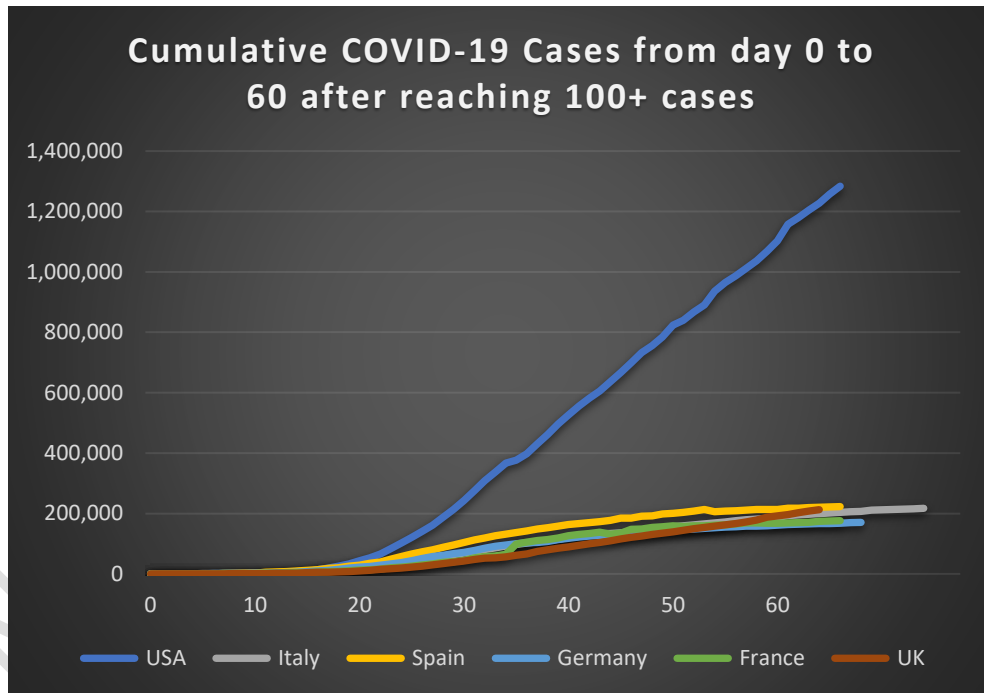


BACKGROUND:

The Coronavirus (or COVID-19) is an illness/virus which was first reported in Wuhan, China, on December 31, 2019. Since that time, despite quarantine attempts, the coronavirus has spread internationally. The first cases were reported in the United States on January 12, 2020. As of May 8, 2020¹, there have been roughly **1,283,846 confirmed cases** of COVID-19, **77,178 deaths**, and **198,993 recovered** in 50 states and the District of Columbia. Information on COVID-19 [cases by state](#) is reported daily by the Centers for Disease Control and Prevention (CDC). Globally, there have been **3,935,829 cases**, **274,654 deaths**, and **1,315,296 recovered**. It is important to note that cases of COVID-19 in the U.S. have risen steeply over the past two weeks (see graph).



Based on data from state and federal health officials and medical reporting entities, individuals with chronic health problems, such as diabetes and those older are more at risk. There is a less overall risk with children, who typically experience few and mild symptoms and a much lower death rate. Minimizing large gatherings and work from home strategies are strongly encouraged, especially for those who are more at risk

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FACTS ABOUT OTHER STATES:

Below is an outline of some of the actions taken in other states in the U.S. and data related to cases and mortality rates.

Cases & Deaths:

Michigan is #7 in number of cases and #4 in number of deaths.

Ranked by case count:

	<i>State</i>	<i>Cases</i>	<i>Deaths</i>
1.	New York	330,407	21,045
2.	New Jersey	135,454	8,952
3.	Massachusetts	75,333	4,702
4.	Illinois	73,760	3,241
5.	California	62,512	2,585
6.	Pennsylvania	54,238	3,616
7.	Michigan	46,326	4,393
8.	Florida	39,199	1,669

Ranked by death count:

	<i>State</i>	<i>Cases</i>	<i>Deaths</i>
1.	New York	330,407	21,045
2.	New Jersey	135,454	8,952
3.	Massachusetts	75,333	4,702
4.	Michigan	46,326	4,393
5.	Pennsylvania	54,238	3,616

Funding:

A comparison of state funding appropriations (not included federal resources) is below. Out of 29 states that have finalized state funding for their coronavirus outbreak response Michigan has appropriated the sixth-largest amount for assistance related to the coronavirus based upon research conducted by the House Republican Policy Office.

<u>States</u>	<u>Funding</u>
California	\$1.3 B
Minnesota	\$380 M
Missouri	\$254 M
Tennessee	\$238 M
Washington	\$200 M
Michigan	\$150 M
Georgia	\$130 M
Arizona	\$105 M
Alaska	\$100.6 M
Nebraska	\$83.6 M
Kansas	\$65 M

Maryland	\$60 M
District of Columbia	\$53.15 M
Florida	\$52.8 M
Pennsylvania	\$50 M
South Carolina	\$45 M
New York	\$40 M
Arkansas	\$30 M
Utah	\$24 M
Iowa	\$20.5 M
Massachusetts	\$20.1 M
Montana	\$16 M

Maine	\$12 M
New Jersey	\$10 M
Nevada	\$6.25 M
Alabama	\$5 M
Oregon	\$5 M
Kentucky	\$2.2 M
Idaho	\$2 M
New Hampshire	\$2 M
West Virginia	\$2 M
Vermont	\$450,000

School Closures:

Most states have announced that students will not be returning to the classroom this year, and have implemented remote learning to finish out the school year.

<u>States</u>	<u>Status</u>	<u>Closed through</u>	
Alabama	CLOSED	Indefinitely	Implementing remote learning plans
Alaska	CLOSED	Indefinitely	Implementing remote learning plans
Arizona	CLOSED	indefinitely	
Arkansas	CLOSED	Indefinitely	Expand use of Alternative Methods of Instruction Days from 10 days to 25 days.
California	CLOSED	Indefinitely	Implementing remote learning plans

Colorado	CLOSED	Indefinitely	Implementing remote learning plans
Connecticut	CLOSED	5/20	Likely closing for the year. Suspended year-end assessments.
Delaware	CLOSED	5/15	Implementing distance learning programs. School calendar likely to be extended.
District of Columbia	CLOSED	Indefinitely	Implementing remote learning plans

Florida	CLOSED	Indefinitely	Department recommends closure until 5/1. Some districts have implemented virtual learning.
Georgia	CLOSED	Indefinitely	
Hawaii	CLOSED	Indefinitely	
Idaho	CLOSED	Indefinitely	Implementing remote learning plans. Also, developing plan/criteria for potential reopening.
Illinois	CLOSED	Indefinitely	Has permitted distance/remote learning
Indiana	CLOSED	Indefinitely	Implementing remote learning plans
Iowa	CLOSED	Indefinitely	Promoting distance learning.
Kansas	CLOSED	Indefinitely	Implementing remote learning plans
Kentucky	CLOSED	Indefinitely	Legislature passed a bill allowing for unlimited Non-Traditional Instruction Days.
Louisiana	CLOSED	Indefinitely	Recommending closure for the year
Maine	CLOSED	5/1	Implementing remote learning plans
Maryland	CLOSED	5/15	
Massachusetts	CLOSED	Indefinitely	Moving to distance/remote learning
Michigan	CLOSED	Indefinitely	Implementing remote learning plans
Minnesota	CLOSED	Indefinitely	Moving to distance/remote learning. Likely closing for the year
Mississippi	CLOSED	Indefinitely	
Missouri	CLOSED	Indefinitely	Some districts have started to extend closures.
Montana	CLOSED	5/7	Letting local school boards decide if they come back after 5/7
Nebraska	CLOSED	5/31	Implementing remote learning plans
Nevada	CLOSED	Indefinitely	
New Hampshire	CLOSED	Indefinitely	Moving to distance/remote learning. Canceled standardized tests for the year

New Jersey	CLOSED	Indefinitely	
New Mexico	CLOSED	Indefinitely	Moving to distance/remote learning
New York	CLOSED	Indefinitely	Implementing remote learning plans
North Carolina	CLOSED	5/15	
North Dakota	CLOSED	Indefinitely	Moving to distance/remote learning
Ohio	CLOSED	Indefinitely	Implementing remote learning plans
Oklahoma	CLOSED	Indefinitely	Moving to distance/remote learning
Oregon	CLOSED	Indefinitely	Moving to distance/remote learning
Pennsylvania	CLOSED	Indefinitely	Moving to distance/remote learning
Rhode Island	CLOSED	Indefinitely	To start remote learning 3/20
South Carolina	CLOSED	Indefinitely	Implementing remote learning plans
South Dakota	CLOSED	Indefinitely	
Tennessee	CLOSED	Recommending closure for the rest of the year	Implementing remote learning plans
Texas	CLOSED	Indefinitely	Implementing remote learning plans
Utah	CLOSED	Indefinitely	Implementing remote learning plans
Vermont	CLOSED	Indefinitely	Moving to distance/remote learning by 4/13
Virginia	CLOSED	Indefinitely	
Washington	CLOSED	Indefinitely	Implementing remote learning plans
West Virginia	CLOSED	Indefinitely	
Wisconsin	CLOSED	Indefinitely	
Wyoming	CLOSED	4/30/2020 OR permitting remote learning for remainder of the year	Implementing remote learning plans. Are allowing schools to remote learn for the rest of the year

Shelter-in-Place and Gathering Limits:

There are 22 states and Washington DC which still have statewide "Stay at Home" orders in place. 7 states have no gathering limit, and 21 states have eliminated their Stay at Home Orders and have a gathering limit. As outlined below, there are multiple states are beginning to implement phased in re-openings of business.

<u>States</u>	<u>Gathering Limits</u>	<u>Ends on</u>	<u>Re-opening Plans</u>
Alaska	50	TBD	5/8 - Began Phase 2 of "Re-open Alaska Responsibly" plan. All businesses, restaurants and recreational venues open with limited capacity.
Indiana	25	5/23	Began Phase 2 of "Roadmap to Reopen Indiana." Three counties put on slower plan. All individuals must adhere to social distancing measures.
Pennsylvania	25	TBD	5/8 - Beginning Phase 2 of "Process to Reopen Pennsylvania." Regionally driven.
West Virginia	25	TBD	Restaurants open for outdoor service. Barber and Cosmetologists may open with strict occupancy limits.
Utah	20	5/15	May 1 - Began phase 2 of reopening plan. Restaurants, businesses and recreational venues open with limited capacity and strict distancing.
Alabama	10	5/15	4/30 - Began to phase out the stay-at-home order.
Arkansas	10	6/22	May - Began Phase 1 of the President's Re-open plan. Fitness Centers and personal care establishments allowed to open. Restaurants may open for dine-in on 5/11.
Colorado	10	5/27	4/27 - Began "Safer at Home" social distancing phase-out measures. Not yet re-opening businesses.
Florida	10		May 4 - Began Phase 1 of President's Re-opening plan. Southern counties still ordered to Stay-At-Home.
Georgia	10	6/12	Elderly and vulnerable still SAH
Iowa	10	5/15	May 1 - Began Phase 1 of President's Re-open plan. Excludes Northeast region where the majority of cases currently are. Businesses may open to 50% occupancy. Fitness centers open for appointments only.
Kansas	10	TBD	May - Began phase 1 of "Plan to Reopen Kansas." Restaurants allowed to open to dine-in with strict social distancing requirements.
Massachusetts	10	5/18	
Mississippi	10	5/11	Restaurants and bars (with food services) allowed to open for dine-in with 50% capacity. Parks open with limited hours and distancing requirements.
Montana	10	TBD	4/26 - Began Phased Reopening of Montana." Allows restaurants, bars and casinos to open as long as strict social distancing guidelines are in place (may require occupancy limitations).
Nebraska	10	5/31	5/4 - Began regional opening of certain businesses and restaurants.
North Carolina	10	5/22	5/8 - Beginning Phase One of Re-opening Plan. Allows retail stores to open to 50% capacity. Restaurants must still only allow take-out and delivery.

Tennessee	10	5/29	Restaurants, businesses, fitness centers, personal care and indoor recreation facilities open with capacity limits (50% occupancy).
Vermont	10	5/15	4/27 - Began phase 2 to phase-out the "stay at home" order. Those who largely work outdoors may resume operations. Most other businesses must do call-in or pre-order services. Phases 3 and 4 to start 5/7 and 5/11.
Wyoming	10	5/15	May 1 - Personal care services allowed to open under strict guidelines. Gyms allowed to order with limitations.
Rhode Island	5	TBD	Non-critical retail open with capacity limits. State parks open with limited parking.
Kentucky	All non essential closed	TBD	4/27 - Began Phased in Re-opening Plan with Health Care Practitioners and Facilities to open (with limitations). More businesses to open on 5/11
Arizona	Stay at home	5/15	Elective surgeries to resume on 5/1. Extended the SAH order but is slowly opening up some businesses.
California	Stay at home	TBD	
Connecticut	Stay at home	5/20	The hope is to start opening restaurants and outdoor recreation areas on 5/20. Gatherings of up to 5 people allowed.
Delaware	Stay at home	5/15	5/8 - Slowly opening businesses.
District of Columbia	Stay at home	5/15	
Hawaii	Stay at home	5/31	
Illinois	Stay at home	5/30	
Louisiana	Stay at home	5/15	Extended SAH but have started lifting some restrictions.
Maine	Stay at home	5/31	May - Beginning "Restarting Plan" by identifying which businesses can safely reopen. No businesses specified as of yet.
Maryland	Stay at home	TBD	5/7 - Outdoor recreation allowed (golf, shooting ranges, marinas, campgrounds). 10 person gathering outdoors allowed.
Michigan	Stay at home	5/28	
Minnesota	Stay at home	5/17	4/27 - Gov allowing workers to industrial, manufacturing and office settings that are not customer-facing to return to work.
Nevada	Stay at home	5/15	May 1 - Non-essential businesses open for curbside or home delivery. Golf, tennis and pickleball activities may resume with social distancing measures.
New Hampshire	Stay at home	5/31	
New Jersey	Stay at home	TBD	Golf courses and certain areas of State Parks allowed to open.
New Mexico	Stay at home	5/15	
New York	Stay at home	5/15	

Ohio	Stay at home	5/29	Has issued a plan to open many businesses slowly but is still prohibiting public and private gatherings unless an exemption exists.
Oregon	Stay at home	TBD	Gov announced 5/2 that counties with zero cases could open 5/15
Virginia	Stay at home	6/10	
Washington	Stay at home	5/31	5/4 - Began phase 1 of reopening plan with few changes to current orders.
Wisconsin	Stay at home	5/26	Phase-in reopening plan in place.
Idaho	No Order	TBD	May 1 - Began Phase 1 of "Idaho Rebounds" phased-reopening plan. Businesses preparing to reopen in Phase 2.
Missouri	No Order	5/31	May - Began "Show Me Strong Recovery" reopening plan. All businesses can reopen as long as they adhere to occupancy limitations and social distancing measures.
North Dakota	No Order		May - Beginning reopening process. Most businesses, restaurants and bars reopen. Recreational, music and sports venues remain closed.
Oklahoma	No Order	5/24	4/24 - Began "Open Up & Recover Safely" plan. Very similar to President's plan.
South Carolina	No Order		5/4 - Allowing restaurants to provide outdoor dining.
South Dakota	No Order		
Texas	No Order		May - Began phase 1 of plan to reopen Texas. Restaurants, retail stores, movie theaters and malls can reopen providing they limit capacity by 25%. New set of checklists available on 5/8 and 5/18.

Travel-related Quarantine:

19 states have implemented some sort of mandated quarantine following travel. Most of these include exemptions for travel exclusively related to essential services like military or health care.

- | | | |
|--------------|------------------|--------------------|
| 1. Alaska | 8. Maine | 15. South Carolina |
| 2. Arizona | 9. Maryland | 16. Texas |
| 3. Delaware | 10. New Mexico | 17. Vermont |
| 4. Florida | 11. North Dakota | 18. West Virginia |
| 5. Hawaii** | 12. Ohio | 19. Wyoming |
| 6. Kansas | 13. Oklahoma | |
| 7. Kentucky* | 14. Rhode Island | |

*Kentucky's order restricts KY residents from leaving the state unless absolutely necessary (medical help, required by employment, etc) and requires any KY resident returning to the state to self-quarantine for 14-days.

Hawaii has ordered 14-day self-quarantine for anyone coming into their state **and now is mandating anyone traveling from island to island to self-quarantine for 14 days.

Requiring Face Masks

The following states require face masks in certain settings:

<u>State</u>	<u>Face Mask Reqmt?</u>	<u>Notes</u>
Connecticut	Yes	Anywhere close contact is unavoidable
Delaware	Yes	Anyone in a public place
District of Columbia	Yes	Hotel workers and guests, taxi/rideshare/private transportation riders and workers, grocery stores and customers.
Hawaii	Yes	All employees at a business that open and then public while waiting to enter and while at an essential business or operation
Illinois	Yes	All persons when in a public place where they can't maintain a six-foot social distance
Maryland	Yes	Any retail establishment and public transportation; employees and customers

Michigan	Yes	Employees at all essential businesses and anyone in a public place that is inside
New Jersey	Yes	Grocery stores or any other essential retail. Employees and customers
New York	Yes	"Whenever social distancing is not possible" - public transit, a crowded sidewalk, or inside a grocery store.
Ohio	Yes	Employees and customers at businesses
Pennsylvania	Yes	All employees at essential businesses are required to wear face coverings while on the job and public when in a business.
Rhode Island	Yes	Any customer-facing business. Employees required, and businesses must "take steps to ensure customers wear them too"

