 are hereby suspended to the extent necessary to relieve nurse practitioners who have been issued a certificate of fitness to write and sign prescriptions or issue drugs from the following requirements: (1) filing a notice with the Board of Nursing containing the name of the nurse practitioner, the name of the licensed physician collaborating with the nurse practitioner, and a copy of the formulary describing the categories of legend and non-legend drugs to be prescribed or issued by the nurse practitioner;

(2) having charts reviewed; and (3) having remote sites visited by collaborating physicians every thirty (30) days.

6. The provisions of Tennessee Code Annotated, Title 63, Chapter 19, Part 1, Tenn. Comp. R. & Regs. 0880-03-.01 through Tenn. Comp. R. & Regs. 0880-03-.25, and Tenn. Comp. R. & Regs. 0880-02-.18 are hereby suspended to the extent necessary to relieve physician assistants from the following requirements: (1) filing a notice of authorization for prescribing form with the Committee on Physician Assistants containing the name of the physician assistant, the name of the licensed physician collaborating with the physician assistant, and a copy of the formulary describing the categories of legend and non-legend drugs to be prescribed or issued by the physician assistant; (2) having charts reviewed; and (3) having remote sites visited by collaborating physicians every thirty (30) days.
7. The relevant provisions of Tennessee Code Annotated, Titles 63 and 68, and related rules are hereby suspended to the extent necessary to extend the current expiration dates for health care professionals and facilities to renew their license, certificate, or registration set to expire between March 12, 2020, and the date on which this Order terminates for three (3) months, during which time the holder of each license, certification, or registration may continue to legally operate or practice their profession. No fines or penalties shall be assessed or collected if the holder of such license, certification, or registration practices or operates during this extended period. Any renewal application received by the Tennessee Department of Health within three (3) months of the expiration date of the license, certificate, or registration shall be accepted as timely. When each license, certificate, or registration is renewed, its new expiration date shall be twenty-four (24) months after the expiration date it had prior to this Order.
8. The relevant portions of Tennessee Code Annotated, Title 63, Chapter 10, and Tenn. Comp. R. & Regs. 1140-02-.01 through Tenn. Comp. R. & Regs. 1140-02-.02 are hereby suspended to the extent necessary to allow pharmacy technicians and pharmacists to complete computer-based processing of prescriptions at alternative locations, including from the residence of the pharmacy technician or pharmacist. Such computer-based processing shall be conducted utilizing adequate security to ensure all aspects of the Health Insurance Privacy and Accountability Act of 1996 are followed. No laws pertaining to licensed pharmacy practice sites, the storage of drugs, recordkeeping, or dispensing processes are waived or limited by this Order.
9. The relevant portions of Tennessee Code Annotated, Title 68, Chapter 29, and related rules are hereby suspended to the extent necessary to give the Commissioner of Health the discretion to allow individuals to work as medical laboratory technologists, as defined in Tennessee Code Annotated, Section 68-29-103(16), with respect to coronavirus testing only, without a license while employed by a licensed medical laboratory and working under the supervision of a medical laboratory director; provided, that, such an individual must be a postdoctoral fellow

in a biological science field such as pathology, microbiology, chemistry, molecular diagnostics, or immunology. The Commissioner of Health shall provide the requisite form for practicing under this Paragraph on the Department of Health's Health Professional Boards webpage.

10. The provisions of Tennessee Code Annotated, Section 68-11-1607, are hereby suspended to the extent necessary to allow hospitals that would otherwise be subject to certificate of need requirements to temporarily increase their number of licensed hospital beds at any location or temporarily establish hospital and diagnostic services at any location, if necessary for the treatment of COVID-19 patients, as well as to the extent necessary to facilitate activity authorized by the provisions of this Order and any subsequent order concerning COVID-19.
11. The provisions of Tenn. Comp. R. & Regs. 1200-06-03-.16 are suspended to allow testing for COVID-19 at alternate testing sites without prior approval by the Medical Laboratory Board; provided, that laboratories shall notify the Medical Laboratory Board of any such alternate testing sites.
12. The provisions of Tennessee Code Annotated, Section 68-11-202(c)(1)-(8), are hereby suspended to allow for the construction of temporary structures, the plans for which would otherwise be subject to review for new construction, additions, or substantial alterations, as directed by the Commissioner of Health and the Director of TEMA in response to COVID-19; provided, that there shall be inspections of such structures to ensure safety, as necessary.
13. In accordance with Tennessee Code Annotated, Section 47-18-5103, it is hereby declared that in Tennessee an abnormal economic disruption exists, and therefore, persons are prohibited from charging any other person a price for medical supplies, emergency supplies, or consumer food items, as listed in Tennessee Code Annotated, Section 47-18-5103(a)(1)(A), (C), and (D), that is grossly in excess of the price generally charged for the same or similar goods or services in the usual course of business. Paragraph 13 of this Order shall remain in effect until 12:01 a.m., Central Daylight Time, on April 3, 2020.
14. The provisions of Tennessee Code Annotated, Section 55-4-401, through Tennessee Code Annotated, Section 55-4-413, Tennessee Code Annotated, Section 55-7-201, through Tennessee Code Annotated, Section 55-7-209, and Tenn. Comp. R. & Regs. 1680-07-01-.01 through Tenn. Comp. R. & Regs. 1680-07-01-.25 that set forth maximum height, length, and width limitations are hereby suspended in the case of vehicles participating in the response to or preparation for COVID-19, subject to the following conditions:
  - a. A vehicle must be transporting emergency goods, supplies, equipment, mobile structures, or other items to affected areas.

