

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 21-19

FOR: FURTHER CONTINUATION OF LIMITED PROVISIONS TO ADDRESS THE IMPACT AND SPREAD OF THE CORONAVIRUS DISEASE (COVID-19)

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, on March 6, 2020, I issued Executive Order 20-02 which declared a public health emergency exists throughout the State of Indiana as result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and a confirmed report of the disease in our State and this initial declaration has been extended by me in subsequent Executive Orders (Executive Orders 20-17, -25, -30, -34, -38, -41, -44, -47, -49, -52, 21-03, -05, -08, -11, -14, -16 & -18);

WHEREAS, on March 11, 2020, the World Health Organization declared COVID-19 to be a global pandemic and, on March 13, 2020, the President of the United States declared a national emergency with respect to this dangerous virus;

WHEREAS, as of the date of this Executive Order, the virus has now spread to every county in our State, with over 768,000 confirmed cases and over 13,500 deaths;

WHEREAS, as Governor, under Indiana's Emergency Management and Disaster Law, Ind. Code ch. 10-14-3 ("Emergency Disaster Law"), I have authority to take actions necessary to prepare for, respond to and address a public health disaster emergency including the following:

- making, amending and rescinding the necessary orders, rules and regulations to carry out the response to a public health disaster emergency;
- suspending the provisions of any regulatory statute prescribing the procedures for conduct of state business, including the orders, rules or regulations of any state agency if strict compliance with any of these provisions would in any way prevent, hinder, or delay necessary action in coping with the emergency;
- transferring the direction, personnel, or functions of state departments and agencies or units for performing or facilitating emergency services; and
- using any and all available resources of state government and of each political subdivision of our State as reasonably necessary to cope with the public health disaster emergency;

WHEREAS, by consulting with experts and utilizing a data-driven approach to make decisions based on facts, science, and recommendations from experts in health care, business, labor, and education, we have sought to protect our Hoosier economy while prioritizing Hoosiers' health in the process;

WHEREAS, on a weekly basis, the IDOH reviews each county's number of cases per 100,000 individuals and the county's seven-day positivity rate for the prior week and from that data assigns a numerical score which translates to one of four colors (blue, yellow, orange or red);

WHEREAS, our vaccination program and efforts continue with over 2.9 million Hoosiers fully vaccinated out of 5.7 million eligible. Critically, only 51.5% of eligible Hoosiers are fully vaccinated. Moreover, 98% of new COVID-19 cases are with unvaccinated individuals;

WHEREAS, although improvements have occurred, the spread and consequences of this disease in the Hoosier state remain as demonstrated by a 7-day average positivity rate of 6.3%, which has risen from 2.1% a month ago; new confirmed cases daily; continued hospitalizations; and tragically, continued deaths daily from COVID-19;

WHEREAS, the data has shown us that the spread of COVID-19 in the Hoosier state and in other areas can be significantly reduced where there are robust vaccinations and adherence to mitigation efforts; and

WHEREAS, based on all of the above, efforts should continue, and the State of Indiana will continue using county-based assessments to monitor and provide information on the spread or impact of COVID-19 within a particular county.

NOW, THEREFORE, I, Eric J. Holcomb, by virtue of the authority vested in me as Governor by the Indiana Constitution and the laws of the State of Indiana, do hereby order:

1. **Duration of this Executive Order**

The directives in this Executive Order become effective August 1, 2021, at 12:01 a.m. and continue through 11:59 p.m. on August 30, 2021, and all Hoosiers, Hoosier businesses, and other individuals in the state must adhere to the directives set forth in this Executive Order unless rescinded, modified, or extended by me.