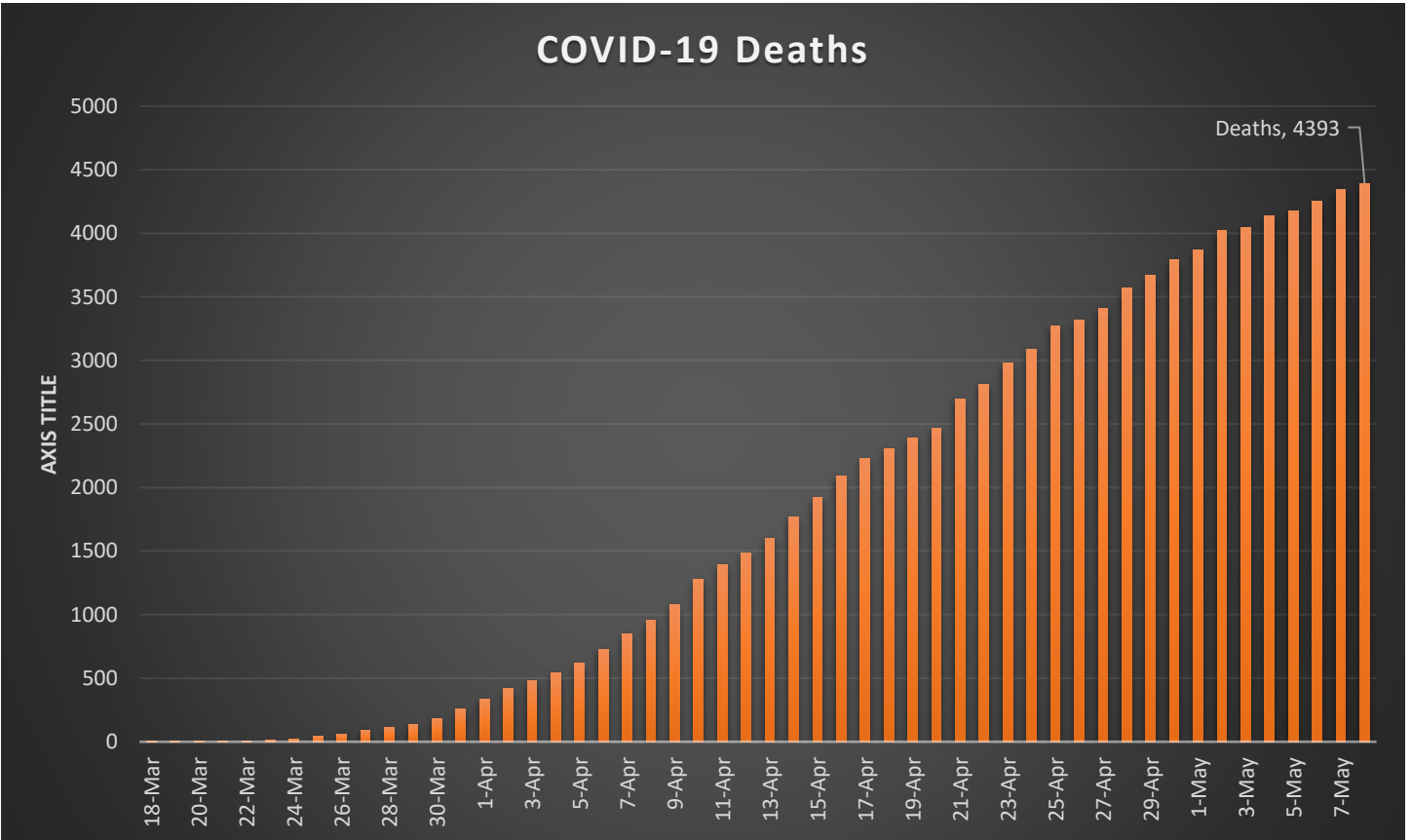
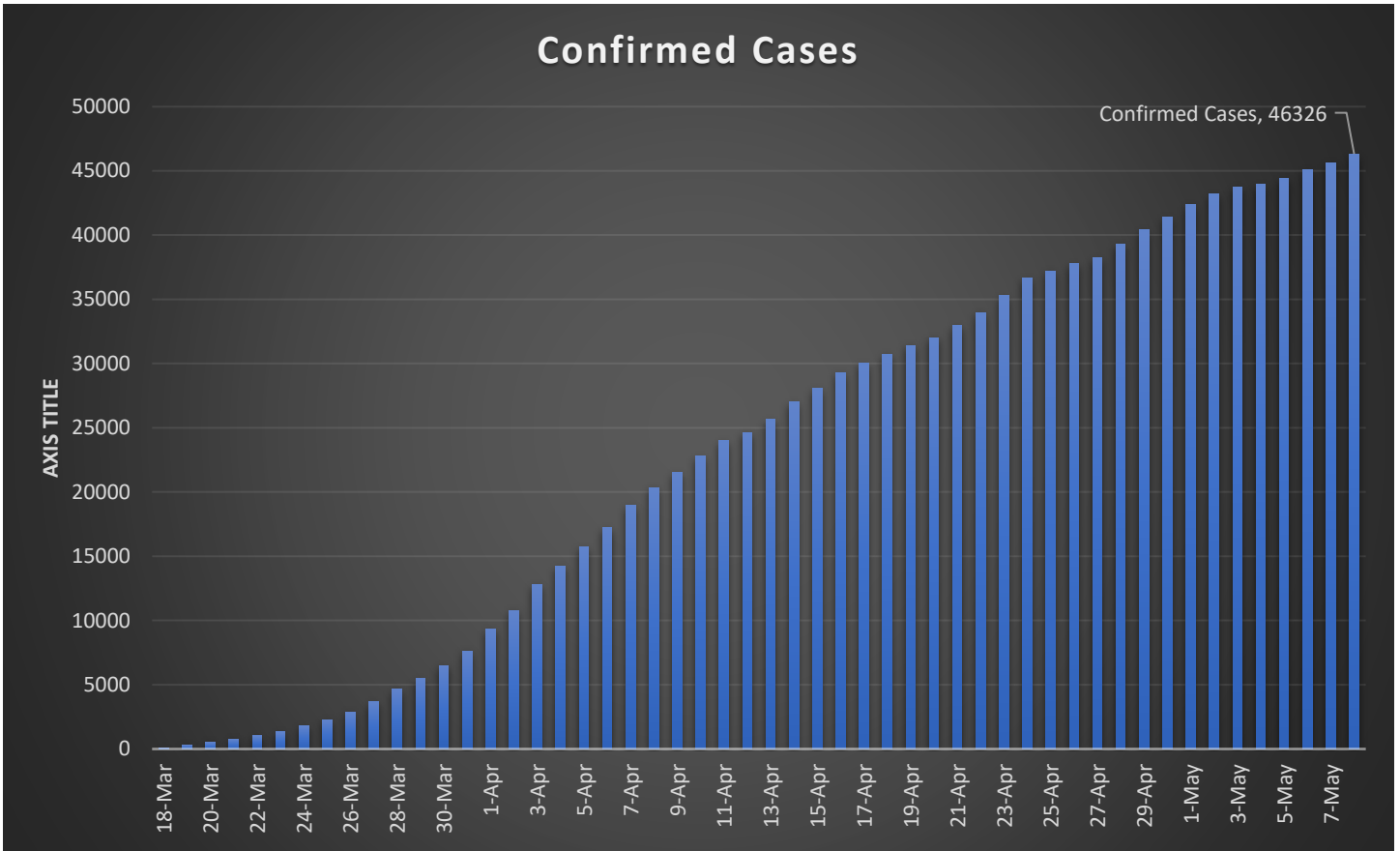
COVID-19 IN MICHIGAN:

As of May 8, 2020, **46,326 tests have come back positive, 4,393 deaths have been reported, and 15,659 recovered. This represents an increase of 547 (or 1%) in positive tests and an increase of 29 (or 1%) in reported deaths since yesterday.** Information and updates on specific Michigan testing results are reported [daily](#). It is likely estimated that Michigan will continue to see an increase in confirmed cases, but this doesn't necessarily mean the virus is rapidly spreading.

In response to the confirmed cases in Michigan, the governor has taken several executive actions, orders, and directives (*see executive actions taken section*). These orders include closing all public and private K-12 school buildings from Monday, March 16, 2020, until Sunday, April 5, 2020, restricting public access to critical health facilities, prohibiting gatherings greater than 50 people, and closing restaurants and bars. The CDC has also recommended for the next eight weeks, organizers cancel or postpone in-person events that consist of 50 people or more throughout the United States.

In addition, every university in Michigan has suspended in-person classes and are holding online courses. Private businesses across the state have also implemented preventative measures to reduce exposure by limiting access to large venues and or encouraging work from home policies for employees. The Michigan Legislature has also implemented similar best practices.

COVID-19 Case Data:



The Department of Health and Human Services COVID-19 website report, includes the following data:

- Cases of COVID-19 by county
- Testing reported by region [here](#)
- Age Data of overall deceased
- Cases by gender
- Cases by race
- Cases by age
- Cases by ethnicity
- Daily cases by region [here](#)

The full information can be at this link – [Michigan Coronavirus](#)

Information regarding hospital bed usage, ventilator usage and Personal Protection Equipment supplies can be found [here](#). New data reported by hospital was added to the website as of 4/23. This data includes Personnel Protection Equipment (PPE), and COVID-19 patients by hospital, in the ICU, and bed occupancy, by hospital.

LEGISLATIVE ACTION TAKEN IN MICHIGAN:

State Appropriation for COVID-19: On March 12, 2020, the Michigan Legislature passed **\$25 million** in response to the coronavirus public health emergency. The supplemental appropriation provides \$10 million in general funds to be utilized for critical state and local preparedness and response activities for coronavirus. Proper use of the funds includes but is not limited to, “*coronavirus monitoring, lab testing, contact tracing, infection control and continuation of critical state government functions.*” An additional \$15 million in general funds will be deposited into the Coronavirus Response Fund and may be utilized upon direct appropriation or transfer by the Legislature.

On March 17, 2020, the Michigan Legislature passed an additional **\$125 million** in general funds to support the ongoing emergency response efforts. The funds are to be utilized to provide for immediate needs such as virus monitoring and testing (\$50 million), critical health care capacity expansion for coronavirus response (\$50 million), and funds to the Coronavirus Response Fund for use when necessary and upon legislative appropriation (\$50 million). The additional funding brings the legislature’s dedication of funds for the coronavirus to **\$150 million**.

Approval of Federal Funding: Additionally, the Michigan Legislature also approved **unlimited** authorization for the use of federal funds that have been approved by Congress to state and local agencies for preparedness and to combat the coronavirus. The use of federal funds will be audited by the state auditor general to ensure the funds were used properly.

School Aid Supplemental: On March 12, 2020, the Michigan House of Representatives passed a School Aid Fund supplemental appropriation that serves as a mechanism to assist schools with financial needs and or the granting of additional calendar days, which could be exempt from academic instruction because of health-related issues. This bill is now pending in the Michigan Senate.

EXECUTIVE ACTIONS TAKEN:

In addition to the Legislature’s actions, as part of Michigan’s efforts to combat the spread of COVID-19, Governor Whitmer has created four task forces:

1. The COVID-19 Task Force on State Operations, covering all aspects of state operations, including employment and facilities.
2. The COVID-19 Task Force on Health and Human Services, covering the provision of medical and human services, including protecting the healthcare workforce.
3. The COVID-19 Task Force on Education, covering K-12 public schools and universities and colleges.
4. The COVID-19 Task Force on Economy/Workforce, covering general economic impact, workforce, supply chain, business continuity, and related issues.

The governor has also announced that the Michigan Medicaid Program will waive all copays/cost-sharing for COVID-19 testing. Further, the Michigan Department of Health and Human Services (DHHS) activated the Community Health Emergency Coordination Center and has been coordinating with county health departments, hospitals, and other medical providers throughout the state.

Lastly, the Governor has issued multiple Executive Orders and Directives related to the Coronavirus, which are outlined below.

- Executive Order 2020-4 *No longer effective*
- Executive Order 2020-5 - *Revised by EO 2020-11*
- Executive Directive 2020-2 - *Revised under EO 2020-15*
- Executive Order 2020-7 *No longer effective*
- Executive Order 2020-8 *No longer effective*
- Executive Order 2020-9 *No longer effective*
- Executive Order 2020-10 *No longer effective*
- Executive Order 2020-11 *No longer effective*
- Executive Order 2020-12 *No longer effective*
- Executive Order 2020-13 *This order is rescinded by EO 49*
- Executive Order 2020-14 extends the redemption period for abandoned and tax-delinquent property.
- Executive Order 2020-15 *This order is rescinded by EO 2020-48*
- Executive Order 2020-16 *This order is rescinded by EO 2020-51*
- Executive Order 2020-17 limits non-essential medical and dental procedures.
- Executive Order 2020-18 *This order is rescinded by EO 53*
- Executive Order 2020-19 *This order is rescinded by EO 54*
- Executive Order 2020-20 *This order is rescinded by EO 43.*
- Executive Order 2020-21 *This order is rescinded by EO 42.*
- Executive Order 2020-22 revises the county board of canvassers deadline from March 24th to March 30th. The executive order also extends these dates one month to April 24th and April 30th respectively. The order is retroactive to yesterday, March 24th.
- Executive Order 2020-23 *This order is rescinded by EO 45*
- Executive Order 2020-24 *This order is rescinded by EO 57*
- Pharmacists – Executive Order 2020-25 *This order is rescinded by EO 56*
- Tax Filing Deadline Extension - Executive Order 2020-26 extends the deadline for filing and paying state and city income tax from April 15, 2020 to July 15, 2020. This aligns with the extension for federal income tax filings and payments.
- May 5th Election – Executive Order 2020-27 calls for the May 5th election to be conducted by absent voter (AV) ballots to the greatest extent possible. However, each jurisdiction must maintain at least one location on election day where electors may vote in person if they so choose. Clerks are to begin preparing postage prepaid AV return envelopes.
- Water Service – Executive Order 2020-28 requires public water supplies to restore water service to occupied residences across the state that have been shut off due to past due bills, or other reasons.
- MDOC & County Jails – Executive Order 2020-29 *This order is rescinded by EO 62*
- Medical Professional and Health Facility Licensing – Executive Order 2020-30 *This order is rescinded by EO 61*
- Motor Fuel Blend Extension – Executive Order 31 - On March 30, 2020, Governor Whitmer issued Executive Order 2020-31. The purpose of this EO is to allow the continued sale of winter-blend gasoline by temporarily suspending certain vapor pressure requirements.
- Executive Order 2020-32 – *Revised and rescinded by EO 2020-34.*
- Emergency Declaration Extension: Executive Order 2020-33 Governor Whitmer issued Executive Order (EO) 2020-33 declare a state of emergency and the state of disaster across the state of Michigan.
- Non-Essential Veterinary Procedures - Executive Order 2020-34 is issued April 2nd and rescinds EO 32. Executive Order 2020-34 limits non-essential veterinary services on ANIMALS, which would include livestock and farm animals raised for food or fiber.
- School Closure - Executive Order 2020-35 *This order is rescinded by EO 65*
- Employee Protections - Executive Order 2020-36 – Prevents an employer from taking disciplinary action against an employee that elects to stay home from work because they are more likely to have the COVID-19 virus. An individual is more likely to have the virus if they have tested positive for COVID-19, have one

or more symptoms of COVID-19, were in close contact with an individual that tested positive for COVID-19, or were in close contact with someone displaying symptoms of COVID-19.

- Visitation Restrictions – Executive Order 2020-37 – This order is rescinded by EO 72
- Freedom of Information Act (FOIA) – Executive Order 2020-38 - Effective immediately, the EO suspends certain procedures regarding public bodies' responsibilities in responding to requests for public records. It also states that it is the public policy of this state during the COVID-19 emergency that "public bodies continue to respond to requests for public records as expeditiously as possible and, to the extent practicable, by using electronic means."
- EMS - Executive Order 2020-39 - On March 7, 2020, Governor Whitmer issued Executive Order 2020-39. The purpose of this EO is to relax certain licensing and regulation requirements for emergency medical services and providers as continuously increased staff and efficiency is needed during the COVID-19 pandemic.
- Motor Carrier Fuel Tax Licensure Waiver - Executive Order 2020-40 – This order is rescinded by EO 73
- Electronic Signatures, Remote Notarization & Remote Witnessing – Executive Order 2020-41 – This order is rescinded by EO 74
- Stay-at-Home – Executive Order 2020-42 – This order is rescinded by EO 59
- Salon Closure - Executive Order 2020-43 – This order is rescinded by EO 69
- Truck Weights – Executive Order 2020-44 - Effective immediately until May 11, 2020 at 11:59pm, all state and local seasonal load restrictions as well as noise and timing restrictions are suspended for deliveries that meet immediate needs for COVID-19 relief efforts.
- Administrative Procedures Executive Order 2020-45 - On April 13, 2020, Governor Whitmer issued Executive Order (EO) 2020-45 which enhances authorization of remote means for carrying out state administrative procedures for the Michigan Employment Relations Commission (MERC), the Unemployment Insurance Agency (UIA), and hearings held under the Administrative Procedures Act of 1969.
- Restaurant Supply Buyback - Executive Order 2020-46 – Allows the Michigan Liquor Control Commission to issue cash advances to certain on-premises licensees. Executive Order 2020-43 halts most on-premises liquor sales throughout the State of Michigan.
- Vehicle Registration Relief – Executive Order 2020-47 – This order is rescinded by EO 78
- Open Meetings Act – Executive Order 2020-48 – This order is rescinded by EO 75
- Executive Order 2020-49 waives requirements for Certificate of Need and reduces requirements for licensure and care provision. These provisions aim to ensure that medical facilities are open or allowed to expand as needed and that medical workers are not restricted from providing care due to failure to meet the technical requirements of their license.
- Long-Term Care - Executive Order 2020-50 – Effective immediately through May 13, the executive order establishes procedures for long-term care facilities pertaining to the health and safety of both residents and employees. Specifically, the order temporarily prohibits the removal of residents from long-term care facilities, provides protections for residents and facility employees, and outlines isolation and transfer protocols for medically stable and unstable residents displaying symptoms of COVID-19.
- Child Care – Executive Order 2020-51 - provides temporary and limited relief from certain regulatory restrictions regarding child care services, and facilitates the use of certain property for those services to expand child care access during the COVID-19 emergency. Specifically, the order expedites provisional licensing of child care facilities, and allows schools and employers to provide unlicensed emergency child care services provided that they follow rules and guidance set by LARA.
- Pesticide Applicator License Extension – Executive Order 2020-52 - On April 17, 2020 Governor Whitmer issued Executive Order 2020-52 to provide relief for licensed pesticide applicators whose licenses expired at the end of 2019, by extending validity of their licenses until 60 days after the termination of the state emergency. That date would be June 29, 2020.
- Price Gouging - Executive Order 2020-53 is a rescission and revision of EO 2020-18 which also dealt with price gouging. It puts restrictions in place as it relates to the excessive pricing of goods, materials, emergency supplies, and consumer food items. These restrictions are in place until May 15, 2020 (the original EO was in effect until April 17) at 11:59 pm.
- Foreclosure suspension - Executive Order 2020-54 suspends foreclosure and eviction proceedings under the Revised Judicature Act.

- Michigan Coronavirus Task Force on Racial Disparities – Executive Order 2020-55 - The EO creates the Michigan Coronavirus Task Force on Racial Disparities.
- Pharmacists – Executive Order 2020-56 provides for a variety of efficiencies for Pharmacists and Pharmacies, and includes provisions for health insurers and drug wholesalers.
- Unemployment Benefits - Executive Order 2020-57 – *This order is rescinded by EO 76*
- Extending Deadlines in Civil and Probate Matters – Executive Order 2020-58 – Consistent with Michigan Supreme Court Administrative Order 2020-3, the EO suspends and extends, for the duration of the emergency declaration, all deadlines and related to timing requirements applicable to commencing a civil or probate action and proceeding, including but not limited to, any deadline for the filing of an initial pleading or complaint and the filing of any responsive pleading (i.e. a motion raising a defense or an objection to an initial pleading).
- Stay Home, Stay Safe – Executive Order 2020-59 – *This order is rescinded by EO-70*
- Safety Measures for Food Selling - Executive Order 2020-60 – *This order is rescinded by EO-71*
- Medical Professional and Health Facility Licensing – Executive Order 2020-61 suspends all provisions (in whole or in part) related to the scope of practice as laid out in the Occupations article of the Public Health Code (Article 15 – MCL 333.16101-333.18838). EO 30 is rescinded by this order.
- MDOC & County Jails - Executive Order 2020-62 - is a re-issue of 2020-29, which requires the Michigan Department of Corrections to implement risk reduction protocols, suspends strict compliance with the capacity and procedural requirements regarding county jail overcrowding, and strongly encourages early release of prisoners who do not present a safety risk.
- Suspending the Expiration of PPOs – Executive Order 2020-63 – Consistent with Michigan Supreme Court Administrative Order 2020-11, the EO provides that all personal protection orders (PPOs) that would otherwise expire before June 1, 2020 are automatically extended to July 21, 2020.
- Anti-discrimination in health care – Executive Order 2020-64 – Effective immediately, the EO affirms anti-discrimination policies and establishes procedures that ensure the equitable allocation of medical resources.
- School Closure - Executive Order 2020-65 provides guidance to school districts, parents and students to continue the learning process while school buildings remain closed due to the coronavirus health emergency.
- EO-2020-66, which terminates the state of emergency and disaster under the 1976 Act because she did not get the necessary legislative approval of her extension.
- EO-2020-68 declaring a NEW state of emergency under the 1976 Act through May 28, 2020.
- EO-2020-67 restating that the state of emergency under the 1945 Act remains in place through May 28, 2020.
- Salon Closure - Executive Order 2020-69 – Reissues the same restrictions on places of “Public Accommodation” and “Public Amusement” in Executive Order 2020-43 and extends the mandatory closure period for these places to May 28, 2020, at 11:59 pm.
- Stay Home, Stay Safe – Executive Order 2020-70 – *This order is rescinded by EO 77*
- Safety Measures for Food Selling - Executive Order 2020-71 - institutes safety measures for food-selling establishments and pharmacies. The order also provides temporary relief from requirements applicable to the renewal of licenses for the food service industry. This order rescinded EO 71.
- Visitation Restrictions – Executive Order 2020-72 – Effective immediately and continuing through May 31, 2020, at 11:59 p.m. all health care facilities, residential care facilities, congregate care facilities and juvenile justice facilities must place limitations on visitations, conduct health screenings for those entering the facility, and provide phone or video chat visitation options to the best of their ability.
- Motor Carrier Fuel Tax Licensure Waiver - Executive Order 2020-40 - On May 5, 2020, Governor Whitmer issued Executive Order 2020-40, which provides relief from credentialing requirements for commercial motor carriers under the Motor Carrier Fuel Tax Act (MCTFA) and the International Fuel Tax Act (IFTA).
- Electronic Signatures, Remote Notarization & Remote Witnessing – Executive Order 2020-74 - is a re-issue of 2020-41, which suspends rules and procedures to allow for the use of various electronic records and electronic signatures when notarization is required for certain records.
- Open Meetings Act – Executive Order 2020-75 On May 6, 2020 Governor Whitmer issued Executive Order 2020-75, which provides temporary authorization allowing remote participation for local

government public meetings and hearings. It also provides temporary relief from statutory required monthly school board meetings. This order rescinds EO-48.