- b. A vehicle shall be permitted only to travel on (1) Interstate Highways; (2) highways on the National Highway System; and (3) other state-maintained roads as may be required to obtain access to needed services off of the aforementioned highways, without any restrictions on their time of movement except as may otherwise be provided in this Order.
  - c. A vehicle may transport a divisible or non-divisible load up to a maximum gross vehicle weight of 95,000 pounds and a maximum axle weight of 20,000 pounds, except on any bridge or overpass with a lower posted weight limit.
  - d. The outer bridge span of any five-axle truck tractor/semi-trailer combination shall be no less than fifty-one feet (51').
  - e. The overall dimensions of a vehicle and load shall not exceed:
    - i. One hundred feet (100') in length;
    - ii. Fourteen feet, four inches (14' 4") in height on the Interstate Highway System, except on Interstate 55, and thirteen feet, six inches (13' 6") in height on Interstate 55 and any other highway on the National Highway System; or
    - iii. Fourteen feet, six inches (14' 6") in width.
  - f. Vehicles that do not exceed ten feet (10') in width may travel seven (7) days per week during daylight or nighttime hours without any time restrictions.
  - g. Any person, firm, company, corporation, or other entity that undertakes the movement of any overweight and/or overdimensional article and/or commodity on the highways of Tennessee shall hold Tennessee and its officers and employees harmless from any claims for damages resulting from the exercise of any of the privileges granted under this Order and, to this end, shall carry liability insurance with an insurer, acceptable to the Tennessee Department of Transportation's Oversize and Overweight Permit Office, in the amount of not less than three hundred thousand dollars (\$300,000) for each claimant and one million dollars (\$1,000,000) per occurrence. The transporter shall carry the certificate of insurance in the vehicle at all times.
  - h. Paragraph 14(c) of this Order shall take effect only upon the issuance of and in accordance with an appropriate declaration by the President of the United States.
15. In accordance with 49 C.F.R. § 390.23, as adopted by Tenn. Comp. R. & Regs. 1340-06-01-.08, there is hereby provided a temporary exception from the federal rules and regulations in 49 C.F.R. Part 395 limiting the hours of service for the

operator of a commercial motor vehicle providing supplies, equipment, personnel, and other provisions to assist persons affected by COVID-19, subject to the following conditions:

- a. Nothing in this Order shall be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. § 383, the financial requirements in 49 C.F.R. § 387, or applicable federal size and weight limitations.
  - b. No motor carrier operating under the terms of this Order shall require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor carrier that he or she needs immediate rest shall be given at least ten (10) consecutive hours off-duty before the driver is required to return to service.
16. The provisions of Tennessee Code Annotated, Section 50-7-303(a)(1)(A), are hereby suspended to the extent necessary to allow the Commissioner of Labor and Workforce Development to authorize the payment of unemployment benefits to a claimant who is unemployed, as defined in Tennessee Code Annotated, Section 50-7-211, because the claimant left work after being directed by a medical professional or health authority to isolate or quarantine due to COVID-19, who intends to return to work, and who is otherwise eligible for benefits.
  17. The provisions of Tennessee Code Annotated, Section 50-7-302(a)(3) and (4), which require reporting to an employment office and having the ability and undertaking reasonable efforts to secure work to receive unemployment benefits, are hereby suspended upon receiving appropriate federal guidance. The one-week waiting period imposed by Tennessee Code Annotated, Section 50-7-302(a)(5), is also hereby suspended.
  18. The relevant provisions of Tennessee Code Annotated, Title 71, Chapter 3, Part 5, and related rules are hereby suspended to the extent necessary to give the Commissioner of Human Services the discretion to waive the child care licensure requirements to allow suspension of onsite assessment and licensing monitoring visits, permit reviews by desk audit, and extend current licenses, as well as waive other child care licensure requirements, including provisions concerning capacity, care categories, grouping, license transfers, and drop-in centers, if necessary to respond to the effects of COVID-19.
  19. The provisions of Tennessee Code Annotated, Section 45-2-1602(a) and Section 45-4-1002(a), and related rules requiring examination of state-chartered banks, trust companies, and credit unions within certain time periods are hereby suspended to the extent necessary to give the Commissioner of Financial Institutions discretion to extend the applicable examination cycle of such institutions when the Commissioner determines that conducting an examination would not be appropriate given the risks associated with COVID-19.

