State of Louisiana

EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 41 JBE 2020

STATE OF EMERGENCY FOR COVID-19
EXTENSION OF EMERGENCY PROVISIONS

WHEREAS, pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act. La. R.S. 29:721. *et seq.*, the Governor declared a public health emergency on in Proclamation Number 25 JBE 2020 in response to the threat posed by COVID-19;

WHEREAS, on March 11, 2020, in Proclamation Number 25 JBE 2020, the Governor declared that a statewide public health emergency existed in the State of Louisiana because of COVID-19 and expressly empowered the Governor's Office of Homeland Security and Emergency Preparedness and the Secretary of the Department of Health and/or the State Health Officer to take all actions authorized under state law;

WHEREAS, on March 13, 2020, in Proclamation Number 27 JBE 2020, the Governor supplemented the measures taken in his declaration of a Public Health Emergency with additional restrictions and suspensions of deadlines and regulations in order to protect the health and safety of the public because of COVID-19;

WHEREAS, the original proclamation was further supplemented on March 14, 2020, March 16, 2020, March 19, 2020, March 22, 2020, March 26, 2020, and March 31, 2020, in order to protect the health and safety of the public because of the extraordinary threat posed by COVID-19;

WHEREAS, in the days since the declaration of the public health emergency, the COVID-19 outbreak in Louisiana has expanded significantly;

WHEREAS, when the Governor determines that a state of public health emergency exists, La. R.S. 766(B) empowers the Governor to declare a state of public health emergency by executive order, or proclamation, or both;

WHEREAS, it is necessary to renew Proclamation Number 25 JBE 2020, as well as Proclamations 27 JBE 2020, 30 JBE 2020, 32 JBE 2020, 33 JBE 2020, and 37 JBE 2020; and

WHEREAS, these measures are necessary to protect the health and safety of the people of Louisiana.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: GENERAL PROVISIONS

A) Pursuant to the Louisiana Health Emergency Powers Act, La. R.S. 29:760, *et seq.*, a statewide public health emergency is declared to continue to exist in the State of Louisiana as a result of the continued threat posed to Louisiana citizens by COVID-19, the effects of which continue to threaten the lives and health of the citizens of the state.

B) The Governor's Office of Homeland Security and Emergency Preparedness and Secretary of the Department of Health are hereby expressly empowered to take any and all actions authorized under the Louisiana Health Emergency Powers Act, La. R.S. 29:760, *et seq.*, in relation to this public health emergency.

C) The Secretary of the Department of Health and/or the State Health Officer are hereby expressly empowered to take any and all actions authorized thereto under Titles 29 and 40 of the Louisiana Revised Statutes and under the State Sanitary Code (LAC Title 51) in relation to this public health emergency.

SECTION 2: STAY AT HOME ORDER

A) To preserve the public health and safety, and to ensure the healthcare system is capable of serving all citizens in need, especially those at high risk and vulnerable to COVID-19, all individuals within the State of Louisiana are under a general stay-at-home order and are directed to stay home unless performing an essential activity. Further, all gatherings of 10 people or more between shall be postponed or cancelled. This applies only to gatherings in a single space at the same time where individuals will be in close proximity to one another. An activity is essential if the purpose of the activity is one of the following:

1) Obtaining food, medicine, and other similar goods necessary for the individual or a family member of the individual.
2) Obtaining non-elective medical care and treatment and other similar vital services for an individual or a family member of the individual.
3) Going to and from an individual's workplace to perform a job function necessary to provide goods or services being sought in Subsections (A) and (B) of this Section, or as otherwise deemed essential worker functions. Guidance provided by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA) on what workers are essential is outlined at https://www.cisa.gov/identifying-critical-infrastructure-during-covid-19.
4) Going to and from a place of employment remaining open under Section 2(C) of this order, provided that the employee has been designated as essential.
5) Going to and from the home of a family member.
6) Going to and from an individual's place of worship.
7) Engaging in outdoor activity, provided individuals maintain a distance of six feet from one another and abide by the 10-person limitation on gathering size established in this proclamation.