- **Unemployment Benefits - Executive Order 2020-76** – Effective Immediately this executive order reaffirms Executive Order 2020-57 that expanded unemployment benefits and further expands who is eligible for benefits. Executive Order 2020-76 expands on the existing workshare program to encourage employers to retain employees and provides coverage to individuals that were offered a new position, but the offer was revoked as a result of the state of emergency declaration.
- **Stay Home, Stay Safe – Executive Order 2020-77** - On May 7, 2020 Governor Whitmer issued Executive Order 2020-77, which updates and extends Michigan's "Stay-at-Home" order until May 28, 2020 at 11:59pm. EO 70 has been rescinded with the issuance of EO 77.
- **Extending Licenses and Registration – Executive Order 2020-78** - On May 8, 2020 Governor Whitmer issued Executive Order 2020-78 extending the validity of Michigan-issued operator and chauffeur licenses, state identification cards, and vehicle registrations. With the issuance of EO 78, EO 47 is rescinded.

EXECUTIVE ORDERS – ADDITIONAL DETAILS & OTHER ITEMS OF INTEREST:

Below are some additional details on some of the executive actions issued by the Governor:

Public Meetings - Executive Directive 2020-02 – *Revised by EO-2020-15*

Indoor Assemblies - Executive Order 2020-11 – *No longer effective*

Truck Weights - Executive Order 2020-12 – *This order is rescinded by EO 2020-44*

Hospital Capacity – Executive Order 2020-13 – *This order is rescinded by EO 2020-49*

Tax Delinquent Property Forfeit Extension - Executive Order 2020-14 – Effective immediately the executive order has extended the redemption period for abandoned and tax-delinquent property from March 31, 2020, to May 29, 2020, or 30 days after the end of the state of emergency under EO 2020-4. Abandoned and tax-delinquent property is forfeited to the county on March 1st every year and the owner has until March 31st to redeem the property. The executive order will provide property owners an additional two months at least to redeem their property. Courts are encouraged to amend existing foreclosure orders to reflect the timeline in this executive order.

Executive Order 2020-14 only impacts foreclosures under the General Property Tax Act. Foreclosures resulting from failure to make mortgage payments would still be at the discretion of the lending company.

Open Meetings Act - Executive Order 2020-15 *This order is rescinded by EO 48*

Child Care Services - Executive Order 2020-16 – *This order is rescinded by executive order 2020-51*

Non-Essential Medical and Dental Procedures - Executive Order 2020-17 - On Friday, March 20, 2020, Governor Whitmer declared Executive Order 2020-17 to limit non-essential medical and dental procedures. EO 17 requires covered facilities to implement a plan to postpone all non-essential procedures until the end of the State of Emergency. Covered facilities include hospitals, freestanding surgical outpatient facilities, dental facilities, and state-operated outpatient facilities. Non-essential medical or dental procedures are those not necessary to preserve the health and safety of the patient. Non-essential medical procedures include elective or cosmetic procedures, such as joint replacement, bariatric surgery, and cosmetic surgery. Essential medical procedures that should **avoid** being postponed are any of the following:

- 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/labor and delivery

- Organ transplantation
- Procedures related to dialysis
- Cosmetic surgeries related to trauma
- Trauma or emergency surgeries that would affect the health and safety of the patient if postponed

Dental procedures excluded from the restrictions of EO 17, are those that are pain or infection-relieving, trauma-related, or those that restore oral function.

Consumer Protection - Executive Order 2020-18 *This order is rescinded by EO 53*

Foreclosure and Eviction Extension - Executive Order 2020-19 – *This order is rescinded by EO 54*

Salon Closure - Executive Order 2020-20 – *This order is rescinded by EO 43*

Shelter in Place - Executive Order 2020-21 – *This order is rescinded by EO 42*

Board of Canvassers Deadline Extension - Executive Order 2020-22 - Under current law, the county board of canvassers has 14 days to canvass the results of an election. If after 14 days the canvass is not complete, the county is to deliver all records and pertinent information to the Secretary of State. Current law also says that the board of state canvassers is required to meet on or before the 20th day after the election to certify the results. For the recent March 10th election, the county board of canvassers deadline was March 24th and the board of state canvassers' deadline would be March 30th. The executive order extends these dates one month to April 24th and April 30th respectively. The order is retroactive to yesterday, March 24th.

Administrative Procedures – Executive Order 2020-23 – *This order is rescinded by EO 45*

Unemployment Benefits - Executive Order 2020-24 – *This order is rescinded by EO 57*

Pharmacists – Executive Order 2020-25 – *This order is rescinded by EO 56*

Tax Filing Deadline Extension - Executive Order 2020-26 - Governor Whitmer issued Executive Order (EO) 2020-26 effective immediately, which extends the deadline for filing and paying state and city income tax from April 15, 2020 to July 15, 2020. This aligns with the extension for federal income tax filings and payments.

For tax filings due by April 30, 2020, the deadline to pay and file is extended to July 31, 2020. This deadline extension to July 15, 2020 also applies to tax filers that are required to pay their estimated quarterly income tax under Sections 206.301(1) and 206.681(2) of the Income Tax Act.

Penalties and interest for failure to pay or file state or city income tax would not begin to accrue until July 16th for filings due July 15th and August 1st for filings due July 31st.

May 5th Election – Executive Order 2020-27- The order calls for the May 5th election to be conducted by absent voter (AV) ballots to the greatest extent possible. However, each jurisdiction must maintain at least one location on election day where electors may vote in person if they so choose. Clerks are to begin preparing postage prepaid AV return envelopes.

The Secretary of State may assist local clerks in the mailing and preparing of AV ballot applications with a postage-prepaid pre-addressed return envelope to each registered voter in any jurisdiction conducting a May election. They may also assist with the preparation of postage-prepaid AV ballot return envelopes and other election functions that local jurisdictions may need assistance with.

While individuals who are not currently registered to vote are encouraged to register to vote by mail or online prior to April 20, they may still register to vote in person at the clerk's office in accordance with current election law. Additionally, those individuals who register in the last 15 days are encouraged to contact the clerk's office

prior to doing so. For the May election the in-person requirement to register to vote in the last 15 days is relaxed, so that clerks may accept voter registration applications and residency verifications by mail, email or fax.

Any person who registers to vote between now and election day in a jurisdiction that has a May election is also considered to have requested an AV ballot and will receive an AV ballot automatically.

Any jurisdiction who has certified a ballot question for the May election, may withdraw the question as long as the county clerk is notified by March 27th. Any ballot questions removed from the May ballot may be submitted to voters for the August election or any subsequent election. It is important to note that these ballot questions must be removed or postponed in the same process by which they were initially added to the May election (e.g., local board resolution).

The EO permits the Secretary of State to assist local clerks in the mailing and preparing of AV ballot applications with a postage-prepaid pre-addressed return envelope to each registered voter in any jurisdiction conducting a May election. The SOS may also assist with the preparation of postage-prepaid AV ballot return envelopes and other election functions that local jurisdictions may need assistance with.

Certain provisions of the election law are suspended for the May election with regard to polling places and the canvassing of the vote at a polling place.

Any jurisdiction who has certified a ballot question for the May election, may withdraw the question as long as the county clerk is notified by March 27th. Any ballot questions removed from the May ballot may be submitted to voters for the August election or any subsequent election.

Certain provisions of the election law are suspended for the May election with regard to polling places and the canvassing of the vote at a polling place.

Water Service – Executive Order 2020-28 - On March 28, 2020 Governor Whitmer issued Executive Order 2020-28 to require public water supplies to restore water service to occupied residences across the state that have been shut off due to past due bills, or other reasons.

While many water utilities have already suspended water shutoffs during this state of emergency the executive order dictates that:

- Any public water supply must immediately identify occupied residences in their service area that do not currently have water service, and to make best efforts to restore service to homes where the service has been disconnected due to non-payment or damaged infrastructure, so long as the public water supply does not have reason to believe that reconnection would create a risk to public health such as due to cross-contamination.
- If the reconnection would create a risk to public health, the public water supply must make best efforts to remedy such conditions and restore water service to such occupied residences as soon as possible.
- By April 12, 2020, all public water supplies that have used water shutoffs as a remedy for non-payment within the last year must report to the State Emergency Operations Center regarding access to water in their service areas. The report must include: an account of what efforts have been made to determine which occupied residences do not have water service; do not have water service as a result of a shutoff due to non-payment; do not have water service as a result of any reason other than non-payment.
- The public water supply must provide a certification that best efforts have been exercised to determine which occupied residences within the service area do not have water service; that, to the best of their knowledge, no occupied residences have their water service shut off due to non-payment; that the public water supply has reconnected water service for all occupied residences that can be reconnected without creating a risk to public health; and that the public water supply has exercised best efforts to remedy the conditions that prevent reconnection due to a risk to public health.
- Follow-up reporting is required if all provisions have not been met.
- The order does not:
 - forgive the obligation of a resident to pay for water service;
 - prevent a public water supply from charging any customer for water service; or

- reduce the past due amount a resident may owe to a public water supply.

In conjunction with the order a \$2-million *Water Restart Grant Program* is established through the Department of Environment, Great Lakes, and Energy (DEGLE) to assist communities in complying with the order. Renew Michigan has been identified as the funding source.

DEGLE will provide limited grants to communities based on available funds. The program will reimburse up to \$5,000 with a 25% local match requirement for reconnection, line replacement, and restoration per home. Grant funds will be provided on a reimbursement basis upon receipt of appropriate supporting documentation.

Grants will be provided to high-risk areas (*not defined*). Requirements for the grants will include the following:

- Communities must provide a preliminary spending plan, including the estimated number of homes to be reconnected and estimated average cost per home, prior to the grant being initiated.
- If lead lines are being replaced as part of the reconnection, the entire line must be replaced.
- Exceptions to the cap can be requested for homes needing more extensive work. Exceptions must be authorized by DEGLE.
- The community must assure that the plumbers conduct appropriate flushing and provide communication to residents on the importance of flushing and use of filters if needed.

Communities interested in accessing the funding should email DEGAL at: RestartGrants@michigan.gov

DETROIT EXAMPLE

In mid-March Governor Whitmer and Detroit city officials announced plans to stop shutoffs and temporarily reconnect water services for all residents, as part of a plan to prevent spread of the coronavirus. “The state is stepping up to cover the cost of water restoration for the first 30 days, because it’s the right thing to do to keep families safe and protect public health,” Whitmer said at the time.

As of August 2019, the Detroit water department has 149,961 active accounts. 11% (16,495) of those accounts are in payment plans. Recent various media accounts estimate ranges from about 3,000 to 13,000 households are without water because of delinquent bills.

MDOC & County Jails – Executive Order 2020-29- *This order is rescinded by EO 62*

Medical Professional and Health Facility Licensing – Executive Order 2020-30 – *This order is rescinded by EO 61*

Motor Fuel Blend Extension – Executive Order 31 - On March 30, 2020, Governor Whitmer issued Executive Order 2020-31. The purpose of this EO is to allow the continued sale of winter-blend gasoline by temporarily suspending certain vapor pressure requirements.

Vapor pressure in gasoline is measured by the Reid Vapor Pressure (RVP) indicator. RVP assesses the volatility of gasoline, meaning how quickly the gasoline evaporates. Winter-blend and summer-blend gasolines have two different RVP measurements. Winter-blend gasoline has a higher RVP measurement, which means it evaporates quicker. Winter-blend gasoline is best suited for cold temperatures as fuel needs to evaporate quickly for engines to work properly. Similarly, lower RVP measurements in summer-blend fuel is more efficient for engine function during warm weather as evaporation is slower. Utilizing summer-blend fuel during warmer months is preferred as gasoline with lower volatility reduces emissions.

The type of blend used changes twice a year. For Michigan, the switch from summer to winter-blend fuel occurs on September 15 and the switch from winter to summer-blend gasoline happens on April 1.

With the decreased travel throughout Michigan due to the COVID-19 pandemic in addition to the Governor’s “Stay-at-Home” EO, there is an oversupply of winter-blend gasoline. To combat the oversupply, prevent the use of additional workers, and free up more fuel storage for suppliers, EO 2020-31 temporarily suspends the switch from winter-blend to summer-blend gasoline. According to the EO, the switch to summer-blend gasoline has

been delayed until May 31, 2020.

Non-Essential Veterinary Procedures - Executive Order 2020-32 – *Revised and rescinded by EO 202-34.*

Executive Order 2020-33

Governor Whitmer issued Executive Order (EO) 2020-33 declare a state of emergency and the state of disaster across the state of Michigan. The EO rescinds and replaces the previous Executive Order 2020-4 which was issued on March 10, 2020.

There are a few notable differences included in the new EO. One of these is that it includes the declaration of both a state of emergency and a state of disaster, previously EO 2020-4 had only declared a state of emergency. This expansion allows, for example, additional liability protections for certain health care professionals and other personnel engaged in the effort to address the disaster.

The EO also specifically refers to the Emergency Management Act, PA 390 of 1976 which specifically limits declarations of these types to 28 days.

It takes effect immediately and it directs that all previous Executive Orders that rested on the authority of EO 2020-4 now rest on the authority of EO 2020-33.

Non-Essential Veterinary Procedures - Executive Order 2020-34 is issued April 2nd and rescinds EO 32. Executive Order 2020-34 **limits non-essential veterinary services on ANIMALS, which would include livestock and farm animals raised for food or fiber.** EO 34 requires veterinary facilities to implement a plan to temporarily postpone all in-person non-essential procedures until the end of the State of Emergency.

A plan must provide that all veterinary services, essential and non-essential, must be performed by telemedicine to the fullest extent possible while the declared emergency is in effect. If a non-essential service cannot be performed by telemedicine, a plan must require that it be postponed. If an essential service cannot be performed by telemedicine, a plan need not postpone it and may allow it to be performed in person.

Essential veterinary service means any that are determined by a licensed veterinarian that are necessary to:

- preserve the life of an animal;
- treat serious pain that threatens the health and safety of an animal;
- euthanize a animal; or
- treat or prevent the transmission of any infectious disease that can be transmitted between animals and human beings.

Note - when a veterinarian performs in-person essential services, the plan must include provisions to minimize the use of personal protective equipment that could be used for human care as much as possible.

The order does not prohibit any medically indicated vaccination of any animal, nor does the order alter any obligation of an owner of an animal to vaccinate their animal as required by law or regulation.

This order does not alter any of the obligations under law of a veterinary facility to its employees or to the employees of another employer.

School Closure - Executive Order 2020-35 *This order is rescinded by EO 65.*

Employee Protections - Executive Order 2020-36 – Prevents an employer from taking disciplinary action against an employee that elects to stay home from work because they are more likely to have the COVID-19 virus. This applies to **all employers** in the State of Michigan, including but not limited to critical infrastructure employers. An employer is required to treat these individuals as they are taking leave under the Paid Medical Leave Act. If an employee has no paid leave available, the employer must allow them to take unpaid leave. An employer may still discharge an employee for other lawful reasons.

An individual is more likely to have the virus if they have tested positive for COVID-19, have one or more symptoms of COVID-19. These individuals should remain in their residence until:

- Three days from being symptom-free;
- Seven days from testing positive or showing symptoms; or
- The individual receives a negative test.

Additionally, an individual is more likely to have the virus if they were in close contact with an individual that tested positive for COVID-19, or were in close contact with someone displaying symptoms of COVID-19. These individuals must remain in their residence for 14 days from their last contact with the symptomatic individual or until the symptomatic individual tests negative for COVID-19. This section does not apply to workers at healthcare facilities, child protective services, child care facilities, correctional facilities, or first responders.

Individuals that are more likely to be carrying the virus as identified by this executive order are required to take extra precautions to prevent the spread of the virus. To the extent possible these individuals need to remain in their residence unless it is absolutely necessary to leave. If it is necessary for them to leave their residence they must utilize curbside services to the fullest extent possible. If they leave their residence for outdoor activity as permitted by EO 2020-21 they must remain at least 6 feet away from other individuals.

Additionally, if these individuals must leave their home they are asked to wear some form of covering over their nose and mouth. The executive order encourages these individuals to use homemade masks, scarfs, bandanas, or handkerchief to preserve the medical masks for health care workers and first responders.

Visitation Restrictions – Executive Order 2020-37 – *This order is rescinded by EO 72*

Freedom of Information Act (FOIA) – Executive Order 2020-38 - Effective immediately, the EO suspends certain procedures regarding public bodies' responsibilities in responding to requests for public records. It also states that it is the public policy of this state during the COVID-19 emergency that "public bodies continue to respond to requests for public records as expeditiously as possible and, to the extent practicable, by using electronic means."

More specifically, the EO suspends strict compliance with required response periods (see Section 5(2) of FOIA) to allow the following modifications:

- A public body must respond to a request received at its physical office via US mail or facsimile within 10 business days (currently 5 business days) after actual receipt of the request. Under the EO, "actual receipt" means opening an envelope containing the mailed request or physically handling a faxed request.
- If compliance with social distancing recommendations or any emergency order prevents the timely issuance of a written notice granting or denying a request, then public bodies may issue a notice extending the time period in which to respond.

The EO also suspends strict compliance with requirements related to conducting a public record search (see Section 4 of FOIA) to allow the following modifications:

- If a public records request requires a search for non-electronic records, then a public body must defer such a search until after the state of emergency has ended. Any strict compliance with any requirement to permit in-person inspections of non-electronic records is also suspended.
- If a public body defers a portion of its public records search until after the emergency has ended, then it must provide an explanation in its written notice.
- If a public body defers a portion of a public records search, then the requesting person may inform the public body in writing that he or she is amending the request to exclude non-electronic records.
- If a public body provides a "best efforts" estimate under the Act regarding the time it will take to provide public records, and the estimate is prolonged by remote work or social distancing policy, then it must explain the reason for any delay in its written notice.

All other requirements under Section 4 of the Act remain in full force and effect.

EMS - Executive Order 2020-39 - On March 7, 2020, Governor Whitmer issued Executive Order 2020-39. The purpose of this EO is to relax certain licensing and regulation requirements for emergency medical services and providers as continuously increased staff and efficiency is needed during the COVID-19 pandemic. The EO issues the following:

- If a life support vehicle or life support agency is believed to be out of compliance, the department must conduct an inspection. This inspection should be done remotely, if possible, by videoconferencing, telephone conversation, or electronic review of required documents;
- Allow for the transport of a patient, whether emergency or non-emergency, to any facility designated by the medical control authority;
- If a medical service personnel is seeking relicensure and has been licensed by the department within the last 5 years, the department has the authority to waive educational requirements. This authority also extends to the renewal of a license;
- All emergency medical services personnel licenses, in addition to all professional certifications in basic cardiac life support, that have expired since March 10, 2020 or will expire during the State of Emergency, will be deemed unexpired until 6 months after the COVID-19 emergency has ended;
- The department can authorize a licensee from another state to work in Michigan, no matter if their state's requirements are equivalent to or stricter than ours;
- Electronic communication is now allowed in order to notify an emergency medical personnel or applicant, of the intent to deny, revoke, or suspend their license; and
- Any emergency medical personnel or life support agency responding to the COVID-19 pandemic is not liable for any injury sustained by a person receiving their services unless the injury or death was caused by gross negligence.

Additionally, staffing requirements for an ambulance transporting a patient, under Michigan's Public Health Code, have been suspended and are temporarily adjusted as follows based on ambulance designation:

- Basic Life Support Designation: At least one emergency medical technician and one medical first responder;
- Limited Advanced Support Designation: At least one emergency medical technician specialist and one medical first responder; and
- Advanced Life Support Designation: At least one paramedic and one medical first responder.