20. The provisions of Tennessee Code Annotated, Section 9-4-301(a), and Tennessee Department of Finance and Administration Policy 25, are hereby suspended to the extent necessary to allow the Commissioner of Revenue to implement processes that will safeguard the health, welfare, and safety of employees handling and processing payment instruments.
21. The provisions of Tennessee Code Annotated, Section 40-28-118(a) and (b), Section 40-28-121(b) and (d), Section 40-28-122(a), (c), and (f), and Section 40-35-503(d), (e), (f), and (h), requiring the Tennessee Board of Parole to take certain actions and conduct certain proceedings, the provisions of Tennessee Code Annotated, Section 40-28-502(a)(1), requiring that hearings be open to the public, the notification requirements of Tennessee Code Annotated, Section 40-28-505(b), (c), (e), and (g), and any related provisions of Tenn. Comp. R. & Regs. 1100-01-01-.01 through Tenn. Comp. R. & Regs. 1100-01-01-.16 and Board of Parole policies adopted pursuant to Tennessee Code Annotated, Section 40-28-104, are hereby suspended. However, the Board of Parole is directed to use all available processes, alternatives, and technology to maintain continuity of services and hearings to the greatest extent practicable while maintaining the health and safety of all persons involved. Paragraph 21 of this Order shall remain in effect until 12:01 a.m., Central Daylight Time, on April 19, 2020.
22. The provisions of Tennessee Code Annotated, Section 55-4-104(a)-(d), are hereby suspended to the extent necessary to delay the expiration of all valid motor vehicle registrations set to expire between March 12, 2020, and May 18, 2020. Such motor vehicle registrations shall instead expire on June 15, 2020; provided, however, that such registrations shall return to their original renewal schedules in subsequent years.
23. The provisions of Tennessee Code Annotated, Sections 55-50-336 and 55-50-337, are hereby suspended to the extent necessary to delay the expiration of all valid Class A, B, C, D, P, and M driver licenses and Class ID photo identification licenses set to expire between March 12, 2020, and May 18, 2020. Such licenses shall instead expire six (6) months from the current date the license is set to expire.
24. The provisions of Tennessee Code Annotated, Section 39-17-1351(n)(1), are hereby suspended to the extent necessary to delay the expiration of a valid enhanced handgun carry permit set to expire between March 12, 2020, and May 18, 2020. Such permits shall instead expire six (6) months from the current date the permit is set to expire.
25. The provisions of Tennessee Code Annotated, Sections 55-10-417(d) and 55-10-425, requiring persons with ignition interlock devices to appear at certain times at the ignition interlock device provider for calibration, monitoring, or inspection of the device, are hereby suspended until June 15, 2020. Any such time periods running as of the effective date of this Order are stayed until June 15, 2020, at which time they shall resume running.




26. Any time limits set forth in Title 40, Chapter 33, Part 2, on taking actions or conducting proceedings are hereby suspended until June 15, 2020. Any such time periods running as of the effective date of this Order are stayed until June 15, 2020, at which time they shall resume running.
27. The provisions governing the initial issuance and renewal of licenses, permits, and certifications issued by the Department of Commerce and Insurance and the boards, commissions, and agencies administratively attached to the Department are suspended to the extent necessary to give the Commissioner of Commerce and Insurance and the boards, commissions, and agencies discretion to reasonably extend the deadline for obtaining the required education, continuing education, or in-service credits as necessary to respond to the effects of COVID-19.
28. The provisions governing building plans review or building code requirements under the purview of the Department of Commerce and Insurance are suspended to the extent necessary to give the Commissioner of Commerce and Insurance discretion to reasonably extend the deadline for compliance with such provisions as necessary to respond to the effects of COVID-19.
29. The provisions of Tennessee Code Annotated, Sections 4-24-112, 4-24-202 and 4-24-205, requiring completion of basic training and in-service credits are suspended to the extent necessary to give the Commission on Firefighting Personnel Standards and Education discretion to reasonably extend the deadline for meeting such requirements as necessary to respond to the effects of COVID-19.
30. The provisions of Tennessee Code Annotated, Sections 38-8-107 and 38-8-111, requiring completion of basic training and in-service credits are suspended to the extent necessary to give the Peace Officer Standards and Training Commission discretion to reasonably extend the deadline for meeting such requirements as necessary to respond to the effects of COVID-19.
31. The provisions of Tenn. Comp. R & Regs. 0780-04-03-.01(4)(d) and 0780-04-03-.01(10)(c) governing eligibility for initial registration with the Securities Division of Department of Commerce and Insurance are suspended to the extent necessary to give the Commissioner of Commerce and Insurance discretion to reasonably extend the time periods for completing certain registration application requirements as necessary to respond to the effects of COVID-19.
32. The provisions of Tennessee Code Annotated, Section 8-50-802, Tenn. Comp. R & Regs. 1120-06-.01 through Tenn. Comp. R & Regs. 1120-06-.26, and related Department of Human Resources policies are to the extent necessary hereby suspended so that executive branch appointing authorities and the Commissioner of Human Resources may grant discretionary leave to an employee subject to Title 8, Chapter 30, who is directed not to report to work because of COVID-19, or because of modified operations due to COVID-19.