B) CLOSURE OF NONESSENTIAL BUSINESSES

1) The following nonessential businesses shall remain closed to the public and members:
   a) All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, trampoline parks, aquariums, zoos, museums, arcades, fairs, pool halls, children's play centers, playgrounds, theme parks, any theaters, concert and music halls, adult entertainment venues, racetracks, casinos, video poker establishments, movie theaters, bowling alleys, bars, and other similar businesses.
   b) All personal care and grooming businesses, including but not limited to, barber shops, beauty salons, nail salons, spas, massage parlors, tattoo parlors, fitness centers, gyms, and other similar businesses.
   c) All malls, except for stores in a mall that have a direct outdoor entrance and exit that provide essential services and products as provided by CISA guidelines.

2) Businesses closed to the public pursuant to this provision shall not be prohibited from conducting necessary activities such as payroll, cleaning services, maintenance or upkeep as necessary.

C) Any business not covered by the guidance from the CISA discussed in Section 2(A) and not ordered temporarily closed in Subsection (B) above may continue operations but with only essential employees and minimal contact with the public, while requiring proper social distancing. Further, the 10-person limitation on gathering size shall continue to apply to such business operations. Early learning

centers and child care facilities adhering to the guidance issued by the Louisiana Department of Education and Office of Public Health may continue to operate.

D) All restaurants, cafes, and coffee shops, statewide, shall maintain cessation of allowing for any on premises consumption of food or beverages. Any establishment affected by this order may continue take out through curbside delivery, drive-thru, and delivery services, however, in no circumstance shall the food or beverages purchased be consumed on premises. Hotel restaurants may continue operations, but only for the service of registered hotel guests via room service.

E) Pursuant to La. R.S. 14:329.6, a state of emergency is declared to remain in existence statewide for the purposes of allowing the chief law enforcement officer of any political subdivision to, in order to protect life and property and to bring the emergency situation under control, promulgate orders for any provision therein, including a local curfew from 10:00 p.m. to 5:00 a.m.

SECTION 3: STATE PROCUREMENT

A) Pursuant to La. R.S. 29:724(D)(1), suspensions of the Louisiana Procurement Code (La. R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby continued for the purpose of the procurement of any good or services necessary to respond to this emergency.

B) Pursuant to La. R.S. 29:732(A), prices charged or value received for goods and services sold may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.

C) In addition to any authority conferred generally herein or by law, the Governor's Office of Homeland Security and Emergency Preparedness, through consultation with the Secretary of the Department of Health, shall continue to have the primary jurisdiction, responsibility and authority for:

1) Planning and executing public health emergency assessment, mitigation, preparedness response, and recovery for the state;
2) Coordinating public health emergency response between state and local authorities;
3) Collaborating with relevant federal government authorities, elected officials of other states, private organizations or companies;
4) Coordinating recovery operations and mitigation initiatives subsequent to public health emergencies;
5) Organizing public information activities regarding public health emergency response operations; and
6) Taking any other measures deemed necessary and proper, as authorized by law.

D) For procurement and contracting, strict compliance with the Louisiana Procurement Code (La. R.S. 39:1551, *et seq.*), Telecommunications Procurement (La. R.S. 39:1751-1755), and Information Technology Procurement (La. R.S. 39:196-200), shall not be required. However, all state agencies should continue to comply with the following conditions:

1) An appointed official within the agency, or the equivalent for officials in higher education, must determine that the failure to strictly comply with the statutory restriction is necessary due to the emergency.
2) A centralized point of contact for each agency must monitor all transactions conducted without strict statutory compliance, maintaining copies of all documentation. Documentation should specify whether the purchase falls into the "emergency" or "permanent" category and whether

the purchase relates to the COVID-19 event referenced in Proclamation Number 25 JBE 2020 and all documentation must be maintained and available for audit and FEMA reimbursement purposes.