An ambulance, or nontransport prehospital life support operation, is also allowed to downgrade their life support status, without notifying the department, from advanced life support to limited advanced or basic life support. Additionally, a limited advanced life support designation can be downgraded to basic life support. However, the ambulance must be staffed according to their designation (i.e. advanced support, limited advanced support, or basic life support).

Motor Carrier Fuel Tax Licensure Waiver - Executive Order 2020-40 – *This order is rescinded by EO 73*

Electronic Signatures, Remote Notarization & Remote Witnessing – Executive Order 2020-41 – *This order is rescinded by EO 74.*

Stay-at-Home – Executive Order 2020-42 – *This order is rescinded by EO 59*

Salon Closure - Executive Order 2020-43 – *This order is rescinded by EO 69*

Truck Weights – Executive Order 2020-44 - Effective immediately until May 11, 2020 at 11:59pm, all state and local seasonal load restrictions as well as noise and timing restrictions are suspended for deliveries that meet immediate needs for COVID-19 relief efforts. Additionally, all state and local road agencies must exercise their authority on an expedited basis to issue permits that allow non-seasonal load restrictions to be exceeded.

For truck weight, federal law allows a maximum Gross Vehicle Weight (GVW) of 80,000 lbs. over 5 axles. Michigan, however, limits maximum axle loadings, rather than GVW. Consequently, trucks are limited to eleven axles with weight limits depending upon the space between each axle. Those limits are as follows:

Space between axles in ft	Maximum lbs. per axle
$X \geq 9$	18,000
$9 < X < 3.5$	13,000
$X < 3.5$	9,000

Sometimes referred to as “Frost Laws,” seasonal weight restrictions occur annually in Michigan typically during March, April, and May. Seasonal weight restrictions are put into place to protect roads during the thaw season. When thawing occurs, the roadbed softens due to trapped moisture underneath the surface, which leaves roads more susceptible to damage. When seasonal weight restrictions go into effect, the maximum axle load on concrete or concrete-based pavements is reduced by 25% and on all other types of roads (typically asphalt) is reduced by 35%. Under the Michigan Vehicle Code, MCL 257.722 Sec (8), seasonal weight restrictions do not apply to vehicles carrying agricultural commodities, public utility vehicles, or school buses.

To travel on seasonal routes with a truck that exceeds the weight allowed in law, the company wishing to make this delivery must apply for an overweight permit issued by local and state authorities. Applications for single trip permits submitted electronically are typically issued 12 business hours after the application is received by the Michigan Department of Transportation (MDOT). For applications submitted by mail, permits are usually approved within 7 business days.

Executive Order 2020-12 waives seasonal weight restrictions as well as noise and timing restrictions for trucks with deliveries supporting COVID-19 relief efforts. Deliveries meeting immediate needs are considered to contain the following:

- medical supplies and equipment related to the testing, diagnosis, and treatment of COVID-19
- supplies and equipment necessary for community safety, sanitation, and the prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap, and disinfectants
- food for the emergency restocking of stores
- equipment, supplies, and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to the COVID-19 emergency
- persons designated by federal, state, or local authorities for medical, isolation, or quarantine purposes
- persons necessary to provide other medical or emergency services, the supply of which may be affected by the COVID-19 emergency

Additionally, all state and local road agencies are expected to expedite their permitting process for deliveries meeting the above requirements.

Administrative Procedures Executive Order 2020-45 - On April 13, 2020, Governor Whitmer issued Executive Order (EO) 2020-45 which enhances authorization of remote means for carrying out state administrative procedures for the Michigan Employment Relations Commission (MERC), the Unemployment Insurance Agency (UIA), and hearings held under the Administrative Procedures Act of 1969. This is an extension of EO-2020-23 that was issued last month that was in effect until April 13, 2020. EO-45 is in effect until May 11, 2020 at 11:59pm. The EO allows MERC and UIA to hold hearing by electronic means, including video conferencing. The EO also allow notices to MERC, including personal service of notice, service of process, or written notice of a dispute pertaining to an impending strike or lockout to be delivered by mail or electronic means, including email.

The EO allows UIA to hold hearings by phone or electronic means, including video conference. Notice to UIA and written notice by the UIA may be provided by mail or electronic means, including email. Additionally, hearings held under the Administrative Procedures Act of 1969 may be held by telephone or electronic means, including

video conference. Notice and service of process required under the act and administrative rules or emergency rules may be provided by electronic means, including email.

Finally, the EO allows the Department of Management and Budget to accept electronic signatures for signatures required under the Michigan Employment Security Act. Signatures must not be denied legal effect or enforceability solely due to its electronic form, and if a law requires a signature, an electronic signature would satisfy the law.

Restaurant Supply Buyback - Executive Order 2020-46 – Allows the Michigan Liquor Control Commission to issue cash advances to certain on-premises licensees. Executive Order 2020-43 halts most on-premises liquor sales throughout the State of Michigan. On-premises licensees would be eligible to receive a cash advance up to the amount of their purchases before March 16, 2020. MLCC would hold legal title to the liquor until the cash advance was repaid, but the liquor would remain in possession of the licensee.

Vehicle Registration Relief – Executive Order 2020-47 – *This order is rescinded by EO 78*

Open Meetings Act – Executive Order 2020-48 – *This order is rescinded by EO 76*

Hospital Capacity – Executive Order 2020-49– effective immediately and continuing through May 12, 2020, at 11:59 pm, MDHHS is authorized to issue an emergency certificate of need to an applicant for additional beds, and or equipment that will assist in providing health services. This provision also differs certain procedural requirements of the public health code until the state of emergency is terminated.

In addition, the order grants LARA the authority to do the following:

- grant a waiver (as provided under MCL 333.21564) to any licensed hospital to construct and operate a temporary or mobile facility for the purpose of providing care during the coronavirus emergency.
- Issue temporary registration as a certified nurse aid to an individual even if that person has not completed the nurse aid training program required by the Public Health Code (MCLs 333.21911 and 333.21913).
- Renew a license to practice to doctors, nurses, surgeons, pharmacists, and respiratory care workers regardless of whether the licensee has satisfied the continuing education requirements of their license
- Recognize hours worked responding to the coronavirus emergency as hours toward continuing education courses or programs for licensure.
- Allow an individual who is a non-nursing aid (e.g., activity coordinator, social worker, or volunteer) to help feed or transport a patient in accordance with that patient’s care plan.

Long-Term Care - Executive Order 2020-50 – Effective immediately through May 13, the executive order establishes procedures for long-term care facilities pertaining to the health and safety of both residents and employees. Specifically, the order temporarily prohibits the removal of residents from long-term care facilities, provides protections for residents and facility employees, and outlines isolation and transfer protocols for medically stable and unstable residents displaying symptoms of COVID-19.

BACKGROUND:

Nursing homes, skilled nursing facilities, adult foster care homes and assisted living facilities – collectively known as long-term care facilities – provide a variety of services, both medical and personal care, to people who are unable to live independently. There are more than 400 certified Medicare and Medicaid long-term care facilities statewide, with nearly 50,000 beds available to serve Michigan residents in need of various levels of care.

The majority of residents in long-term care facilities are aged 60 or older, many of whom have underlying health conditions, making them more susceptible to more serious complications of COVID-19. Given the nature of long-term care facilities and the vulnerable status of their residents, these facilities have become epicenters of COVID-19 both on a state and national level. Nationwide, more than 2,300 long-term care facilities have reported at least one confirmed case of COVID-19. In Michigan, there have been hundreds of confirmed coronavirus cases among residents and staff and dozens of deaths related to long-term care facilities.

The Bureau of Community and Health Systems, housed within the Michigan Department of Licensing and Regulatory Affairs (LARA), is responsible for the licensing of long-term care facilities. Long-term care facilities must comply with numerous rules and regulations at both the federal and state level, and are subject to inspections.

OVERVIEW OF EXECUTIVE ORDER:

Hardships resulting from the ongoing COVID-19 outbreak in Michigan have impacted both residents and employees of long-term care facilities. Long-term care facility residents and staff are living and working in confined spaces, and the shortage of personal protective equipment (PPE) makes engaging in precautionary measures recommended by the Centers for Disease Control and Prevention (CDC) even more challenging. Given the nature of long-term facilities and the vulnerable status of their residents, a single confirmed case of COVID-19 could jeopardize the safety of the entire facility – both residents and staff. On Wednesday, April 15, 2020, Governor Whitmer issued Executive Order 2020-50. The executive order installs the following requirements to protect staff and residents of long-term care facilities:

- Prohibit evicting or involuntary discharging residents for nonpayment, or denying residents' access to the facility. (This provision does not eliminate any obligations to pay under an admission contract). Furthermore, these facilities must not prohibit the admission or readmission of residents based on testing precautions that are inconsistent with MDHHS guidelines. Residents who obtained alternative housing outside of a long-term care facility during the declared state of emergency do not forfeit their right to return. Residents must be accepted back, provided there are no statutory grounds to refuse the return and capacity allows. Facilities must perform screening precautions consistent with MDHHS guidelines at the time of receiving a returning resident.
- Use best efforts to facilitate telemedicine when caring for residents.
- Suspend group dining and activities.
- Follow CDC guidelines for cleaning and disinfecting.
- Provide staff that are in contact with residents with appropriate PPE and keep accurate data on the quantity of available PPE on site.
- Notify employees of any changes to CDC guidelines and within 12 hours inform staff of the presence of a COVID-19-affected resident.
- Report to DHHS all positive cases within the facility and include any other data required by MDHHS.

EO 2020-50 also clarifies that staff of a long-term care facility are protected by provisions in EO 2020-36 (employer anti-retaliation)

The executive order installs the following procedures related to the display of COVID-19 symptoms and the transfer of residents to and from the hospital:

- Within 24 hours of identification, a long-term care facility must report the presence of a COVID-19-affected resident to their local health department. Medically unstable residents must be transferred to a hospital for evaluation.
- Nursing homes with capacity below 80% must create a "dedicated unit" to provide direct care to symptomatic residents and provide dedicated-unit staff appropriate PPE, as available. A nursing home provider that operates multiple facilities may dedicate an entire facility as a "dedicated unit."
- Long-term care facilities with dedicated units must move medically stable, symptomatic residents to dedicated units. Facilities without these accommodations must transfer medically stable, symptomatic residents to a regional hub with available capacity. If no regional hub is available, residents must be sent to a hospital within the state with available capacity.
- Residents who become medically stable and eligible for discharge after being hospitalized due to onset of COVID-19 symptoms must be discharged to their facility of residence if the facility has a "dedicated unit". If their long-term care facility does not have capacity, residents must be discharged to a regional hub with available capacity. If the regional hub has no available capacity, residents are to be discharged to alternative care facilities with capacity. Residents may be transferred back to regional hubs or their long-term care facility if capacity becomes available.
- For any transfer or discharge of a resident, the long-term care facility of origin must ensure the resident's

advance directive (end of life care decision documentation) accompanies the resident, and disclose the existence of the directive to emergency medical services at the time emergency medical services are requested.

- Any long-term care facility that has a dedicated unit meeting requirements must admit anyone that it would normally admit as a resident, regardless of whether the individual has recently been discharged from a hospital treating COVID-19 patients.

Important Definitions:

- “Alternative care facility” means any facility activated by the State to provide relief for hospitals that surge past capacity.
- “Appropriate PPE” means the PPE that MDHHS recommends in its Guidance to Protect Residents of Long-Term Care Facilities.
- “COVID-19-affected resident” means a resident of a long-term care facility who is COVID-19 positive, who is a person under investigation, or who displays one or more of the principal symptoms of COVID-19.
- “Long-term care facilities” means nursing homes, homes for the aged, adult foster care facilities, and unlicensed assisted living facilities.
- “Medically unstable” includes a change in mental status or a significant change or abnormality in blood pressure, heart rate, oxygenation status, or laboratory results that warrants emergency medical evaluation.
- “Person under investigation” means a person who is currently under investigation for having the virus that causes COVID-19.
- “Principal symptoms of COVID-19” are fever, atypical cough, or atypical shortness of breath.
- “Regional hub” means a nursing home that is designated by MDHHS as a dedicated facility to temporarily and exclusively provide care to symptomatic residents.

Child Care Services - Executive Order 2020-51 – Effective immediately until May 13, 2020 at 11:59pm, the executive order provides temporary and limited relief from certain regulatory restrictions regarding childcare services and facilitates the use of certain property for those services to expand childcare access during the COVID-19 emergency. Specifically, the order expedites provisional licensing of childcare facilities, and allows schools and employers to provide unlicensed emergency childcare services provided that they follow rules and guidance set by LARA.

The executive order makes the following changes to expand capacity for childcare services:

- Authorizes LARA to issue expedited provisional licenses. MCL 722.117a provides for LARA to issue a provisional license to a childcare facility if the facility submits a plan indicating the measures, they are taking to resolve a regulatory deficiency. EO 2020-16 will expedite this process by allowing a provisional license to be issued without a submitted plan for deficiencies. These expedited licenses will be issued for not less than 1 month and not more than 6 months.
- Provides an exemption to licensing under MCL 722.115m(2) to permit employers and schools districts – public and nonpublic – to operate disaster relief childcare centers without a license. Schools may utilize their facilities for this purpose. Early childhood staff, student teachers, teachers and employees who provide before and after care are allowed to provide care at these facilities. Centers must give preference to Michigan’s essential workforce.
- Requires LARA to issue regulations governing disaster relief childcare centers that all centers must adhere to. Disaster relief childcare center regulations must comply with safe sleep guidelines, appropriate sleeping equipment for children under 12 months of age, sanitation guidelines, provide bedding for children under 12 months to sleep or rest and solicit information from parents or guardians about a child’s medicine, allergies and other special needs.
- All disaster relief childcare centers must perform health evaluations of all individuals who seek to enter and deny entry to those who do not meet evaluation criteria.
- All disaster relief childcare centers are required to notify LARA of any changes in capacity and/or age groups.

Additionally, the executive order provides definitions for all of the following:

- “Disaster relief childcare center” means a child center offering childcare pursuant to the order. Furthermore, a disaster relief childcare center must give priority for its services to the essential workforce, but is still allowed to provide childcare to the general public as space and governing regulations permit.
- “Essential workforce” includes health care workers, home health workers, direct care workers, emergency medical service providers, first responders, law enforcement, sanitation workers, child care workers, personnel, corrections officers, postal workers, public health employees, key government employees, court personnel, those performing (remotely or in person) critical infrastructure work, those performing necessary government activities, those performing minimum basic operations under Executive Order 2020-42 (Stay at Home) or any order that may follow from it
- “Critical Infrastructure” includes utilities, manufacturing, mass transit, and groceries or other essential supplies, good or equipment.

“Key government employees” includes child protective services workers, child welfare workers, foster care workers, recipient rights workers, executive office employees, cabinet officers and their designees, Department of Health and Human Services staff, Unemployment Insurance Agency employees, and other state employees identified by the Department of Technology, Management and Budget.

Pesticide Applicator License Extension – Executive Order 2020-52 - On April 17, 2020 Governor Whitmer issued Executive Order 2020-52 to provide relief for licensed pesticide applicators whose licenses expired at the end of 2019, by extending validity of their licenses until 60 days after the termination of the state emergency. That date would be June 29, 2020.

Current statute requires individuals to be licensed as either a certified pesticide applicator or registered applicator in order to apply a pesticide for a commercial purpose in the course of their employment. A person may apply a general use pesticide for a private agricultural purpose without being a certified applicator or registered applicator. However, a private agricultural applicator who plans to use a restricted-use pesticide product, may be licensed for a private pesticide applicator certification.

Licenses are for three years, and roughly one-third expire each year.

Many licensees by practice generally do not apply for, pay the fee, and take the renewal test until Spring of the following year when most spraying activity commences. Because of the statewide shutdown of non-essential services such as taking the test, there is a need for the emergency order.

Included in the license extension are commercial applicators, private agriculture applicators, certified applicators, and registered applicators.

According to the MI Department of Agriculture & Rural Development there are 2026 licensed firms in Michigan that offer pesticide application services. There are approximately 24,000 applicators total (17,000 commercial and 7,000 private). A total of approximately 7,000 applicators were up for renewal this year and about 3,400 of those applicators have not renewed yet.

Statewide agriculture advocacy organizations have been urging MDARD and the executive office to extend these licenses for the duration of the statewide emergency due to the importance of food safety and production.

Price Gouging - Executive Order 2020-53 is a rescission and revision of EO 2020-18 which also dealt with price gouging. It puts restrictions in place as it relates to the excessive pricing of goods, materials, emergency supplies, and consumer food items. These restrictions are in place until May 15, 2020 (the original EO was in effect until April 17) at 11:59 pm. These restrictions are as follows:

- A person must not resell a product in this state at a price that is grossly in excess of the purchase price at which the person acquired the product. A person must not offer for sale or sell any product in this state at a price that is more than 20% higher than what the person offered or charged for that product as of

March 9, 2020, unless the person demonstrates that the price increase is attributable to an increase in the cost of bringing the product to market or to an extraordinary discount in effect as of March 9, 2020.

- A person is defined as an individual, business, or other legal entity and a product means any good, material, or consumer food item with a fair market value of less than \$1,000.00, or any emergency supply. While there is no definition of price-gouging in Michigan law, under Section 3(1)(z) of the Consumer Protection Act, “charging the consumer a price that is grossly in excess of the price at which similar property or services are sold...” is one of the definitions of unfair, unconscionable, or deceptive methods in the conduct of trade or commerce.

Foreclosure Suspensions - Executive Order 2020-54 – Effective immediately and until May 15, 2020, at 11:59 pm the executive order suspends foreclosure and eviction proceedings under the Revised Judicature Act. Additionally, the executive order prevents any individual from interfering with another person’s lawful possession of the property unless that possession creates a substantial risk to another person or imminent and severe risk to the property. This executive order **does not** change an individual’s responsibility to make payments under the terms of a contract. The time restraints on the courts for foreclosure proceedings under the Revised Judicature Act are suspended until 30 days after foreclosure proceedings are allowed to continue as usual.

Executive Order 2020-19 is rescinded.

Michigan Coronavirus Task Force on Racial Disparities – Executive Order 2020-55 - The EO creates the Michigan Coronavirus Task Force on Racial Disparities. The Task Force is an advisory body within DHHS consisting of the following members:

- Lieutenant governor (serves as the chairperson);
- Director of DHHS, or the director’s designee;
- Chief medical executive; and,
- 24 members appointed by the governor reflecting the “diverse geographic, economic, racial, cultural, gender, and occupational composition of this state.”

Under the EO, the Task Force must do the following:

- Study the causes of racial disparities in the impact of COVID-19 and recommend actions to address such disparities;
- Recommend actions to increase transparency in reporting data regarding the racial and ethnic impact of COVID-19, remove barriers to accessing health care, reduce the impact of medical bias in testing and treatment, mitigate factors contributing to increased exposure, and develop and improve systems for supporting long-term economic recovery and health care following a pandemic;
- Perform outreach to ensure all stakeholders are informed, educated, and empowered;
- Perform outreach to ensure the general public is informed about racial disparities in the impact of COVID-19;
- Identify sources of funding for combatting racial disparities;
- Recommend changes in law relevant to combatting racial disparities; and,
- Provide recommendations on any other matters relevant to addressing racial disparities in the impact of and response to pandemics.

The EO includes specific procedure related to the operations and implementation of the Task Force. For example, the Task Force may establish advisory workgroups, make “inquiries, studies, and investigations, hold hearings, and receive comments from the public,” or consult with outside experts. The EO provides that all departments, agencies, committees, commissioners, and officers of this state must give any necessary assistance required by the Task Force, and that access also must be given to any books, records, or documents related to matters within the scope of the Task Force’s responsibility, consistent with applicable law.

The Task Force will continue its work until 90 days after the end of the emergency declaration.

Pharmacists – Executive Order 2020-56 – Effective immediately and through May 19 at 11:59 p.m., EO 56 provides for a variety of efficiencies for Pharmacists and Pharmacies, and includes provisions for health insurers and drug wholesalers.

The Executive Order provides for the following:

60-Day Prescription Refill

- Pharmacists in Michigan are allowed to dispense emergency refills for up to a 60-day supply of any non-controlled maintenance medication if the pharmacist feels that interruption of the patient's prescription would have significant adverse effects on that individual's wellbeing. In order to provide this service, the following provisions must be met by the pharmacist:
 - The patient must be informed that the prescription is being filled under this order
 - The pharmacist must inform the prescriber in writing of any refills that have received a 60-day supply.
 - Prior to providing a 60-day refill, the pharmacist must make a reasonable effort to contact the prescriber regarding the emergency refill and record the efforts taken.
 - A prescriber is considered exempt from any criminal or civil liability, or licensing disciplinary action resulting from a pharmacist prescribing under this order.