33. The provisions of Tennessee Code Annotated, Section 33-2-413(a), are hereby suspended to the extent necessary to give the Commissioner of Mental Health and Substance Abuse Services the authority to suspend the required unannounced life safety and environmental inspections of licensed services or facilities, absent the death of a service recipient at the service or facility with an indication of possible abuse or neglect by the service or facility or its employees or a request for placement assistance from law enforcement or state or federal agencies regarding the service or facility.
34. The Division of TennCare is hereby authorized to create policies or modify existing policies as is necessary to ensure that members of the TennCare and CoverKids programs continue to receive medically necessary services without disruption during this state of emergency.
35. Tenn. Comp. R. & Regs. 0465-01-01-.05(3) is hereby suspended to the extent necessary to allow for admission to a state-owned and operated facility under Title 33 without conducting a Statewide Admission Review Committee review within seven (7) days of admission.
36. Tenn. Comp. R. & Regs. 0465-01-03.04(4)(a) and (b) are hereby suspended to the extent necessary to grant the Department of Intellectual and Developmental Disabilities the discretion to extend the medication administration certification of unlicensed personnel when necessary to provide for continuity of care.
37. Pursuant to Tennessee Code Annotated, Section 58-2-107(e)(2), I hereby direct the Tennessee Department of Health and the Tennessee Department of Commerce and Insurance to continue working with health insurance carriers operating in the state to identify and remove any burdens to responding to COVID-19 and improve access to treatment options and medically necessary screening and testing for COVID-19.
38. Health insurance carriers are urged to provide coverage for the delivery of clinically appropriate, medically necessary covered services via telemedicine to all providers, irrespective of network status or originating site. Providers are urged to follow the new guidance from the federal Centers for Medicare and Medicaid Services regarding equipment and everyday communications technologies that may be used for the provision of telemedicine services. Carriers are urged not to impose prior authorization requirements on medically necessary treatment related to COVID-19 delivered by in-network providers via telemedicine. Health care professionals licensed in another state who are authorized pursuant to this Order to temporarily practice in this state are permitted to engage in telemedicine services with patients in Tennessee to the extent the scope of practice of the applicable professional license in this state would authorize the professional to diagnose and treat humans. Tennessee Code Annotated, Section 63-1-155(c)(3), is hereby suspended to allow telemedicine services by pain management clinics, as defined in Tennessee Code

Annotated, Section 63-1-301(7), and in the case of chronic nonmalignant pain treatment.

39. The provisions of Tennessee Code Annotated, Title 38, Chapter 6, Part 1, are hereby suspended to the extent necessary to authorize the Tennessee Bureau of Investigation to conduct name-based background checks for applicants, rather than fingerprint-based background checks.
40. Tennessee Code Annotated, Section 40-32-102(b), which imposes upon the Tennessee Bureau of Investigation a sixty-day deadline for removing expunged records from criminal histories, is hereby suspended.
41. This Order shall remain in effect until 12:01 a.m., Central Daylight Time, on May 18, 2020, at which time the suspension of any state laws and rules shall cease and be of no further force or effect.
42. This Order supersedes Executive Order No. 14, dated March 12, 2020, which is hereby repealed.

**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 19th day of March, 2020.

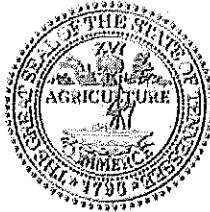
  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE



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STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 16

**AN ORDER ENSURING GOVERNMENT CONTINUES TO FUNCTION  
OPENLY AND TRANSPARENTLY DURING THE COVID-19 EMERGENCY WHILE  
TAKING APPROPRIATE MEASURES TO PROTECT THE HEALTH AND SAFETY  
OF CITIZENS AND GOVERNMENT OFFICIALS**

**WHEREAS**, on March 12, 2020, I issued Executive Order No. 14, which declared a state of emergency and waived certain laws to facilitate the response to Coronavirus Disease 2019 (COVID-19), and on March 19, 2020, I issued Executive Order No. 15, which superseded Executive Order No. 14 and, in addition to reiterating the existence of a state of emergency, took a number of additional measures in furtherance of the treatment and containment of COVID-19; and