2. **Directives in Executive Order 21-17 Continued**

- a. All directives in Executive Order 21-17, except the provision in paragraph 7(d) pertaining to prescribing amounts for opioid take-home medications, will remain in effect for the duration of this Executive Order.
- b. These continued directives pertain to:
 - i) temporary licensing of health care workers and students who have been granted a temporary license are reminded they will be permitted to provide health care services under his or her temporary license only through September 30, 2021;
 - ii) registration requirements for certain Indiana or out-of-state health care providers;
 - iii) insurance coverage for temporarily licensed out-of-state health care providers;
 - iv) administration of COVID-19 vaccinations;
 - v) the Family and Social Services Administration's (FSSA) implementation of the Indiana Medicaid, HIP, CHIP and Medworks and TANF programs;
 - vi) the Department of Workforce Development's (DWD) provision of unemployment insurance benefits and augmentation of its workforce;
 - vii) completion of law enforcement training at the Indiana Law Enforcement Academy; and
 - viii) waiver of penalty and interest in taxation of unemployment compensation.
- c. The provision in paragraph 7(d) of Executive Order 21-17 pertaining to prescribing amounts for opioid take-home medications is rescinded.

3. **For All Hoosiers and Individuals within the Hoosier State**

All Hoosiers and each and every person within the Hoosier state should take responsibility for their safety and the health and safety of those around them by taking appropriate preventative measures. This is particularly important due to the high transmissibility of the Delta variant of COVID-19. This includes:

Unvaccinated individuals are the most at risk for serious illness, hospitalization and death. Since January 2021, 98% of new COVID-19 cases are with unvaccinated individuals. All Hoosiers, age 12 and above, are strongly encouraged to obtain a COVID-19 vaccination which will be provided at no cost. Hoosiers can locate a vaccination site by calling 2-1-1 or visiting www.ourshot.in.gov. Anyone younger than 18 years of age may only receive the Pfizer vaccine. The COVID-19 vaccination has proven to provide the single best protection from serious illness and hospitalization caused by the COVID-19 infection.

Hoosiers, whether vaccinated or not, should obtain a COVID-19 test and self-quarantine if they or a household member becomes symptomatic or has been in close contact with a person who has tested positive for COVID-19, and cooperate with contact tracers where warranted.

4. COVID-19 Control Measures for Institutions and Congregate Care Facilities

Except as provided below, K-12 schools corporations are responsible for implementing local measures and restrictions to address the impact and spread of COVID-19 in their buildings, facilities, and grounds. The Indiana Department of Health is updating its school guidance to assist local school corporations. The guidance may be found at: <https://www.coronavirus.in.gov/2400.htm>.

The Indiana Department of Health, pursuant to Ind. Code § 16-41-2-1 and 410 Ind. Admin. Code § 1-2.5-79, has issued measures to control COVID-19. The measures require institutions and congregate care facilities, including K-12 educational institutions, post-secondary facilities, long-term care facilities, jails, prisons, childcare, and other congregate settings to report all known positive COVID-19 cases in a manner prescribed by the Indiana Department of Health. This reporting measure is also required by Commissioner Order # CO 21-01. The control measures further require investigation and contact tracing as well as appropriate isolation of those who test positive for COVID-19 and quarantining of close contacts. The control measures are found at: <https://www.in.gov/health/erc/files/COVID-19-Control-Measures-under-410-IAC-1.pdf>.

5. No Limitation on Authority

Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State, any local health department, or any other proper entity from ordering: (a) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency; or (b) any closure of a specific location for a limited period of time, including the duration of this public health emergency.

6. Local Declarations of Emergency

Pursuant to the Emergency Disaster Law, no local ordinance, directive, or order of any county, political subdivision, or other local government entity pertaining to this public health emergency, may contradict or impose less restrictive requirements than those set forth in this Executive Order, or else that ordinance, directive, or order will be void and of no force or effect. However, unless prohibited by an Executive Order, local ordinances, directives, and orders may be more restrictive provided they comply with Ind. Code §§ 16-20-1-21.5 and 16-22-8-31.3.

7. Savings Clause

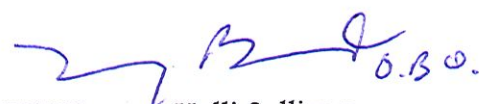
If any provision of this Executive Order, or its application to any person or circumstance, is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are hereby declared to be severable.

IT IS SO ORDERED.



IN TESTIMONY WHEREOF, I, Eric J. Holcomb, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, on this 29th day of July, 2021.

Eric J. Holcomb
Governor of Indiana


ATTEST: Holli Sullivan
Secretary of State