Temporary Operation of a Pharmacy

- Pharmacists may temporarily operate a pharmacy in an area not designated on the pharmacy license provided they only prepare low-risk drug products as defined by national pharmacopeial standards (USP standards)

Dispensing COVID-19 Drugs

- Pharmacists may dispense or administer drugs as needed to treat COVID-19 in accordance with protocols created by the CDC or the National Institute of Health, or as determined by Michigan's Chief Medical Executive.

Critical Drug Shortages

- Pharmacists may substitute a therapeutically equivalent medication for a medication subject to critical shortages without the authorization of a prescriber provided the patient is informed of the substitution, and the pharmacist informs the prescriber of any refills or prescriptions issued under this order.

Student Pharmacists

- A pharmacy preceptor may remotely supervise student pharmacists to provide for the fulfillment of eligibility for licensure and avoid delaying graduation for the students.

Insurance Coverage for Emergency Refills

- Insurers and HMOs that provide prescription drug benefits must cover emergency refills for covered prescription drugs dispensed by a pharmacist under this order. This includes early refills of all 30-day or 60-day prescription maintenance medication for up to a 90-day supply dispensed by a pharmacy either in-person or by mail. Lastly, insurers and HMOs can still apply policy or contract provisions governing out-of-network benefits and cost-sharing.

Remote Pharmacy Supervision

- Pharmacists may supervise pharmacy technicians, and other pharmacy staff remotely provided supervision is done through real-time, continuous cameras, allowing the pharmacist to identify markings on tablets and capsules.

The pharmacist must have access to all relevant patient information to accomplish the remote supervision and must always be available during the supervision to provide real-time patient consultation. However, pharmacy technicians cannot perform sterile or nonsterile compounding without a pharmacist on the premises.

Out-of-State Licensed Pharmacies

- Licensed pharmacies from out-of-state, which are in good standing, are allowed to practice in Michigan but are prohibited from delivering controlled substances in Michigan and must abide by all Michigan regulations. Additionally, the pharmacist-in-charge does not need to be licensed in Michigan to practice but must hold a current accreditation from a national organization approved by the MI Board of Pharmacists.

Out-of-State Licensed Wholesalers

- Out-of-state licensed wholesale distributors in good standing can also ship and conduct business in Michigan, but they cannot deliver controlled substances and must follow all Michigan regulations.

Executive order 2020-25 is rescinded by this order.

Unemployment Benefits - Executive Order 2020-57 – *This order is rescinded by EO 75*

Extending Deadlines in Civil and Probate Matters – Executive Order 2020-58 – Consistent with Michigan Supreme Court Administrative Order 2020-3, the EO suspends and extends, for the duration of the emergency declaration, all deadlines and related to timing requirements applicable to commencing a civil or probate action and proceeding, including but not limited to, any deadline for the filing of an initial pleading or complaint and the filing of any responsive pleading (i.e. a motion raising a defense or an objection to an initial pleading). Under the EO, any day that falls during the emergency declaration would not be counted for purposes of determining a filing deadline or other timing requirement.

The order does not prohibit or restrict a litigant from commencing an action or proceeding, nor does it suspend or toll any time period that must elapse before the commencement of an action or proceeding. The EO is effective immediately.

Stay Home, Stay Safe – Executive Order 2020-59 - On April 24, 2020 Governor Whitmer issued Executive Order 2020-59 which updates and extends Michigan’s “Stay-at-Home” order until May 15, 2020. Outlined in the information below are the changes from EO 42 to EO 59 regarding “Stay-at-Home.” EO 42 has been rescinded with the issuance of EO 59. The significant updates to Michigan’s “Stay-at-Home” order are as follows:

- Outdoor activities that are now allowed:
 - Boating, including motorboats;
 - Golfing;
 - Michigan state parks are now open for daytime use;
- Non-essential goods are available at curbside from a store that must otherwise remain closed to the public;
- Travel:
 - Travel is permitted to attend a meeting of an addiction recovery mutual aid society provided that no more than 10 people are in attendance;
 - Travel also includes moving to a new residence within the state;
 - People are again able to travel from one residence to another.
- New businesses allowed to resume operations;
- New sanitation and safety protocols for essential businesses;
- Big box stores (more than 50,000 square feet) are now allowed to sell non-essential items if it is a part of their ordinary sales; and
- Face masks are required for in-person operations and enclosed public spaces.

Businesses allowed to resume operations:

Under the EO, certain businesses are allowed to resume operations. Businesses and operations now considered essential, and open to in-person sales, are as follows:

- Workers who process curbside and delivery orders;
- Bicycle repair;

- Workers for garden stores, nurseries, lawn care, pest control, and landscaping operations;
- Maintenance workers and groundskeepers who are necessary to maintain the safety and sanitation of places of outdoor recreation not otherwise closed under EO 43 or any order that may follow from it; and
- Workers for moving or storage operations.

Non-essential businesses are allowed to sell products remotely so long as they are available for curbside or delivery only. Additionally, big box stores are allowed to sell items considered non-essential so long as they are typically sold at the store.

Additional Health Protocol:

Individuals

According to the EO, face masks are now required in enclosed public spaces, unless an individual cannot medically tolerate a face covering. Outdoor recreation does not require a face mask but entering public enclosed places such as grocery stores does. Face coverings for use by the public are considered to be any of the following: homemade masks, scarves, bandanas, or handkerchiefs. The face covering requirement for both individuals and in-person businesses go into effect on April 26, 2020.

In-person Businesses:

All essential businesses that engage in in-person work, or minimum basic operations, must follow the additional safety and sanitation requirements listed below:

- Businesses must provide non-medical grade face coverings to their employees that complete in-person work;
- Ban gatherings of any size that cannot maintain social distancing;
- Limit in-person interactions with clients and customers;
- Based on the activity being performed by the employee, PPE will be required to be worn (gloves, goggles, face shields, or face masks);
- Adopt protocols to limit sharing of tools and equipment to the maximum extent possible; and
- Tools, equipment, and frequently touched surfaces must be thoroughly and frequently cleaned.

Please note that information has not yet been received from the Governor's office regarding medical conditions that exempt an individual from having to wear a face covering. At this time, N95 face masks and surgical masks will be reserved for health care professionals, first responders, and critical workers that interact with the public.

Travel and Activities:

Beginning, April 10, 2020, EO 42 prohibited individuals within the state from traveling between two residences. EO 59 restores this ability allowing individuals to travel between two residences within the state. Individuals can also travel for the following reasons:

- Moving to a new residence;
- To pick up non-essential items available at curbside;
- For outdoor recreation now including golfing, boating, and visiting state parks during the daytime;
- To attend a meeting of an addiction recovery mutual aid society provided that no more than 10 people are in attendance; and
- To visit a child in out-of-home care, or to facilitate a visit between a parent and a child in out-of-home care, when there is agreement between the child placing agency, the parent, and the caregiver about a safe visitation plan, or when, failing such agreement, the individual secures an exception from the executive director of the Children's Services Agency.

Safety Measures for Food Selling - Executive Order 2020-60 – *This order is rescinded by EO-71*

Medical Professional and Health Facility Licensing – Executive Order 2020-61 – effective immediately and through the end of the declared emergency, EO – 2020-61 temporarily suspends all provisions (in whole or in part) related to the scope of practice as laid out in the Occupations article of the Public Health Code (Article 15

– MCL 333.16101-333.18838). This includes, to the extent necessary, allowing licensed, registered, or certified health care workers to provide the medical services necessary to support the COVID-19 response in the facility they work or contract with. The scope of practice for medical workers is allowed to be determined by each medical facility in accordance with the facilities' needs and the worker's education, training, and experience.

Further, the order allows medical services to be provided without supervision from a licensed physician and without regard to a written practice agreement with a physician. These actions are considered exempt from criminal, civil, or administrative penalties related to the lack of supervision.

Temporary suspension of Scope of Practice requirements specifically apply, but are not limited to the following professionals:

- Physician Assistants
 - Allows them to provide medical services in accordance with their education, training, and experience without a written practice agreement with a physician and without penalty related to the lack of a practice agreement.
- Nurse Anesthetists
 - Allows them to provide medical services in accordance with their education, training, and experience without physician supervision and without penalty related to the lack of supervision.
- Registered Nurses and Licensed Practical Nurses
 - Allows them to order COVID-19 testing.
- Licensed Practical Nurses
 - Allows them to provide medical services in accordance with their education, training, and experience without Registered Nurse supervision and without penalty related to the lack of supervision.
- Licensed Pharmacists
 - Allows them to provide care for routine health maintenance chronic disease states, or similar conditions in accordance with their education, training, and experience without physician supervision and without penalty related to the lack of supervision

Designated Health Care Facility - Notwithstanding any provision to the contrary a designated health care facility is temporarily authorized to allow health care students to volunteer or work within the facility in whatever capacity necessary to support the COVID-19 response as is appropriate with the student's education, training, and experience as determined by the facility. This provision also, specifically allows medical students, physical therapists, and emergency medical technicians to volunteer or work in a facility as a "respiratory therapist extenders" under the supervision of a physician, respiratory therapist, or advanced practice registered nurse to assist with the operation of ventilators or related devices.

Out-of-State Licensed Health Workers - Temporarily allows health care professionals licensed and in good standing in another state to practice in Michigan without criminal, civil, or administrative penalties related to the lack of a Michigan License. The provision clarifies that a licensee from another state that has pending disciplinary action, is suspended, or revoked is not considered a license in good standing. Also, any limitation that is put on a licensee in another state is considered a limitation in Michigan per this provision.

Distribution of controlled substances - Temporarily allows any drug manufacturer or wholesaler of prescription drugs with a license in good standing with another state to distribute controlled substances to Michigan hospitals, or to a licensed manufacturer or wholesale distributor. The provision clarifies that a licensee from another state that has pending disciplinary action, is suspended, or revoked is not considered a license in good standing. Also, any limitation that is put on a licensee in another state is considered a limitation in Michigan per this provision.

Qualified Volunteers/Personnel - Temporarily provides designated health care facilities with the ability to adjust the scope of practice for qualified volunteers or qualified personnel with another health care facility as though those individuals worked in the facility.

Unlicensed Volunteers or Student Temporary Governmental Immunity – clarifies that unlicensed volunteers or students at a designated health care facility who are participating in the state response to COVID-19 are considered part of the disaster relief force under section 11 of the Emergency Management Act. (MCL 30.411) and are subsequently entitled to governmental immunities as employees of the state.

Out of Country Medical Professionals – Temporarily suspends the licensing requirements for physicians, physician’s assistants, registered nurses, licensed practical nurses, and respiratory therapists to the extent necessary to allow LARA to issue a temporary license to medical professionals who are from another country if they have been licensed for at least 5-years, and who’s license is in good standing.

Licensed Medical Professional Temporary Governmental Immunity – clarifies that licensed health care workers or designated health care facilities that are performing activities in support of the state's COVID-19 response are not liable for an injury sustained by a person by reason of those services, unless it is determined that the injury or death was caused by gross negligence.

Temporary Suspension of Exam, Continuing Education and Fingerprinting Requirements - Under this EO, any law or regulation is temporarily suspended that requires a health care professional, as a condition of licensure, certification, registration, or the renewal of a license, certification, or registration to do any of the following listed below:

- An exam canceled during the state of emergency
- Fingerprinting due to location closures arising from the state of emergency
- Continuing education

Expiring Certifications - Individuals who currently hold professional certifications in basic life support, advanced cardiac life support or first aid that are due to expire during this emergency declaration will remain in effect until the emergency declaration is lifted.

911 Dispatcher Training/Continuing Education - Training modules or continuing education requirements are suspended for **60 days** for telecommunicators or trainee telecommunicators employed by primary safety answering points.

Criminal Record Check Requirements - Fingerprinting requirements are temporarily suspended to the extent that it requires employee fingerprinting as a condition of licensure and certification for hospitals, nursing homes, Adult Foster Care facilities, county medical care facilities, or psychiatric hospitals. However, the facilities must conduct a public records search on individuals seeking employment through the internet criminal history access tool (ICHAT) to determine if the applicant is ineligible for employment.

Designated Health Care Facility - This EO also classifies the list below as a **designated health care facility**:

- An ambulance operation, aircraft transport operation, non-transport prehospital life support operation, or medical first response service
- county medical care facility.
- Freestanding surgical outpatient facility.
- Health maintenance organization.
- Home for the aged
- Hospital
- Nursing home
- Hospice
- Hospice residence
- A facility listed above located in a university, college, or other education institution
- State-owned surgical centers
- State-operated outpatient facilities
- State-operated outpatient facilities
- State-operated veterans facilities

This executive order rescinds EO 2020-30

MDOC & County Jails - Executive Order 2020-62 - is a re-issue of 2020-29, which requires the Michigan Department of Corrections to implement risk reduction protocols, suspends strict compliance with the capacity and procedural requirements regarding county jail overcrowding, and strongly encourages early release of prisoners who do not present a safety risk.

Under the EO, the Michigan Department of Corrections (MDOC) must continue to implement risk reduction protocols, including the following:

- Screening all person arriving at or departing from a facility;
- Restricting all visits, except for attorney-related visits;
- Limiting off-site appointments to urgent or emergency medical treatment;
- Developing and implementing protocols for persons who display symptoms of COVID-19;
- Notifying DHHS of any suspected case that meets the criteria for COVID-19;
- Providing appropriate personal protective equipment to all staff;
- Conducting stringent cleaning of all areas and surfaces on a regular basis;
- Ensuring access to personal hygiene products for incarcerated persons and staff;
- Ensuring protective laundering protocols are in place;
- Posting signs and educating on the importance of social distancing, handwashing, and personal hygiene;
- Practicing social distancing in all programs and classrooms; and,
- Minimizing crowding, including interactions of groups of 10 or more people.

To mitigate the risk of COVID-19, the EO also temporarily suspends strict compliance with the capacity and procedural requirements regarding county jail overcrowding in the County Jail Overcrowding Act (CJOA). This means that local authorities are authorized to take all actions to reduce jail population that would be otherwise authorized under the CJOA in a state of (overcrowding) emergency. The EO strongly encourages local authorities to consider early release for the following persons, if they do not pose a public safety risk:

- Older people, people who have chronic conditions or are otherwise medically frail, people who are pregnant, and people nearing their release date;
- Anyone incarcerated for a traffic violation;
- Anyone incarcerated for failure to appear or failure to pay; or,
- Anyone with behavioral problems who can safely be diverted for treatment.

The EO also suspends all transfers into the MDOC's custody. However, if the MDOC determines that a county jail or local lockup has satisfactorily implemented risk reduction protocols, then transfers from that jail or lockup will resume consistent with the Department's risk reduction protocols. The MDOC may reject transfers that do not pass screening protocol. Under the order, parole violators must not be transported to or lodged in a jail or lockup until the MDOC has determined that such jail or lockup has satisfactorily implemented risk reduction protocols.

The EO encourages juvenile detention centers to reduce COVID-19 risk by:

- Removing any juveniles who have COVID-19 symptoms from the general population;
- Eliminating juvenile detention unless a juvenile is a substantial and immediate safety risk to others;
- Providing communication to all juveniles regarding COVID-19, access to medical care, and community-based support; and,
- Facilitating access to family, education, and legal counsel through electronic means, rather than in-person meetings.

For juveniles on court-ordered probation, the EO suspends out-of-home confinement for technical probation violations and any requirements for in-person meetings with probation officers.

Finally, the EO requires the State Budget Office to immediately seek a legislative transfer to reimburse counties for lodging incarcerated persons that would have been transferred to the MDOC.

Suspending the Expiration of PPOs – Executive Order 2020-63 – Consistent with Michigan Supreme Court Administrative Order 2020-11, the EO provides that all personal protection orders (PPOs) that would otherwise expire before June 1, 2020 are automatically extended to July 21, 2020. Under the EO, the relevant court or law enforcement agency must record the extension in LEIN and, to the extent possible, provide notice to the respondent of the extension. The EO does not prohibit the following:

- Any objection to the extension of a PPO;
- Any motion to modify or terminate a PPO; or,
- A petitioner consenting to termination of a PPO.

Anti-discrimination in health care – Executive Order 2020-64 – Effective immediately, the EO affirms anti-discrimination policies and establishes procedures that ensure the equitable allocation of medical resources. The EO states that it is the public policy of this state that “no person should be denied medical care on the basis of stereotypes, assessments of quality of life, or judgments about a person’s relative ‘worth,’ including judgments about a person’s worth based on the presence or absence of disabilities.”

Under the EO, health care providers must:

- Take necessary steps to ensure non-discrimination in the delivery of critical care and allocation of medical resources; and,
- Support individual’s functional needs to the fullest extent possible, including the need for independence, communication, transportation, supervision, and medical care.

Health care facilities must develop protocols that guide decision-making for medical care where demand for critical medical resources exceeds availability. The protocols must be based on objective medical evidence and also:

- Prohibit medical decision-making based on social stigma or stereotypes regarding age, color, criminal history, disability, ethnicity, familial status, gender, height, homelessness, immigration status, incarceration status, marital status, mental illness, national origin, poverty, race, religion, sexual identity, sexual orientation, socio-economic status, substance abuse disorder, use of government resources, or weight;
- Provide for coordinating and sharing of information with DHHS;
- Ensure that withholding or delaying care due to lack of critical resources is always a last resort; and,
- Require the protocols to be posted on the internet and available upon request.

School Closure - Executive Order 2020-65 – Is a reissuance of EO 35 and provides guidance to school districts, parents and students to continue the learning process while school buildings remain closed due to the coronavirus health emergency. Under the order, school districts are responsible for developing a “Continuity of Learning Plan” by submitting a “COVID-19 Seat Time Waiver” application to their intermediate school district (ISD) or authorizer if they are a public school academy. The plan is meant to outline how the district will provide alternative modes of instruction and make other commitments.

In addition to maintaining the provisions in EO 2020-35, EO 2020-65 makes the following changes:

1. Waives requirements for completing fire and other school safety drills;
2. Waives requirements to provide instruction on HIV/AIDS, reproductive health and sexual education;
3. Waives compulsory attendance and enforcement requirements;
4. Requires districts to adopt or amend their Continuity of Learning Plan to include a plan for early childhood services including Great Start Readiness Programs;
5. Establishes a process for teachers to be evaluated and receive tenure; and
6. Provides a process for the State Superintendent to waive or temporarily suspend rules interpreting the School Aid Act.

Building Closure and Forgiveness Of Days:

EO 2020-35 closes all school buildings (public, private and boarding) for the remainder of the 2019-20 school year unless restrictions are lifted before the end of the school year. The order forgives 13 days of instruction beyond the 6 “snow days” currently allowed for under the law. (Note: The State Superintendent will not be issuing waivers for the additional 3 days that districts can apply for under current law) Districts may also receive credit for another 5 days for professional development to help educators prepare for new models of instruction. This provides districts with a total of 24 days of forgiveness. The 75% attendance requirement is also waived.

Cyber charter schools may continue to operate as currently allowed for under the law.

School facilities may be used by school employees and contracts for the purposes of facilitating the new models of instruction but must practice social distancing in compliance with EO 2020-21 Stay Home/Stay Safe and implement enhanced cleaning of facilities. Parents and guardians may visit the school for the purposes of obtaining materials and equipment that align with the school's plan. Travel for these purposes are considered essential for purposes of EO 2020-21.

Continuity of Learning Plan:

School districts are responsible for developing a "Continuity of Learning Plan". Applications for a "COVID-19 Seat Time Waiver" will be submitted to their ISD or authorizer if they are a public school academy, must be transmitted to the Michigan Department of Education and Department of Treasury, and must be posted on the district's website if they have one. The plan must be approved in order for the district to continue to receive state aid.