**WHEREAS**, the findings in Executive Order No. 15 are incorporated herein by reference; and

**WHEREAS**, it is critical to limiting the community spread of COVID-19 that private and governmental entities of all types eliminate large public gatherings and conduct business remotely by electronic means to the greatest extent possible; and

**WHEREAS**, to this end, guidance from the White House and Centers for Disease Control and Prevention (CDC) advises that Americans should "avoid social gatherings in groups of more than 10 people" and advises that older persons and persons with serious underlying health conditions should remain at home; and

**WHEREAS**, state, county, and municipal governing bodies must continue to meet to carry out essential functions, including, but not limited to, considering annual budgets or special budgetary items in response to COVID-19 or measures providing regulatory flexibility or other means to treat and contain COVID-19; and

**WHEREAS**, in accordance with state and federal guidance, during this continuing emergency, the interest of public health and safety requires avoiding large gatherings of people in the same physical location; and

**WHEREAS**, despite these constraints on holding public meetings, maintaining open, public access to government proceedings, as guaranteed by Article I, Section 19 of the Tennessee Constitution and the Open Meetings Act, codified in Tennessee Code Annotated, Title 8, Chapter 44, Part 1, is of critical importance; and

**WHEREAS**, in a March 20, 2020, letter, the Tennessee Coalition for Open Government acknowledged the need to balance these interests, stating that, in light of the COVID-19 outbreak, governing bodies should be able to meet electronically regarding essential business, so long as they provide electronic access to the public and reasonable safeguards to ensure transparency; and

**WHEREAS**, other state entities have recently taken measures balancing the protection of public health and safety with the need to ensure that government continues to function and remains open to the public, including:

On March 13, 2020, the Supreme Court of Tennessee issued an order suspending in-person court proceedings through March 31, 2020, subject to certain narrow exceptions for essential proceedings, and, even in those exceptional cases, limited attendees to attorneys, parties, witnesses, security officers, and other necessary parties. The Supreme Court's order further "urged [judges] to limit in-person courtroom contact as much as possible by utilizing available technologies, including alternative means of filing, teleconferencing, email, and video conferencing" and suspended "[a]ny Tennessee state or local rule, criminal or civil, that impedes a judge's or court clerk's ability to utilize available technologies to limit in-person contact."

Beginning March 16, 2020, the Lieutenant Governor and Speaker of the House of Representatives limited access to the Cordell Hull Building, while ensuring that the General Assembly's proceedings remained open to the public through the livestreaming services on its website, and I announced that the State Capitol would likewise be closed to tours and visitors; and

**WHEREAS**, in addition to the other powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, utilize all available state and local resources and state departments and personnel to combat the emergency, order evacuations, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

**WHEREAS**, pursuant to this authority and the general emergency management powers of the Governor under law, the temporary suspension of selected state laws and rules and the other

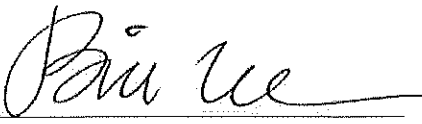
measures contained herein are necessary to facilitate the response to the current public health emergency.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following:

1. As a reasonable measure to protect the safety and welfare of Tennesseans while ensuring that government business may continue in a manner that is open and accessible to the public, the provisions of Tennessee Code Annotated, Title 8, Chapter 44, Part 1, are hereby suspended to the extent necessary to allow a governing body, as defined in Tennessee Code Annotated, Section 8-44-102, to meet and conduct its essential business by electronic means, rather than being required to gather a quorum of members physically present at the same location, if the governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 outbreak, subject to the following conditions:
  - a. All governing body meetings conducted by electronic means under this Order shall remain open and accessible to public attendance by electronic means, as follows: Each governing body must make reasonable efforts to ensure that the public access to the meeting via electronic means is live access, but if the governing body cannot provide such live public access despite reasonable efforts, the governing body must make a clear audio or video recording of the meeting available to the public as soon as practicable following the meeting, and in no event more than two business days after the meeting; and
  - b. This Order does not in any way limit existing quorum, meeting notice, or voting requirements under law, and governing bodies are urged to provide the public with clear notice of the meeting agenda and how the public can access the meeting electronically at a time and location reasonably accessible to all members of the public; and
  - c. The provisions of Tennessee Code Annotated, Section 8-44-108(c), remain in effect; and
  - d. All such meetings shall be conducted in a manner consistent with Article I, Section 19 of the Tennessee Constitution.
2. Pursuant to Tennessee Code Annotated, Sections 58-2-107 and 58-2-118, I hereby authorize all governing bodies, state departments and agencies, and political subdivisions of the state, and other agencies designated or appointed by the governor to make, amend, and rescind orders and rules as necessary to conduct electronic meetings adhering to the provisions and spirit of the Tennessee Constitution and Open Meetings Act.

3. Given the findings underlying, and general applicability of, this Order, Tennessee Code Annotated, Section 8-44-108(b)(3), which requires each governing body to provide findings to the Secretary of State concerning the need for a meeting where a quorum is not physically present, is hereby suspended.
4. Any law, order, rule, or regulation inconsistent with this Order is hereby suspended.
5. This Order shall remain in effect until 12:01 a.m., Central Daylight Time, on May 18, 2020, at which time the suspension of any state laws and rules and my authorization pursuant to Tennessee Code Annotated, Section 58-2-118, shall cease and be of no further force or effect.

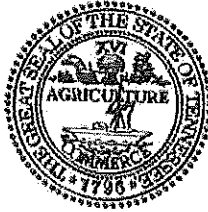
**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 20th day of March, 2020.

  
GOVERNOR

ATTEST:

  
SECRETARY OF STATE





STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 17

**AN ORDER TO MITIGATE THE SPREAD OF COVID-19 BY LIMITING  
SOCIAL GATHERINGS, DINE-IN SERVICE, AND GYM USE, AND EXPOSURE AT  
NURSING AND RETIREMENT HOMES, AND PROVIDING FLEXIBILITY FOR  
RESTAURANTS REGARDING THE SALE OF ALCOHOL**

**WHEREAS**, local, state, and federal officials have taken numerous actions to limit the spread of Coronavirus Disease 2019 (COVID-19), including a series of statewide executive orders, a nationwide emergency declaration by President Trump, and many local health and emergency orders and actions; and

**WHEREAS**, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 370 additional cases of COVID-19 have been identified in Tennessee in the ensuing two-and-a-half weeks, indicating that the number of cases continues to increase and presents a serious risk to the health, safety, and welfare of Tennesseans; and

**WHEREAS**, the Centers for Disease Control and Prevention (CDC) has stated that COVID-19 is frequently spread "[b]etween people who are in close contact with one another (within about 6 feet)," and on March 16, 2020, President Trump issued the President's Coronavirus Guidelines for America, which encourage people to contribute to the containment of COVID-19 by taking various precautions, including:

- a. Working from home whenever possible;
- b. Avoiding social gatherings of ten (10) or more people;
- c. Avoiding eating or drinking at restaurants, bars, and food courts, and instead using drive-thru, pick-up, or delivery options;
- d. Avoiding discretionary travel and social visits;
- e. Avoiding discretionary visits to nursing homes, retirement homes, or long-term care facilities;
- f. Avoiding close contact with people who are sick, and distancing oneself from others, especially those who are at higher risk of getting sick, including in particular older adults and persons with serious chronic medical conditions; and



g. Practicing good personal hygiene, including washing hands, especially after touching any frequently used item or surface, avoiding touching the face, and disinfecting frequently used items and surfaces as much as possible; and

**WHEREAS**, consistent with this guidance, Tennesseans, businesses, places of worship, and governmental and nongovernmental entities and organizations of all types are making sacrifices to limit the spread of COVID-19, and the provisions of this Order are designed to support such sensible and compassionate efforts, which will protect Tennesseans and allow normal activities to resume sooner; and

**WHEREAS**, restaurants have been uniquely damaged by the COVID-19 outbreak, and it is important to provide them and the many Tennesseans they employ with tools to weather these unique circumstances and continue serving customers in an innovative, safe way; and

**WHEREAS**, Tennesseans are encouraged to continue to engage in the healthy and essential activities of daily life, including supporting local businesses and their employees while adhering to the health and safety measures set forth in this Order, so that we will safeguard to the greatest extent possible the economic well-being of so many Tennesseans whose lives and work have been disrupted by the COVID-19 outbreak and ensure that Tennessee is best positioned to recover following this outbreak; and

**WHEREAS**, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

**WHEREAS**, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following statewide:

1. In accordance with the President's Coronavirus Guidelines for America and the guidance from the CDC, to limit the spread of COVID-19 so that normal life and activities may resume as soon as possible:
  - a. Persons in the State of Tennessee shall not participate in social gatherings of ten (10) or more people.
  - b. Persons in the State of Tennessee shall not eat or drink onsite at restaurants, bars, or other similar food or drink establishments, and

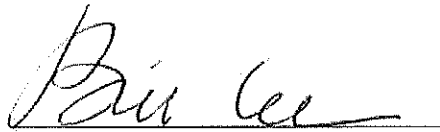
shall not visit gyms or fitness/exercise centers or substantially similar facilities.