Important Dates:

- April 3 – ISDs and authorizers shall develop a model application and distribute to schools
- April 8 – ISDs and authorizer must be ready to accept applications
- No later than April 28 – Districts must start implementation of their approved plan

Key Component of the Plan:

- Description of how districts will continue to provide instruction, by alternative modes of instruction*
- If districts rely on electronic instruction the plan must ensure to the extent feasible that pupils have access to a connected device capable of accessing the internet.
- Description of how schools will manage and monitor student learning as well as evaluate student participation
- Budget outline
- Description of how administrators, board members, teachers and unions collaborated to develop the plan.
- Description of how students and parents were notified
- Assistance to dual enrollment students
- Commitment to continue providing food distribution
- Commitment to paying all school employees
- Commitment to continue providing mental health services
- Commitment to support efforts related to disaster relief child care centers

**Alternative Modes of Instruction* is defined as modes of pupil instruction, other than in-person instruction, that may include, without limitation:

- partnerships with other districts of intermediate school districts or community colleges or institutions of higher education,
- use of vendors,
- use of online learning,
- telephone communications,
- email,
- virtual instruction,
- videos,
- slideshows,
- project-based learning,
- use of instructional packets or
- a hybrid of modes of learning that still promote recommended practice for social distancing.

Districts would have the option to transition to balanced calendar for the remainder of this year or start prior to Labor Day next school year.

As part of the plan, districts must ensure high school seniors graduate on time with all of their required credits and grades as well as be awarded transcripts and diplomas. To achieve this, students can be awarded credit by demonstrating content mastery, utilizing project-based learning, submitting a portfolio or resume of work or a culmination of work.

All decisions about content or curriculum are made by the local school district and they may partner with vendors or other districts/ISDs to implement their plans.

Special Education:

Under the order, districts must strive in good faith and to the extent practicable to provide equal access to alternative modes of instruction for special education students that utilize existing resources, technology, training and curriculum. They must also comply with the updated guidance from the US Department of

Education (USDOE) and make individual determinations whether and to what extent compensatory services may be necessary for special education pupils.

Within 5 days of the order being issued, the MDE and Department of Civil Rights (DCR) are encouraged to submit requests for interpretation, guidance, flexibility or waivers from the USDOE. This is necessary to gain clarity on how to implement changes to individualized education plans or 504 plans without reconvening and complete them online or by other means. The MDE and DCR must notify the Governor before requesting guidance or flexibility.

Other Key Provisions:

Student Assessments - All state and federal required assessments scheduled for the Spring 2020 are canceled. This includes; MSTEP, MME, PSAT, WIDA ACCESS, WorkKeys, and the Kindergarten Readiness Assessment. Students in 8th through 10th grade will be given the PSAT and 11th graders will be given the SAT in Fall 2020. *Any requirement that relies on this data is also suspended for one year. This includes the Read by Grade Three Law, Educator Evaluations, A-F Letter Grading and Partnership District goals.*

Shared Time - Districts may continue to provide non-essential elective courses to nonpublic and/or homeschooled students to the extent feasible through alternative modes of instruction.

Nonpublic Schools - Nonpublic schools are encouraged to offer online, remote or home-based instruction similar to public schools and can still utilize nonessential coursework if feasible. They must also take actions necessary to continue to receive federal funding in a manner consistent with the law.

EO-2020-66, which terminates the state of emergency and disaster under the 1976 Act because she did not get the necessary legislative approval of her extension.

EO-2020-68 declaring a NEW state of emergency under the 1976 Act through May 28, 2020.

EO-2020-67 restating that the state of emergency under the 1945 Act remains in place through May 28, 2020.

Salon Closure - Executive Order 2020-69 – Effective immediately and until May 28th this executive order reaffirms EO 2020-43 that closed specific places of “Public Accommodation” and all places of “Public Amusement” that aren’t specifically listed. The executive order specifically lists bars, restaurants, performance venues, libraries, museums, fitness centers, casinos, and places of public amusement.

Stay-at-Home – Executive Order 2020-70 – This order is rescinded by EO 77

Safety Measures for Food Selling – Executive Order 2020-71- is a re-issue of EO 2020-60 concerning safety precautions for food selling establishments and pharmacies. It rescinds EO 2020-60 and makes 3 other changes.

- 1) It removes the misdemeanor penalty if a person does not wear a face covering into a food selling establishment or pharmacy. While this had been previously stated, the EO did not accurately reflect this.
- 2) Removed from the required screening questions that must be asked of staff before reporting for work the question about having diarrhea, as this is not a recognized symptom of COVID-19
- 3) Extends the order to May 30. EO 2020-60 was set to expire on May 15.

EO 2020-71 has the following provisions:

- The order is effective immediately and is in effect until May 30, 2020.
- For purposes of this order, food-selling establishments means grocery stores, convenience stores, gas stations markets, farm markets, restaurants that sell groceries or food available for takeout and any other business that sells food.

- Any individual who enters food-selling establishments and pharmacies must wear some form of face covering provided that they are medically able to do so.
- Grocery stores and pharmacies must create at least 2 hours per week of dedicated shopping times for vulnerable populations.
- Food-selling establishments and pharmacies must deploy strategies to reduce COVID-19 exposure for their customers and employees. This includes among other things:
 - Requiring checkout employees to wear face coverings;
 - Use best efforts to allow for and facilitate hand-washing and hand-sanitizing;
 - Close self-serve stations such as salad bars and eliminate free samples and tasting stations;
 - Develop procedures to meet the environmental cleaning guidelines set by the CDC including the disinfecting of frequent touchpoint surfaces such as carts and baskets throughout the day;
 - Ensure that both employees and customers are practicing social distancing requirements;
- Prohibit employees who are sick from reporting to work and send employees home if they display symptoms of COVID-19.
- Accommodate employees who fall within a vulnerable population, by providing lower-exposure work assignments or giving them the option to take an unpaid leave of absence until the state of emergency is over.
- Close to the public for sufficient time overnight to allow stores to be properly sanitized.
- Encourage cash transactions to be processed at self-checkout kiosks where possible.
- Develop and implement a daily screening program for all staff upon or just prior to reporting to work sites.
 - This screening program must include specific health and travel related questions to ascertain an employee's potential exposure to COVID-19.
 - For those who answer yes to the screening questions, protocols are proscribed for when an individual may return to work.
- Vendors moving between food-selling establishments must frequently clean and disinfect common touchpoints.
- If an employee at a food-selling establishment tests positive for COVID-19, the establishment must notify food vendors and other employees of that fact in a way that does not reveal the personal health-related information of an employee.
- The order temporarily extends the deadlines for fees and registration for food establishments including the fee to local health departments. The current expiration date is April 30. This is extended until 60 days after the states of emergency are terminated, or another EO replaces this one. Additionally, late fees for the food establishment licenses shall not be assessed for the 2020-21 year. MCLs 289.3119, 4109, 4113, and 4115 are temporarily suspended.
- MCL 289.6137 is also temporarily suspended to allow a license holder to remain eligible for a special transitory temporary food unit (food truck) for the 2020-2021 licensing year, even if the license holder received only 1 evaluation (instead of the required 2 evaluations) during the 2019-2020 licensing year.

Visitation Restrictions – Executive Order 2020-72 – Effective immediately and continuing through May 31, 2020, at 11:59 p.m. all health care facilities, residential care facilities, congregate care facilities and juvenile justice facilities must do all of the following:

- Prohibit visitors from entering the facility that are not parents, foster parents, or guardian of an individual under the age of 21; are not necessary for medical care, or support daily living activities; are not a residents attorney or court-appointed guardian, or are not visiting a person who is in serious condition or in hospice care.
- Perform a health evaluation of all persons entering the facility that are not under the care of the facility. The assessment must be performed each time the person enters the facility. Further, the facility is required to deny entry to any individual who has symptoms of a respiratory infection, such as a fever, cough, or shortness of breath, or was in contact with someone with a confirmed diagnosis of COVID-19 within the last 14-days.
- Require that all staff and visitors wear a face mask when indoors or within 6-feet of another person.
- Must make best efforts to facilitate phone or other electronic communication platform visitation options for individuals in their care.

- Under this order, “residential care Facilities” include but are not limited to, Homes for the aged, nursing homes, adult foster care facilities, hospice facilities, substance abuse disorder residential facilities, independent living facilities, and assisted living facilities.

A willful violation of this order constitutes a misdemeanor.

Lastly, Executive Order 2020-72 rescinds Executive Order 2020-37.

Motor Carrier Fuel Tax Licensure Waiver - Executive Order 2020-73 On May 5, 2020, Governor Whitmer issued Executive Order 2020-73, which provides relief from credentialing requirements for commercial motor carriers under the Motor Carrier Fuel Tax Act (MCTFA) and the International Fuel Tax Act (IFTA). This relief is only for motor carriers transporting essential items or personnel.

The EO defines “critical assistance related to the COVID-19 pandemic” as the following:

- Medical supplies or equipment related to the testing, diagnosis, and treatment of COVID-19;
- Supplies and equipment necessary for community safety, sanitation, and the prevention of community transmission of COVID-19 such as masks, gloves, hand sanitizer, soap, and disinfectants;
- Food for the emergency restocking of stores;
- Equipment, supplies, and persons necessary to establish and manage temporary housing, quarantine, and isolation facilities related to the COVID-19 emergency;
- Persons designated by federal, state, or local authorities for medical, isolation, or quarantine purposes; and
- Persons necessary to provide other medical or emergency services, the supply of which may be affected by the COVID-19 emergency.

Critical assistance related to the COVID-19 pandemic does not include routine commercial deliveries or a mixed load delivery of both essential and non-essential items and/or personnel.

The EO provides the following relief until May 5, 2020 and waives all fines, penalties, and criminal sanctions for violations of the following temporarily suspended requirements:

1. Licensure requirements under MCTFA are suspended;
2. The two decal per commercial motor vehicle requirement has been waived;
3. Trip permits for unlicensed motor carriers operating commercial vehicles, in addition to the fee, are temporarily suspended; and
4. Requirements for the credentialing of motor carriers issued by the Michigan Department of Treasury and the IFTA are waived.

“Motor carrier” as defined under the MCTFA means a person who operates a qualified commercial motor vehicle on a public road or highway in this state, at least one other state or Canadian province, and who is licensed under the IFTA.

The EO does not suspend, restrict, or waive any other state requirements including any requirements relating to the reporting, payment or remittance of, and recordkeeping for, taxes imposed or arising under the MCFTA and/or the IFTA.

Electronic Signatures, Remote Notarization & Remote Witnessing – Executive Order 2020-74 - is a re-issue of 2020-41, which suspends rules and procedures to allow for the use of various electronic records and electronic signatures when notarization is required for certain records.

Effective immediately, the EO suspends rules and procedures to facilitate the use of electronic signatures pursuant to the Uniform Electronic Transactions Act (UETA) and the Uniform Real Property Electronic Recording Act (URPERA). It also authorizes financial institutions, register of deeds, and others that rely upon or require notarial acts or witness attestations and acknowledgements in connection with a transaction to accept and record electronic or remote notarial acts as well as remote witness attestations and

acknowledgements. The EO encourages the use of electronic records and electronic signatures and, when notarization is required, the use of a remote electronic notary.

Electronic Signatures & Records

The EO suspends strict compliance with the UETA and URPERA and permits the use of an electronic signature for a transaction whenever a signature is required under Michigan law, unless the law specifically mandates a physical signature. It also permits state departments to send and accept electronic records and signatures without review or approval by DTMB.

Notarization & Witness Requirements

The EO suspends strict compliance with the Michigan Law on Notarial Acts to the extent that it requires a notary to be in the *physical* presence of an individual seeking the notary's services or any required witnesses. Under the EO, any notarization may be performed utilizing two-way, real-time audio-video technology if certain conditions are met (i.e. the technology allows direct interaction, is capable of recording, proof of identity, etc.). Any requirement that an individual "appear personally before" or be "in the presence of" a notary at the time of notarization is satisfied if the individual, witnesses, and notary can communicate simultaneously by "sight and sound" at the time of the notarization. The EO also provides that any in-person witness requirements under Michigan law may be satisfied by the use of two-way, real-time audio-video technology, provided that certain conditions and safeguards are met.

Under the EO, a guardian, guardian ad litem, or visitor may satisfy any requirement concerning a visit with a person by instead conferring with that person via two-way, real-time audio-video technology, provided the technology allows direct, contemporaneous interaction.

Finally, during the emergency, financial institutions and register of deeds may not refuse to record a copy of an electronic record for the reason that it does not bear the original signature of a person, witness, or notary, if the notary certifies that the copy is an accurate electronic record.

Note: Information on electronic and remote notarial acts is available at:

www.michigan.gov/documents/sos/ENotary_and_Remote_Notary_Guide_2019_eq051319_655391_7.pdf

Open Meetings Act – Executive Order 2020-75 - Governor Whitmer previous issued Executive Orders 2020-15 and 2020-48, which provides temporary authorization allowing remote participation for local government public meetings and hearings. It also provides temporary relief from statutory required monthly school board meetings. EO 2020-75 rescinds EO 2020-48 that was previous in place that provided the same authorization.

The EO is effective immediately and will last through June 30, 2020. More specifically EO 2020-75 does the following:

- Temporarily allows for public meetings to be held remotely as follows:
 - Public body may meet electronically, including by telephone conferencing or video conferencing in a way that allows for participation by the general public and members of the public body.
 - Public bodies that meet by electronic means must conduct meetings to allow two-way communications that permit both the body to hear one another as well as the public and must allow the public to hear the public body and any other participant.
 - Members of the public body and the general public who attend a meeting electronically are considered present and in attendance and may participate in the meeting as if they were physically present.
 - It is important to note that this includes the right to vote.
 - Everyone must be permitted to participate in a meeting of a public body held electronically unless otherwise provided in the OMA.
 - Public bodies who maintain a website must provide notice requirements under the OMA and state in advance notice of an electronically held meeting that must include all of the following:
 - An explanation as to why the meeting is being held electronically.

- Detailed procedures on how the public may participate in the meeting through a phone number, internet address, or both.
 - Procedures on how individuals may contact members of the public body to ask questions or provide input on and business that comes before the public body.
 - Procedures on how individuals with disabilities may participate in the meeting.
- Individuals would have the right to record, videotape, broadcast live on radio, or telecast live on TV the proceedings of a meeting held electronically, without prior approval of the public body. The public body may establish reasonable rules and regulation to limit the possibility of disrupting the meeting.
 - The public body may not require an individual to register (such as provide name or other information) as a condition to participate in the meeting electronically but may have mechanisms in place to permit an individual to participate in public comments.
 - An individual must be permitted to address the public body at a meeting held electronically and must not be excluded from a meeting open to the public except for a breach of the peace committed during the meeting.
 - To prevent questions as to how a member voted, all votes at a meeting held electronically are urged to be roll call votes.
 - Public bodies that maintain a website are encouraged to make information available to the public on the site such as the agenda and other materials related to the meeting.
 - Members of the general public may be excluded from a closed session of a meeting held electronically by a public body if it is conducted in compliance with the requirements of the OMA applicable to a closed session.

Public bodies that hold a meeting electronically are encouraged to do so as fully as possible under the OMA, which includes promoting government accountability and fostering openness in government to enhance responsible decision-making. Members of a public body must avoid using email, texting, instant messaging, and other electronic forms of communication to make a decision or deliberate a decision or decision-making not accessible to the public at an open meeting.

Decisions or actions made by a public body in compliance with EO 2020-75 and other requirements of the OMA, it is in compliance with the OMA.

The EO mentions that nothing in its language is intended to limit or restrict the right of the press or other news media.

EO 2020-75 specifically states that a “public body” under its terms does *not* apply to state legislative bodies. This means that there is no exemption within for the House, Senate, or its respective committees.

"Public body" as defined in the OMA means any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement; or the board of a nonprofit corporation formed by a city under section 4o of the home rule city act, 1909 PA 279, MCL 117.4o.

Unemployment Benefits - Executive Order 2020-76 – Effective immediately this executive order reaffirms previous executive orders that expanded unemployment benefits. Previous executive orders have expanded on the existing workshare program to encourage employers to retain employees and prevented an employer from being charge for unemployment resulting from the COVID-19 virus and associated executive orders. Additionally, EO 2020-76 removes the “requalification” requirements for an individual that was previously determined to be disqualified for UIA benefits.

Stay Home. Stay Safe – Executive Order 2020-77 - On May 7, 2020 Governor Whitmer issued Executive Order 2020-77, which updates and extends Michigan’s “Stay-at-Home” order until May 28, 2020 at 11:59pm. EO 70

has been rescinded with the issuance of EO 77. Outlined in the information below are the changes from EO 70 to EO 77:

- Workers necessary to train, license, and credential first responders and health care workers are considered essential:
 - Including police officers, fire fighters, paramedics, and certified nursing assistants;
 - Notes: Instruction to these individuals should be provided remotely to the greatest extent possible;
- Beginning May 11, 2020 at 12:01am, workers necessary to perform start-up activities at manufacturing facilities are considered essential:
 - Including activities necessary to prepare the facilities to follow the workplace safeguards (outlined below), in addition to suppliers, distribution centers, or service providers who's in-person presence is necessary to enable, support, or facilitate another business's or operation's resumed activities;
 - Note: This work cannot begin until the facility complies with workplace safeguards (outlined below);
- Individuals are now allowed to temporarily remove their face covering when entering enclosed public spaces for identification purposes; and
- Businesses, operations, and government agencies completing in-person work must also wear facemasks when social distancing is not possible. When workers cannot maintain three feet of separation, facemasks must be considered.

Similar to EO 70, all businesses permitted to allow in-person work must adhere to the following health and safety guidelines: Businesses must provide non-medical grade face coverings to their employees that complete in-person work, ban gatherings of any size that cannot maintain social distancing, limit in-person interactions with clients and customers, adopt protocols to limit sharing of tools and equipment to the maximum extent possible, and tools, equipment, and frequently touched surfaces must be thoroughly and frequently cleaned. Additionally, based on the activity being performed by the employee, PPE will be required to be worn (gloves, goggles, face shields, or face masks).

Travel:

Under the EO, there are two additions to travel. Travel is now allowed for the purpose of licensing, credentialing or training for first responders and health care workers. Additionally, individuals will not be penalized for traveling to places of religious worship.

Manufacturing:

Under EO 77, there are additional workplace safeguards for the manufacturing industry:

- Conduct daily entry screening protocol for workers, contractors, suppliers, and other individuals that enter the facility:
 - This includes a symptoms and exposure questionnaire, as well as a temperature screening as soon as no-touch thermometers can be obtained;
- Create dedicated entry point(s) at every facility for daily screening:
 - This includes putting physical barriers in place to prevent anyone from bypassing the screening process;
- Suspend all non-essential in-person visits:
 - This includes tours;
- Reduce congestion in common spaces wherever practicable:
 - This includes closing salad bars and buffets in kitchens and cafeterias, requiring individuals to sit at least six feet from one another, placing markings on the floor to allow social distancing while standing in line, offering boxed food via delivery or pick-up points, and reducing cash payments;
- Implement rotational shift schedules where possible:
 - This includes increasing the number of shifts or alternating days or weeks;
- Stagger start times and mealtimes;
- Install temporary physical barriers, where practicable, between workstations and cafeteria tables;
- Create protocols for minimizing personal contact upon delivery of materials to the facility;
- Adopt protocols to limit the sharing of tools and equipment;
- Frequently and thoroughly clean and disinfect high-touch surfaces;

- Special attention should be given to parts, products, and shared equipment (tools, machinery, and vehicles);
- Ensure there are sufficient handwashing or hand-sanitizing stations at the worksite to enable easy access by workers:
 - The use of hand dryers should be discontinued;
- Notify plant leaders and potentially exposed individuals upon identification of a positive case of COVID-19 in the facility:
 - This includes maintaining a central log for symptomatic workers or workers who received a positive diagnosis for COVID-19;
- Send potentially exposed individuals home upon identification of a positive case of COVID-19 in the facility;
- Encourage workers to self-report to plant leaders as soon as they develop COVID-19 symptoms; and
- Shut areas of the manufacturing facility for cleaning and disinfection, if a worker goes home because that individual is displaying symptoms of COVID-19.

Lastly, manufacturing facilities are required to train workers on the following topics: how the COVID-19 virus can be transmitted from person to person, distance that the virus can travel in the air, how long the virus remains viable in the air and on environmental surfaces, symptoms of COVID-19, steps the worker must take to notify the business or operation of any COVID-19 symptoms or a suspected or confirmed diagnosis, measures that the facility is taking to prevent worker exposure to the virus (the workplace safeguards mentioned above), rules that the worker must follow in order to prevent exposure to and spread of the virus, and how to use, put on, and take off personal protective equipment.