- c. Restaurants, bars, and similar food or drink establishments, including nightclubs, shall not be open to persons, except only to offer drive-through, pickup, carry-out, or delivery service for food or drink, and persons are highly encouraged to use such drive-through, pickup, carry-out, or delivery options to support such businesses during this emergency.
  - d. Gyms or fitness/exercise centers or substantially similar facilities shall not be open to members or the public, although persons are highly encouraged to use any available electronic or virtual fitness options to support such businesses during this emergency.
  - e. Persons in the State of Tennessee shall not visit nursing homes, retirement homes, or long-term care or assisted-living facilities, unless to provide essential assistance or to visit residents receiving imminent end-of-life care, provided such visits may be accomplished without unreasonable risk to other residents. Persons are highly encouraged to use available electronic or virtual communication to spend time with their family members, friends, loved ones, and other persons in those facilities.
  - f. Persons and businesses should take particular care to protect the well-being of those populations especially vulnerable to COVID-19, including older adults and persons with compromised immune systems or serious chronic medical conditions, by, among other things, taking care to adhere to all precautions advised by the President and the CDC and refraining to the extent practicable from physical contact and association. Businesses should further consider implementing measures to protect our most vulnerable populations by, for example, offering delivery service or special opportunities for members of vulnerable populations to shop in retail establishments exclusive of the general population.
- 2. This Order does not mandate sheltering in place and does not prohibit persons from visiting places necessary to maintain health and economic well-being, including grocery stores, gas stations, parks, and banks, among other places, so long as they observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19.
  - 3. All critical infrastructure remains operational, and government entities and businesses will continue providing important and essential services.

4. For offices, workplaces, and businesses that remain open, employees should work from home where feasible, and employees and their customers should practice good hygiene and observe the necessary precautions advised by the President and the CDC to reduce the spread of COVID-19.
5. The provisions of Tennessee Code Annotated, Title 57, and related rules and other state or local laws, orders, rules, or regulations are temporarily suspended to the extent necessary to allow restaurants and limited service restaurants, as defined in Tennessee Code Annotated, Section 57-4-102, and wine-only restaurants, as permitted by Tennessee Code Annotated, Section 57-4-101(c), to sell for take-out or delivery alcoholic beverages or beer, so long as the following conditions are met:
  - a. Any sale of an alcoholic beverage or beer is for consumption off of the premises of the restaurant, limited service restaurant, or wine-only restaurant (collectively referred to hereafter as "restaurant") and is accompanied by the sale of food in the same order;
  - b. An alcoholic beverage or beer sold under this Paragraph 5 must be packaged in a container or bottle with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap, and customers shall not remove such lids or caps while operating a motor vehicle;
  - c. Single servings of alcoholic beverages or beer and multi-serving bottles or containers of beer or wine normally sold by the restaurant may be sold under this Paragraph 5, but not bottles of spirits or liquor;
  - d. A restaurant selling alcoholic beverages or beer under this Paragraph 5 shall prominently post a warning in a manner reasonably calculated to provide notice to customers of open container laws, which must include the following language from Tennessee Code Annotated, Section 55-10-416: "No driver shall consume any alcoholic beverage or beer or possess an open container of alcoholic beverage or beer while operating a motor vehicle in this state.";
  - e. An employee or contractor of a restaurant providing or delivering alcoholic beverages or beer to a customer under this Paragraph 5 shall not provide or deliver such beverages to any person under twenty-one (21) years of age and may not provide or deliver such beverages to a person who is visibly intoxicated. Any such employee providing or delivering alcoholic beverages or beer must visually inspect a valid government-issued document deemed acceptable to the restaurant that includes the photograph and birth date of the adult consumer attempting to make an alcoholic beverage purchase and confirms that the person is at least twenty-one (21) years of age;

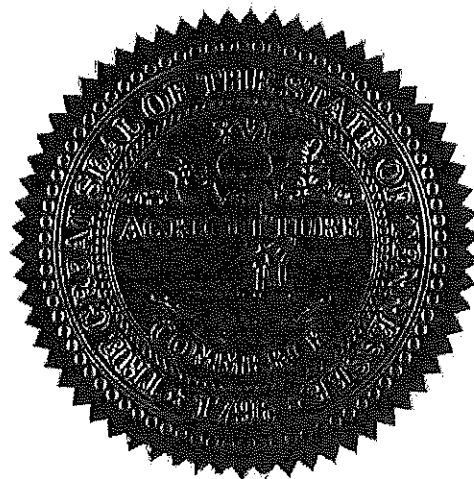
- f. A person delivering alcoholic beverages or beer under this Paragraph 5 must be at least twenty-one (21) years of age and must have a valid driver license; and
  - g. An alcoholic beverage or beer sold under this Paragraph 5 must be sold during current operating hours.
6. Any state or local law, order, rule, or regulation inconsistent with this Order is hereby suspended.
7. This Order shall be effective and enforceable at 12:01 a.m., Central Daylight Time, on March 23, 2020, and shall remain in effect until 12:01 a.m., Central Daylight Time, on April 6, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 22nd day of March, 2020.