Extending Licenses and Registration – Executive Order 2020-78 - On May 8, 2020 Governor Whitmer issued Executive Order 2020-78 extending the validity of Michigan-issued operator and chauffeur licenses, state identification cards, and vehicle registrations. With the issuance of EO 78, EO 47 is rescinded.

Under EO 78, state personal identifications and licenses that expired, or are set to expire, between February 1, 2020 and June 30, 2020 will be valid until July 31, 2020. Michigan residents are still expected to try and complete a vehicle registration or license renewal online at www.michigan.gov/SOS/. When renewing a license that expired on or after February 1, or a registration that expired after March 1, 2020, the Secretary of State will not charge a late fee if renewed before July 31, 2020. The Secretary of State still has the authority to suspend or revoke an operator's or chauffeur's license or endorsements, a commercial learner's permit, or vehicle designations pursuant to the Michigan Vehicle Code.

For chauffeur or operator licenses with any group designation or endorsement the following relief is provided until July 31, 2020:

- Applicable medical certifications are suspended. Instead, individuals must carry a paper copy of a medical certificate that expired on or after March 1, 2020; and
- A commercial vehicle can operate as though it had a valid vehicle registration so long as the registration expired on or after March 1, 2020.

The EO instructs automobile insurers not to take any adverse or negative actions against individuals due to their license or registration that expired between February 1, 2020 and June 30, 2020. Such actions include but are not limited to canceling, voiding, rescinding, or refusing to issue or renew a policy or deny a claim, in addition to increasing automotive insurance premiums for a new policy or the renewal of an existing policy.

EO 78 *does not* provide temporary extension, including auto insurance relief, to an individual with an operator or chauffeur license that has had their driving privileges suspended or revoked for traffic offenses. Additionally, an individual with this designation is not exempt if they have been diagnosed or developed the following since their last medical certificate was issued:

- A medical condition that would disqualify them from operating a commercial vehicle; or
- A medical condition that requires an exemption or Skill Performance Evaluation from the Federal Motor Carrier Safety Administration (FMCSA).

For the duration of the EO, law enforcement cannot arrest any individual that has an expired operator or chauffeur license or impound a car with an expired vehicle registration.

Restrictions on Big-Box Stores and In-Person Sales:

Limitations placed on stores with more than 50,000 square feet of customer floor space:

Stores with more than 50,000 square feet of customer floor space are no longer able to sell certain goods that are considered non-essential items including carpet or flooring, furniture, items in garden centers or plant nurseries, and paint. In order to designate to shoppers that these items are not for purchase, the store can do any of the following: cordon off or close down the section of the store with those items, remove them from shelves, placing or posting signs in the aisles, or by any other means necessary. Additionally, beginning April 13, 2020, stores with more than 50,000 square feet of customer floor space, are no longer able to advertise items that are considered non-essential. Any advertisements made by stores must be for groceries, medical supplies, or items necessary for the safety, sanitation, or basic operation of residences.

Stores with 50,000 square feet of customer floor space must dedicate two hours per week to open for vulnerable populations only. These populations include individuals over 60, pregnant women, or those with heart disease, diabetes, and lung disease.

Occupancy restrictions:

To reduce the number of people in stores the EO creates the following occupancy rules:

- For stores with less than 50,000 square feet of customer floor space, occupancy must be limited to 25% of the amount established by the State Fire Marshal or a local fire marshal (this *includes* employees)
- For stores with more than 50,000 square feet of customer floor space, occupancy must be limited to 4 people per 1,000 square feet. However, this equation must be calculated to *exclude* the areas of the store that sell carpet or flooring, furniture, items in garden centers or plant nurseries, and paint (this *excludes* employees)

While people wait to enter stores due to occupancy restrictions, stores must regulate social-distancing requirements of six feet apart. Employers must consider curbside pick-up in addition to exploring alternative options to lines, such as texting or calling customers when it is their turn to enter.

The EO additionally grants the DHHS Director the authority to further limit these occupancy restrictions. This allows Director Gordon, by emergency order, to decrease the capacity at these stores even more than the EO permits.

Health Practices and Standards for Essential Businesses/Government Activities/In-Person Work:

For necessary in-person work, social distancing practices (six feet apart to the maximum extent possible) and the following measures must be adhered to:

- Development of a COVID-19 preparedness and response plan that follows the recommendations presented by the Occupational Health and Safety Administration, which can be found [here](#). *This plan MUST be posted on the company headquarters or the worksite. The Governor's office did not specify the date this must be completed by in the EO;*
- Number of workers present must be restricted to only meet critical infrastructure or minimum basic operation needs;
- Promote remote work to the greatest extent possible;
- Cleaning and disinfectant standards of facilities must be increased;
- Develop a protocol for cleaning and disinfecting in the event of a positive COVID-19 case in the workplace;
- Adopt policies preventing an employee from entering the premises should they display signs of respiratory symptoms or have been in contact with someone who has had a positive case of COVID-19; and

- Adopt any other social distancing practices and mitigation measures recommended by the CDC.

In-Person Government Activities:

All non-essential government activities, no matter if at the state, county, or municipal level, are suspended. Government workers and activities considered necessary include, but are not limited to, law enforcement, first responders, activities performed by critical infrastructure workers, public safety, public transit, trash pick-up and disposal (including recycling and composting), activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business's or operation's critical infrastructure workers, and the maintenance of safe and sanitary public parks to allow for outdoor activity permitted under this order.

Workers deemed necessary to complete minimum basic operations are also considered essential and do not need designation to perform their duties.

Please note: The EO does not interfere with the activities of the legislative or judicial branch that are necessary to perform their constitutional duties or exercise their power.

Travel Exceptions:

Travel is allowed, and practicing social distancing is expected, for the purposes of:

- Outdoor physical activity (walking, hiking, running, cycling, kayaking, canoeing, or other similar physical activity, as well as any comparable activity for those with limited mobility)
- Performing a critical infrastructure job if deemed essential;
- Conducting minimum basic operations of a business;
- Necessary government activities;
- Obtaining services or supplies necessary for themselves, household members, family members, pets, and their vehicles (including gasoline, needed medical supplies, take-out food, groceries, any and other supplies necessary to maintain the safety, sanitation, and operations of residences);
 - Note: These supplies should be delivered to the greatest extent possible;
- Performing tasks necessary to the health and safety of the individual, household member, family member, or pet (including emergencies);
 - Note: This includes procedures that, in accordance with a duly implemented nonessential procedures postponement plan, have not been postponed;
- Caring for a family member or family member's pet in a different household;
- Caring for minors, dependents, elderly, persons with disabilities, or vulnerable persons;
- Visiting an individual in a health care facility, residential care facility, or congregate care facility (unless permitted);
- Attending legal proceedings or hearings that the court deems as essential or emergency purposes;
- Volunteering or working for businesses or operations (secular and non-secular) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;
- Attending a funeral, no larger than 10 people;
- Dropping off a vehicle to motor vehicle dealerships; and
- Leaving or returning from an out-of-state residence.

Traveling between two in-state residences, including vacation rental properties, will NOT be allowed beginning on April 11, 2020. Household members should limit the number of residents that leave for an errand at a time.

DHHS Action on Executive Order Violations: On Thursday, April 2, 2020 the Michigan Department of Health and Human Services (DHHS) passed an emergency order declaring violations of large gathering, travel and or activities related to Michigan stay-at-home order punishable by a civil infraction of up to \$1,000. Prior to this action, all violations of executive orders were considered misdemeanors, punishable by \$500 and jail time. At the encouragement of others to lower the criminal penalties for such violations, the administration agreed to take action to increase the fine but lower the violation from a misdemeanor to a civil infraction.

Personal Protection Equipment (PPE) Manufacturing – The Michigan Manufacturing Association (MMA) and the Michigan Economic Development Corporation (MEDC) (Pure MI Business Connect) have been coordinating supply chain management on the manufacturing of PPE. The following information might be useful to the entities that are and or can manufacture PPE. MMA and MEDC are compiling lists of suppliers ready and willing to help, and MMA has shared their list of businesses with the MEDC.

To date, Michigan has received the following items from the federal government as part of multiple shipments to the state. The first stockpile allotment was sent to the state's 45 local health departments and healthcare providers based on population. Shipments of the second, third, and fourth allotment were sent to regions with the highest numbers of COVID-19 case.

Item	Total
Gowns	121,590
Coveralls	3,853
Gloves	656,550
Face Shields	148,608
Surgical Masks	739,000
N95 Masks	310,380
Ventilators	400
Ventilator Resupply Kits	40
Total	1,980,421

PPE Procurement Information

Financial, material and in-kind donations can be directed to the Michigan Community Service Commission at COVID19donations@michigan.gov or 517-335-4295.

Current most pressing needs:

- Hospital gowns
- Ventilators
- Sanitizer (Hand/Wipe)
- Gloves
- Surgical masks N95-N100
- No-touch thermometer

Large corporations or individuals who want to DONATE (in-kind services, manpower etc.) can contact Ghida Dagher at DagherG@michigan.gov (EOG POC).

Businesses who want to SELL protective gear listed above, please email dtmb-vendoremergency@michigan.gov.

All other businesses needs related to PROCUREMENT and or SUPPLIER CAPABILITIES, please direct them to <https://pmbc.connect.space/covid19/forms>.

Businesses who are asking how they can help with PROVIDING SPACE like warehouse space or hotels for self-quarantining or makeshift hospitals, camp group, etc. contact Elizabeth Hertel hertele@michigan.gov.

For those who wish to give a monetary donation, State Police and DHHS have launched a donations website: <http://www.michigan.gov/fightcovid19>. Click on the donations tab at the top of the pages.

People and organizations in need of PPE should contact their local manager to make sure they are linked into the effort.

https://www.michigan.gov/msp/0,4643,7-123-72297_60152_66814---,00.html

The Michigan Economic Development Corporation's [Pure Michigan Business Connect](#) program has launched a new grant program providing a total of \$1 million in grants to Michigan's small manufacturers looking to retool and produce critical health and human service supplies in response to the COVID-19 outbreak. The [PMBC COVID-19 Emergency Access and Retooling Grants program](#) will award grants of \$10,000 to \$150,000 to companies that can quickly and effectively manufacture critical health and human service supplies. Michigan small businesses (per [SBA size standards](#)) and established nonprofits are eligible to apply. Businesses can use the funds to support the purchase of equipment necessary to manufacture critical supplies, logistics and shipping costs of procuring necessary equipment, technology upgrades and other costs related to operationalizing new product lines. Please direct manufacturers to this [link](#) if they wish to apply.

Vendors with the ability to perform or supply items 1, 2 and 3 below are requested to send capabilities statements to our dedicated COVID-19 Contracting mailbox: COVIDContracting@usace.army.mil.

1. "Build-out" or retrofit of existing space (arenas, convention centers, dormitories, hotels, or other facilities) into alternate care facilities
2. Field Medical Units
3. Temporary Medical Enclosures

Vendors of other supplies and services are welcome to submit capability or interest statements regarding support of the USACE COVID-19 Response. All interested parties are requested to register at the SAM.gov website under the "Disaster Registry" tab.

MDHHS has started posting PPE availability and bed tracking by region to the [Coronavirus website](#). Data is self-reported by hospitals daily to the EM Resource System per MDHHS Director Gordon's Emergency Order. The EMResource platform is used to track healthcare resources, availability, and facility operational status. More specifically, hospitals are required to self-report PPE inventory, Laboratory testing capacity, number of ventilated patients, number of ventilators, patient census, staffing shortages, units of areas dedicated to COVID-19 treatment, other data that may help in the response to COVID-19. The information will be updated daily by 7 p.m. and is sorted by the MDHHS Healthcare Coalition Regions. Information about Healthcare Coalition Regions is available on the [MDHHS website](#).

MEDC COVID-19 Assistance - MEDC is working to assist small businesses affected by the COVID-19 pandemic. The Michigan Small Business Development Center can provide resources for small businesses impacted by COVID-19. Visit their website <https://sbdcmichigan.org/small-business-covid19/> for additional information. For more information, visit MEDC's website: www.michiganbusiness.org or call 888.522.0103.

Michigan Army National Guard Assisting in COVID-19 Response - Governor Whitmer announced on 3/18/20 that she has activated the Michigan Army National Guard to aid the Department of Health and Human Services with loading and delivering medical equipment (e.g. gloves, gowns, and face shields) to county health departments. Thus far, the Michigan Army National Guard has been involved from a planning and coordination perspective through the State Emergency Operations Center.

Michigan's Major Disaster Declaration - On March 27, 2020, President Trump approved Governor Whitmer's request for a Major Disaster Declaration to be made for Michigan. The Major Disaster Declaration allows Michigan access to the Federal Emergency Management Agency's (FEMA) Disaster Relief Fund. Major Disaster Declarations are typically issued by the President during natural disasters when the disaster's impact exceeds the capability or resources of the state and federal assistance becomes necessary. This power is granted to the President under the Stafford Act and requires requests from affected states be made by the Governor. The Governor's request must include findings from FEMA that the damage is of such a severe magnitude that the state needs federal supplemental assistance to address the damage.

Governor Whitmer's request included the following needs for federal assistance: Disaster Unemployment Assistance, Disaster Crisis Counseling, Disaster Case Management, Individuals and Household Program, Disaster Supplemental Nutrition Assistance Program, Disaster Survivor Assistance, Disaster Legal Services, and Volunteer Agency Coordination. However, President Trump only approved the Governor's request for Disaster Crisis Counseling and Emergency Protective Measures from the Public Assistance Category.

Consequently, Michigan will receive federal supplement funding for mental health resources to help those that have been impacted by COVID-19 as well as “funding for transporting and pre-positioning equipment, Emergency Operation Center (EOC)-related costs, medical supplies and personal protective equipment, medical care and transport, and childcare.”² Although only a few of the Governor’s requests were approved by the President, President Trump has the authority to review and approve the additional requests at any time.

According to media reports, there are 15 states that have received a Major Disaster Declaration from President Trump. Those states include California, Florida, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Missouri, New Jersey, New York, North Carolina, South Carolina, Texas, and Washington. How the Major Disaster Declaration affects these states may be different than Michigan based on their Governor’s request and what aspects of the request the President approved. For example, the Governor of Missouri requested Disaster Unemployment Assistance, Disaster Crisis Counseling, as well as Emergency Protective Measures. President Trump granted Emergency Protective Measures to Missouri. Additionally, Florida’s Governor requested supplemental funding for Disaster Unemployment Assistance, Crisis Counseling, Community Disaster Loans and the Disaster Supplemental Nutrition Program, but President Trump only approved Crisis Counseling. President Trump has the authority to approve any additional requests as the situation continues to develop in each state.

According to FEMA’s website, only California and Louisiana have been awarded money from the Major Disaster Declaration. The awarded money can be tracked [here](#). Lastly, no state has been awarded Disaster Unemployment Assistance as that is included in the federal “Stimulus Package.”

LARA’s Actions on Hydroxychloroquine or Chloroquine: Earlier this week, the Michigan Department of Licensing and Regulatory Affairs (LARA) sent a letter to physicians and pharmacists outlining concerns with over prescribing and or inappropriate prescribing of hydroxychloroquine or chloroquine. LARA did not prohibit the prescribing these drugs but did suggested that future actions by physicians to over or inappropriately prescribe would be investigated.

In response to questions asked by the caucus during Friday’s conference call, the Michigan Department of Health and Human Services (DHHS) indicated familiarity with the issue and LARA’s letter. DHHS stated that overprescribing hydroxychloroquine or chloroquine could create a shortage for patients with lupus, rheumatoid arthritis, and other ailments for which the drugs are proven treatments and urged caution.

President Donald Trump has called the drugs a “game-changer” and as such, a rush to procure the pharmaceuticals drugs has spurred several states to take measures to prevent shortages. Both drugs generally pose lower risks than a newly developed drug. However, some states have seen recent adverse effects and or deaths related to recent usage. As such, New York, which has suffered the most positive cases of coronavirus in the nation, moved to begin clinic trials this week. Various health officials have urged caution, including Dr. Anthony Fauci, the director of National Institute of Allergy and Infectious Diseases who has appeared alongside Trump at several news conferences. Dr. Fauci has said evidence of the drugs’ effectiveness is only anecdotal.

However, Food and Drug Administration (FDA) is actively working with government agencies to learn whether chloroquine can reduce symptoms and stem the spread of Covid-19 and working with drug manufacturers about potentially increasing production. On March 30, 2020 the FDA issued an emergency-use authorization of these drugs to combat the rapid spread of the novel coronavirus. This authorization would allow 30 million doses of hydroxychloroquine sulfate and 1 million doses of chloroquine phosphate to be donated to the Strategic National Stockpile. According to federal health offices, these products will be distributed and prescribed by doctors to hospitalized teen and adult patients with COVID-19, as appropriate, when a clinical trial is not available or feasible.

² https://www.michigan.gov/whitmer/0,9309,7-387-90499_90640-523407--,00.html.

On March 31, 2020, Reps. Yaroch and Glenn sent a letter for LARA seeking clarity that physicians were permitted to prescribe in accordance with FDA guidelines.

Henry Ford Update - In addition to providing healthcare to patients, Henry Ford Health System (HFHS) conducts important academic medical research. In conjunction with other treatments, HFHS has been using the drug hydroxychloroquine in severe cases of COVID-19 that require hospitalization. To date, researchers have discovered that using hydroxychloroquine has reduced viral shedding (the amount of the virus a person has) in patients that have received the drug. While positive, HFHS has stressed that these are early results. Dr. Marcus Zervos, the infectious disease specialist for HFHS, has stated that more data is needed.

HFHS will soon embark on a much more robust clinical trial. This study will involve 3000 volunteers made up of frontline workers. The basis of the study is to determine the effectiveness of using hydroxychloroquine to prevent COVID-19. Currently HFHS is recruiting volunteers. Once the study begins, it will take 8 weeks to complete. It is important to note that this study will not impact the supply of hydroxychloroquine for patients in need. For more information and future updates HFHS has created a webpage at www.henryford.com/whip-covid-19. Further inquiries can also be sent to Sam Champagne at SChampa1@hfhs.org.

Michigan Unemployment Benefit Expansion - Gov. Gretchen Whitmer today announced new programs for workers affected by COVID-19. The governor, under the federal CARES Act, signed an agreement between Michigan and the U.S. Dept. of Labor to implement Pandemic Unemployment Assistance and Compensation programs that grant benefits to workers who do not already qualify for state unemployment benefits. Workers include self-employed, 1099-independent contractors, gig, and low-wage workers who can no longer work because of the pandemic. The agreement also increases weekly benefits for all unemployed workers by \$600 a week for up to four months and extends benefit payments from 26 to 39 weeks.

“The State of Michigan is dedicated to implementing measures to protect the health of all our residents and we understand financial health is critical as we meet this challenge together,” said Whitmer. “This increase and expansion of unemployment benefits will provide a measure of security for Michigan working families who lost their income due to the pandemic. We are committed to ensuring emergency financial relief for unemployed residents who continue to stay home and stay safe.”

The Michigan Unemployment Insurance Agency (UIA) will provide additional guidance regarding eligibility and application details in the coming days as it implements these new programs.

Benefits Extended to Self-Employed, Low-Wage, and Other Workers Affected by COVID-19

Under the CARES Act, individuals who are not already eligible for Michigan’s unemployment programs will now be provided a set amount of \$600 a week for up to four months on top of the state benefit. Benefits are available for up to 39 weeks. These newly eligible individuals include self-employed workers, independent contractors, low-wage workers and those with a limited work history.

Benefits Increased for All Unemployed Workers

Under the CARES Act, weekly benefits for all unemployed workers will be increased by a set amount of \$600 a week for up to four months. This applies to workers already in the unemployment system and eligible employees about to apply. These workers do not need to reapply and those about to apply do not need to take additional steps and should file as usual. If a worker’s application has previously been denied by the UIA in the past three weeks there is no need for them to reapply at this time. They will be notified by the agency with any additional action that may need to be taken.