  
GOVERNOR

ATTEST:

  
\_\_\_\_\_  
SECRETARY OF STATE





STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

No. 18

**AN ORDER TO REDUCE THE SPREAD OF COVID-19 BY LIMITING NON-EMERGENCY HEALTHCARE PROCEDURES**

**WHEREAS**, emergency government action to limit the spread of Coronavirus Disease 2019 (COVID-19) continues to be prudent and necessary as the illness spreads rapidly throughout our community; and

**WHEREAS**, on March 4, 2020, the first case of COVID-19 in the State of Tennessee was identified, and 504 additional cases of COVID-19 have since been identified in Tennessee, demonstrating a continued, increasing, and serious risk to the health, safety, and welfare of Tennesseans; and

**WHEREAS**, the Centers for Disease Control and Prevention advises that the best way to prevent COVID-19 is to avoid exposure to it, and exposure mainly results from close person-to-person contact; and

**WHEREAS**, unnecessary person-to-person contact within the healthcare community increases the risk of COVID-19 spreading to providers and patients throughout our healthcare system; and

**WHEREAS**, the American Dental Association and the Tennessee Dental Association recommend that dental providers and patients contribute to reducing the spread of COVID-19 by suspending non-essential services like hygiene visits and cosmetic and elective procedures for a minimum of three (3) weeks; and

**WHEREAS**, the American College of Surgeons has recommended that each hospital, health system, and surgeon thoughtfully review all scheduled elective procedures with a plan to minimize, postpone, or cancel electively scheduled operations, endoscopies, or other invasive procedures and to immediately minimize use of essential items needed to care for patients, including, but not limited to, ICU beds, personal protective equipment, terminal cleaning supplies, and ventilators; and

**WHEREAS**, the federal Centers for Medicaid & Medicare Services recommends limiting all non-essential planned surgeries and procedures, including dental, until further notice; and

**WHEREAS**, in addition to the other emergency management powers granted by law, Tennessee Code Annotated, Section 58-2-107(e), provides that during a state of emergency, the Governor is authorized to suspend laws and rules regarding the conduct of state business if necessary to cope with the emergency, order evacuations from certain areas, make orders concerning entry and exit and the occupancy of premises within an emergency area, and take measures concerning the conduct of civilians and the calling of public meetings and gatherings, among other things; and

**WHEREAS**, the temporary suspension of selected state laws and rules and the other measures contained herein are necessary to facilitate the response to the current emergency.

**NOW THEREFORE**, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, in light of the continuing state of emergency to facilitate the response to COVID-19, do hereby order the following statewide:

1. Dental service providers in the State of Tennessee, including but not limited to dentists, pediatric dentists, orthodontists, oral surgeons, periodontists, prosthodontists, and endodontists, shall not perform any non-emergency dental or oral procedures. Non-emergency dental or oral procedures include hygiene visits, cosmetic procedures, and other elective procedures. Emergency procedures for patients with acute dental or oral needs may still be performed, including treatment for pain, swelling, trauma, or an abscess.
2. All hospitals and surgical outpatient facilities in the State of Tennessee shall not perform non-essential procedures, which includes any medical procedure that is not necessary to address a medical emergency or to preserve the health and safety of a patient, as determined by a licensed medical provider. All hospitals and freestanding surgical outpatient facilities must postpone through the expiration of this Order, at a minimum, joint replacement, bariatric surgery, and cosmetic surgery, except for emergency or trauma-related surgery where postponement would significantly impact the health, safety, or welfare of the patient. Medical procedures excluded from postponement include, but are not limited to, surgeries related to advanced cardiovascular disease (including coronary artery disease, heart failure, and arrhythmias) that would prolong life; oncological testing, treatment, and related procedures; pregnancy-related visits and procedures, including labor and delivery; organ transplantation; procedures related to dialysis; and emergency or trauma-related procedures where postponement would significantly impact the health, safety, and welfare of the patient.
3. Non-hospital healthcare providers impacted by this Order are requested and encouraged to provide necessary personal protective equipment in their possession and not required for the emergency care exempted in the Order, including, but not

limited to, medical gowns, N95 masks, surgical masks, TYVEK suits, boot covers, gloves, and/or eye protection to the Tennessee Emergency Management Agency by delivering such equipment to the nearest open Tennessee National Guard Armory listed on the TEMA website ([www.tn.gov/tema](http://www.tn.gov/tema)) between the hours of 9:00 a.m. and 2:00 p.m.

4. Any state or local law, order, rule, or regulation that would limit the application of this Order is hereby suspended.
5. This Order shall be effective and enforceable at 12:01 a.m., Central Daylight Time, on March 24, 2020, and shall remain in effect until 12:01 a.m., Central Daylight Time, on April 13, 2020, at which time the suspension of any state laws and rules and the other provisions of this Order shall cease and be of no further force or effect.

**IN WITNESS WHEREOF**, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 23rd day of March, 2020.

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SECRETARY OF STATE  
PUBLICATIONS



GOVERNOR



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