“We appreciate the patience Michigan residents have shown with the unemployment system over the last few weeks as we continue to provide emergency financial assistance during this historical demand. I want to assure every eligible worker in our state who needs to apply for unemployment benefits that they will receive them,” said Dept. of Labor and Economic Opportunity Director Jeff Donofrio. “We continue to urge workers to apply online at Michigan.gov/UIA and to utilize our new filing schedule based on their last name. UIA staff is working as hard and fast as they can to process claims and we continue to reallocate resources and upgrade

technology to serve our customers.”

The day or time of day in which a claim is filed will not impact whether a worker receives benefits or their benefit amount. Additionally, claims will be back-dated to reflect the date in which a claimant was laid-off or let go from their job due to COVID-19. The eligibility window to apply has also been increased from 14 to 28 days from the date of their work stoppage.

New Filing Schedule:

Online Filing Schedule - Michigan.gov/UIA. Workers are encouraged to go online during off-peak times between 8PM-8AM

- Last names beginning with letters A-L are asked to file claims on Mondays, Wednesdays, Fridays.
- Last names beginning with letters M-Z are asked to file claims on Sundays, Tuesdays, or Thursdays.
- Saturdays will be available for anyone to accommodate those who could not file during their allotted window.

Call Center Filing Schedule - 866-500-0017:

- Last names beginning with letters A-L are asked to call on Mondays and Wednesdays between 8:00am – 5:00pm.
- Last names beginning with letters M-Z are asked to call on Tuesdays and Thursdays between 8:00am – 5:00pm.
- Fridays (8:00am – 5:00pm) will be available for anyone to accommodate those who could not file during their allotted window.

For more information visit Michigan.gov/UIA.

Legislative Unemployment Insurance Agency Information -

<u>Week Ending</u>	<u>Initial Claims Filed</u>		
March 21	127,810	April 11	219,320
March 28	303,638	April 18	136,707
April 4	388,554	April 25	81,312

Data for the previous week is released on Thursdays following the US DOL weekly report.

UIA Constituent Inquiries

Michigan Web Access Manager (MiWAM) - The [MIWAM toolkit for claimants](#) is a resource for legislative offices and constituents for many issues related to MILogin concerns. The toolkit contains sections on Frequently Asked Questions, how to file a claim, changing and resetting passwords, and other items related to MiWAM management. We encourage offices to download this toolkit to provide answers on some the more common questions.

MILogin - MILogin is the single-sign-on portal to access critical state services that have seen a sharp increase in transactions during the COVID-19 pandemic. Many state applications such as Michigan Web Account Manager (MiWAM) for unemployment benefits and MI Bridges to apply for food assistance utilize MILogin. Constituents can access MILogin through MiWAM on the Unemployment website, www.michigan.gov/uia.

Below are answers to two frequently asked questions related to MILogin issues:

- *What if I forgot my password?* Click on the “Forgot your password?” link from the MILogin for Citizens page, milogin.michigan.gov, to initiate the password reset. You will be asked to enter your current User ID, select a security option to verify your identity, and enter a new password to reset the forgotten password. If you are unable to reset the password from that link, you may contact Unemployment Insurance at UIA-MiWAMIssues@michigan.gov.
- *What if my account has been locked?* If your account has been locked, it will automatically be unlocked after 30 minutes.

Shareable Resources

We have developed several shareable graphics and one-pagers available on Michigan.gov/CoronaVirus under [Resources, For Employers and Workers](#). Additional resources are being added, so check back often.

Here are the top two to share:

[Unemployment Insurance 101 – One-Pager \(PDF\)](#)

[Unemployment Alphabetic Filing – Graphic \(PNG\)](#)

Resources for Employers

Work Share - Employers are encouraged to implement the State’s Work Share program that permits employers who may be facing maintain business operations during declines in regular activity instead of laying off workers. The program allows employers to keep their employees working with reduced hours, while employees collect partial unemployment benefits to make up a portion of the lost wages. More information about Work Share is available online at www.michigan.gov/WorkShare.

Restrictions on State Discretionary Spending – Executive Directive 2020-3 Effective immediately, the Governor has ordered all state departments and agencies to restrict any discretionary spending. The new directive requires that they fully implement all cost containment strategies, including implementing administrative efficiencies, wherever possible outside of activities necessary to address the COVID-19 pandemic. The restrictions apply to all non-essential contracts, purchases, travel, training, and any other forms of discretionary spending.

Under the new directive the following activities are exempt:

- COVID-19 response activities undertaken by the State Emergency Operations Center to address the emergency.
- Activities required by legal mandate, federal mandate, or court order.
- Activities critical to protecting the public health, safety, and welfare.
- Activities necessary to produce budgetary savings, protect state revenue, or secure additional state revenue.

Finally, under the order, the State Budget Office and DTMB must review the expenditures of all departments and agencies on a regular basis and must make every effort to reduce state spending. If any department or agency is found to be in violation of the directive, DTMB must rescind procurement authority delegated to the department immediately. The directive will remain in place until rescinded by the Governor.

Self-Employed, Other Newly Eligible Workers Can Apply for Unemployment on Monday, \$600 Federal Payments Also Begin Michigan’s self-employed workers, gig workers, 1099-independent contractors and low-wage workers affected by COVID-19 can apply for federal Pandemic Unemployment Assistance (PUA) beginning Monday, April 13 at 8AM. Under the federal CARES Act, workers on state unemployment have already begun receiving the set \$600 federal weekly payment in addition to their state benefit amount. Michigan is one of the first states to begin sending the \$600 payment.

“Ensuring Michiganders have access to state and federal benefits during this pandemic is a critical part in protecting everyone’s health and safety,” Governor Whitmer said. “We will do everything we can to continue providing emergency financial assistance as quickly as possible to the Michigan working families who have lost income as a result of COVID-19.”

Newly eligible workers who have yet to apply for unemployment benefits

Self-employed workers, gig workers, 1099-independent contractors and low-wage workers can apply for federal benefits beginning Monday, April 13 at 8AM online at Michigan.gov/UIA. Online is the fastest and easiest way to access these benefits. Workers need to use the UIA’s daily filing schedule based on their last names which can be found below. For example, last names beginning with letters A-L should start filing claims Monday.

Newly eligible workers who have been previously denied benefits

Self-employed workers, gig workers, 1099-independent contractors and low-wage workers who have previously applied for unemployment benefits and have been denied should login to their MiWAM account to complete the next steps for PUA federal benefits. These steps will also be emailed to workers. They should not file a new claim, as that may delay the time it takes to get their benefits.

All newly eligible workers will need to provide proof of income to receive the maximum amount they are entitled. This could include W-2s, 1099 tax forms, and pay stubs. These workers will begin receiving federal benefits as early as April 20 after their bi-weekly certification. Individuals on paid sick leave or other paid leave – and those who have the ability to telework with pay – are not eligible for PUA.

“We’re committed to making sure everyone who is eligible for unemployment assistance receives their benefits as quickly as possible,” Dept. of Labor and Economic Opportunity Director Jeff Donofrio said. “Michigan is one of the first states to begin sending the additional \$600 benefit to workers and our dedicated Unemployment Insurance Agency team is working tirelessly to provide emergency benefits during this crisis.”

\$600 federal payments for workers already receiving state benefits

Workers already collecting state unemployment benefits have begun receiving the \$600 federal set amount in addition to up to \$362 they were previously eligible for. These payments are disbursed at the same time as their state benefits through direct deposit or debit card after their bi-weekly certification.

\$600 federal payments for newly eligible workers

Eligible self-employed workers, gig workers, 1099-independent contractors, and low-wage workers will begin receiving their state benefit amount (paid with federal funds) and the \$600 federal payment as early as April 20.

All eligible workers will receive benefits

The UIA assures every eligible worker in Michigan who applies for unemployment benefits that they will receive them. The UIA will be accepting claims and benefit applications back-dated to reflect the date on which the claimant was laid-off due to COVID-19, beyond the previously established 28-day period (\$600 federal payment is only retroactive back to March 28).

Historical demand

The latest U.S. Dept of Labor report shows that since March 15, more than 800,000 Michigan workers filed for unemployment, a more than 5,000 percent increase over a three-week period. Michigan has seen a record number of claims for three consecutive weeks.

Online filing schedule at Michigan.gov/UIA

Customers are encouraged to use off-peak times 8 p.m. – 8 a.m. Earlier today, the UIA announced [new resources to help workers resolve online technical issues with their account](#).

- Last names beginning with letters A-L: file claims on Mondays, Wednesday, Fridays.
- Last names beginning with letters M-Z: file claims on Sundays, Tuesdays, or Thursdays.
- Saturdays will be available for anyone to accommodate those who could not file during their allotted window.

Information around this outbreak is changing rapidly. The latest information is available at [Michigan.gov/Coronavirus](https://www.michigan.gov/Coronavirus) and [CDC.gov/Coronavirus](https://www.cdc.gov/Coronavirus)

Moratorium on State Hiring – Executive Directive 2020-4 Under Executive Directive 2020-4, departments and agencies are prohibited from hiring employees into classified and unclassified positions within the executive branch. Additionally, no new positions can be created, no vacant positions can be filled, no transfers or promotions can occur between departments or agencies, and no internal promotions can occur within a department or agency.

Exceptions can be granted to this moratorium by the state budget director on a limited basis but only if the position is part of COVID-19 response activities, the position is necessary to meet a legal or federal mandate, the position is critical to protecting the health and welfare, or the position would create additional savings. As with ED 2020-3, the moratorium will remain in effect until rescinded by the Governor.

COVID-19 Death Reporting Emergency Order under MCL 333.2253 – The Department of Health and Human Services issued an emergency order which requires the following actions to be taken upon the death of a person confirmed or suspected of a COVID-19 infection

- At the time of death, a physician who knows or suspects that the deceased individual was infected with COVID-19 shall endeavor to relay this information to the applicable funeral director or authorized agent.
- If a funeral director learns that a death resulted or is suspected to have resulted from COVID-19 they are required to initiate the death record and submit that information to the mortician within 24 hours. Further, they must file the death record with the local registrar where the death occurred within 48 hours after becoming aware that the death was or is suspected to be from COVID-19, or within 72 or the death whichever is earlier.
- Funeral directors must file all reported deaths through the Michigan Electronic death Record System.
- A physician who receives a death record for medical certification where the deceased is known to or is suspected to be infected with COVID-19 shall endeavor to certify the death record within 24-hours.
- All physicians are strongly encouraged to use the Michigan Electronic death Record System to certify death records, particularly medical examiners and hospitalists.

This order is effective immediately and remains in effect until lifted.

MPSC Order/Case No. U-20757 provides consumer protection provisions for utility and telecommunications customers, particularly individuals with low income, seniors or those who have been impacted by COVID-19. The order provides shutoff protections and instructs providers to identify those who are without service. It also instructs providers to further assist those in need in finding assistance. The order further addresses regulatory and cost challenges resulting from the COVID-19 emergency.

FEDERAL ACTIONS TAKEN:

H.R. 6074

On March 6, 2020 the Federal government passed the Coronavirus Preparedness and Response Supplemental Appropriations Act. The Act (H.R. 6074) provides \$8.3 billion in emergency supplemental funding for the Centers for Disease Control, the Food and Drug Administration, the National Institutes of Health, and the Public Health and Social Services Emergency Fund.

The bill also allocates funds for the Small Business Administration (action noted above), Department of State, and the U.S. Agency for International Development. These funds are intended to assist in developing, manufacturing, and procuring vaccines and other medical supplies, assist state and local authorities in their response efforts, provide loans for businesses, support evacuations and emergency preparedness activities at embassies and other facilities located overseas, and provide humanitarian assistance to affected countries.

Lastly, the act provides nearly \$1 billion in additional funding for state and local governments. The funding is to support local health agencies, in testing, infection control, contact tracing and other virus mitigating efforts.

According to some estimates, the state of Michigan is slated to receive roughly \$14 million in federal funds from the federal act.

H.R. 6201

Introduced on March 12, 2020, the Families First Coronavirus Response Act (H.R. 6201) was signed into law on March 18, 2020. The bill specifically includes an additional \$2.5 billion in supplemental funding which is distributed to in the following manner:

The bill provides supplemental funding to the Department of Agriculture (USDA) for nutrition and food assistance programs, including

- the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) - \$500 million;
- the Emergency Food Assistance Program (TEFAP), and supplemental nutrition assistance grants - \$400 million.

The bill also provides over \$1.3 billion in additional funding to the Department of Health and Human Services for health services associated with COVID-19 and nutrition programs that assist the elderly.

The supplemental appropriations provided by the bill are designated as emergency spending, which is exempt from discretionary spending limits.

The bill modifies USDA food assistance and nutrition programs to

- allow certain waivers to requirements for the school meal programs,
- suspend the work requirements for the Supplemental Nutrition Assistance Program (SNAP, formerly known as the food stamp program), and
- allow states to request waivers to provide certain emergency SNAP benefits.

In addition, the bill requires the Occupational Safety and Health Administration to issue an emergency temporary standard that requires certain employers to develop and implement a comprehensive infectious disease exposure control plan to protect health care workers.

The bill also includes provisions that

- establish a federal emergency paid leave benefits program to provide payments to employees taking unpaid leave due to the coronavirus outbreak,
- expand unemployment benefits and provide grants to states for processing and paying claims,
- require employers to provide paid sick leave to employees,
- establish requirements for providing coronavirus diagnostic testing at no cost to consumers,
- treat personal respiratory protective devices as covered countermeasures that are eligible for certain liability protections, and
- temporarily increase the Medicaid federal medical assistance percentage (FMAP).

A complete summary of the bill can be found [here](#).

S. 3546 (CARES Act) Signed into law by President Trump on March 27, the CARES Act is a \$2.2 trillion stimulus bill that will support, government agencies (federal, state and local), various corporations, businesses, and the millions of workers without jobs due to the COVID-19 outbreak.

From the first two combined stimulus bills, Michigan is guaranteed to receive over \$385 million for health and food assistance programs. Under the CARES Act, \$150 billion will go directly to states to cover their costs incurred from the pandemic, allocated by population. While the lowest payment under the Act is \$1.25 billion, Michigan would be expected to potentially receive nearly \$4 billion in total funding under this portion of the

package. Further, there are several other large funding pieces that will provide additional funding to state and local programs.

While more detailed information is being compiled, some of the Acts highlights include:

- **Federal Stimulus Payments:** Payments would be up to \$1,200 for an individual, \$2,400 for couples, and \$500 per child. Adults making \$75,000 or less per year would receive \$1,200 per individual or married couples making \$150,000 or less per year would receive \$2,400. There would be an additional \$500 for each eligible child. For individuals making over \$75,000, payments would be reduced \$5 for every \$100 over \$75,000 up to \$99,000 and married couples making over \$150,000 would have the same payment reduction of \$5 for every \$100 over \$150,000 up to \$198,000. Payments would be considered tax rebates and would not be counted as income and therefore not taxable. Incomes would be based on 2018 tax filings unless 2019 tax filing information is available. Payments are expected to arrive in early April.
- **Unemployment Benefits:** The Federal Coronavirus Aid, Relief, and Economic Security (CARES) Act provides an additional \$260 billion in unemployment benefits to help individuals financially impacted by the COVID-19 pandemic. The CARES Act relies on each state's standards to determine who is eligible and creates a Pandemic Unemployment Assistance for individuals not traditionally eligible for unemployment benefits. Additionally, if you qualify for unemployment benefits there will be an additional \$600 per week from the federal government. Individuals that were on unemployment for reasons unrelated to the COVID-19 pandemic will also start to receive the additional \$600.

Pandemic Unemployment Assistance – This new program would extend unemployment benefits to gig workers, independent contractors, self-employed individuals, certain non-profits, part time workers, and other employees that aren't covered by current unemployment programs. These individuals will be eligible to receive roughly half of the state's average unemployment benefit plus the additional \$600 that is available under the CARES Act.

Additionally, the CARES Act extends unemployment benefits by an additional 13 weeks for a total of 39 weeks that an individual can receive unemployment. Individuals that have already exhausted their unemployment benefits would be eligible for the additional 13 weeks.

- **Student Loans (Only Federal Student Loans)** Payments on federal student loans will automatically be stopped for the next 6 months and no interest will accrue regardless of whether or not an individual was impacted by COVID-19. During this time individuals enrolled in a federal student loan forgiveness program will continue to receive credit for payments. An individual can elect to continue making payments.
- **Mortgage Assistance (Only Federally Backed Mortgages)** The CARES Act gives individuals that have experienced financial hardship either as a direct or indirect result of COVID-19 a 180 forbearance on their residential mortgage. The forbearance can be extended an additional 180 days at the request of the borrower. During this time no additional interest or fees will accrue and late payments will not be reported on an individual's credit report. Your normal interest and principal balance will continue during this period and individuals should be cautious. Your loan balance will continue to grow and you could potentially be adding years onto your mortgage.

Additionally, a landlord with a mortgage on multifamily (5 or more units) housing may request a 30-day forbearance on payments and up to two 30-day extensions. During this time there would be no additional interest or fees, but borrowers should exercise caution.

- **Retirement Early Withdrawal** As part of the CARES Act, individuals are allowed to withdraw up to \$100,000 without penalty from their retirement account. The amount will be treated as income and will

be subject to the individual's normal tax rate. Individuals that elect to withdraw from their retirement account would be eligible to repay the amount pre-tax over the next three years if they choose.

- **US Small Business Association Loans** - On March 16th Governor Whitmer formally requested the US Small Business Administration (SBA) issue an Economic Injury Disaster declaration for the state. This allows small businesses in the state to access emergency loans to assist with the temporary loss of revenue small businesses may be experiencing as a result of the COVID-19 pandemic.

Recently, Congress passed bills that would provide \$350 billion for low-interest forgivable SBA loans. A small business can apply for a loan of \$10 million or 2.5 times their payroll, whichever is less. Additionally, SBA has made available Economic Injury Disaster Loans (EIDLs) and grants to small businesses to meet the short term ordinary and necessary financial obligations that cannot be met as a direct result of the disaster. These loans have incentives for retaining employees that could convert the loans into grants.

Small businesses that could benefit from these loans can find additional information through the SBA district offices in Detroit or Grand Rapids, or information can be found online [here](#).

MISCELLANEOUS FEDERAL ACTIONS:

CDC Non-emergency Procedures Guidance

On March 17, 2020 the CDC released guidance recommending the all health care providers cancel (if possible) all non-emergency procedures (specifically elective and preventative procedures). This guidance will impact and close most, if not all, dental and optometrists' offices throughout the state. These providers are particularly susceptible to the coronavirus.

Federal Medicaid Waiver

March 17th, 2020 the Centers for Medicare and Medicaid Services expanded access to Medicare Tele health services. This policy change provides additional flexibility for health care providers to assist individuals who think they may have the coronavirus while that individual is in the comfort of their home. This temporary expansion is an easy to use benefit that can keep health care workers from getting sick and contain the community spread of the coronavirus.

Federal Waiver for Student Assessment and Accountability Requirements

On Friday, March 20, US Secretary of Education Betsy DeVos notified states that they may apply to waive federal assessment and accountability requirements under the Every Student Succeeds Act. If applied for and granted by the US Department of Education, Michigan would not need to administer its statewide assessments (MSTEP & MME) to all students, make annual accountability determinations or identify schools for support and improvement. In a [letter to Secretary DeVos on March 17](#), State Superintendent Michael Rice and State Board President Cassandra Ulbrich requested a waiver from the federal assessment requirement.

HELPFUL/INFORMATIONAL WEBSITES:

[Michigan Department of Health and Human Services – Michigan COVID-19 Case Reporting](#)

Hospital Reporting

(Note, those not shown are not reporting at this time.)

- [Beaumont patient tracker;](#)
- [Henry Ford patient tracker;](#)
- [U of M patient tracker;](#)
- [Munson patient tracker](#)

[Centers for Disease Control - U.S. COVID-19 Case Reporting](#)

[Johns Hopkins Coronavirus Resource Center - World COVID-19 Case Reporting](#)

[University of Michigan School of Public Health: Tips for Understanding and Acting on Coronavirus Numbers](#)

[Institute for Health Metrics and Evaluation – COVID-19 Projections](#)

[Columbia University Model - COVID-19 Projections](#)

[World Health Organization – Report on China Joint Mission on COVID-19](#)

[International Journal of Infectious Diseases – China COVID-19 Conceptual Model for individual and governmental reaction.](#)

[Telehealth presentation/information provided by the Health Endowment Fund](#)