3) Written competitive quotes and/or offers must be obtained whenever possible and agencies must take the necessary steps to assess that fair and equitable pricing is being offered.
4) Performance-based contracting should be used where practical.
5) Statewide contracts should be used where practical.
6) To the maximum extent possible, such emergency contracts should be only for the duration of the emergency or to allow the agency time to comply with normal competitive bidding requirements if the goods or services will be required for an extended period of time.
7) Copies of contracts which would otherwise require approval by the Office of State Procurement and the supporting documentation discussed above must be provided to the Office of State Procurement within thirty (30) days or sooner, if practical. Additionally, LaGov agencies should enter small purchases into the LaGov system as soon as practical. The Office of State Procurement shall review the contracts and documentation to determine compliance with this Executive Order.
8) Payments to contractors should be made only after verification that all goods and services meet contract requirements.
9) All Public Bid Openings shall be suspended. Bid openings will continue, however public openings will not occur in order to limit the potential for exposure. Bid openings will be made available via phone conference or web conference.
10) All required Procurement Support Team meetings will be held via phone conference or web conference.

E) The following provisions of the Public Bid Law, La. R.S. 38:2211, *et seq.*, hereby suspended during this emergency:

1) Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*) and its corresponding rules and regulations relating to deadlines for advertisement for bids for public works, submission of bids and ancillary documents, award and execution of public works contracts, and any other deadlines related to the advertisement, award, and execution of a public works contract mandated by statute or by said rules and regulations.
2) The provisions of La. R.S. 39:124-125 regarding periodic meetings and/or inspections of capital outlay projects by facility planning and control, including inspection of a project prior to the expiration of the guarantee period, are hereby suspended and any meetings and/or inspections shall be limited to only those inspections or meetings determined to be absolutely necessary for the advancement of the capital outlay project.
3) The provisions of La. R.S. 39:126 regarding prior approval of change orders.

SECTION 4: PUBLIC EMPLOYEES AND STATE OFFICES

A) All state offices will be closed to the public. However, essential state functions shall continue.

B) The following travel restrictions will continue to apply to all state employees:

1) All state employees traveling on state business out of the United States are hereby directed to cancel or postpone these trips; all employees traveling on official state business out of the State of Louisiana are hereby required to obtain specific authorization from the Commissioner of Administration;
2) All state employees intending to travel out of the State of Louisiana for non-official reasons are hereby directed to notify their supervisor and Human Resources Director of the travel as soon as possible, but in no event later than forty-eight (48) hours prior to travel, and immediately upon return to Louisiana;
3) All state employees with household members who intend to travel or have traveled internationally are hereby directed to notify their supervisor and

Human Resources Director of the travel as soon as possible, but in no event later than forty-eight (48) hours prior to the household member's departure, to state the household member's expected date of return, and to notify their supervisor and Human Resources Director immediately upon the household member's actual return to the United States; and

4) All state employees shall notify their supervisor and Human Resources Director if the employee or a household member develops symptoms associated with COVID-19.

C) The Civil Service Commission and the Division of Administration are hereby directed to continue to maintain a set of guidelines for state employees who are infected with COVID-19 or under quarantine for possible exposure to COVID-19. Such guidelines shall include direction for the management of sick leave by state employees and provide for direction, if possible, for the employee to work remotely. The guidelines developed by the Civil Service Commission and the Division of Administration shall remain in effect by this order.

D) Pursuant to La. R.S. 29:724(D)(1), the two-year limitation on public employees, following their separation from public service, contracting with their former agency as more fully set forth in La. R.S. 42:1121(B)(1) shall remain suspended for the duration of this emergency if the agency determines that it would be necessary to properly respond to this emergency. Any state agency may contract with any otherwise qualified separated employee to assist the state agency in the performance of their mission, as reasonably necessary, for the duration of the emergency.

E) All state agencies, boards and commissions, and local political subdivisions of the state shall continue to provide for attendance at essential governmental meetings via teleconference or video conference and such attendance shall be allowed during the pendency of this emergency. All efforts shall be made to provide for observation and input by members of the public. Before any meeting conducted pursuant to this section, the state agency, boards and commission, or local political subdivision of the state shall first provide a written certification that it will otherwise be unable to operate due to quorum requirements. Such certification shall be posted at the same time and in the same manner as the agenda for the meeting. Nothing in this order shall be interpreted to waive any notice requirements.

SECTION 5: EMERGENCY SUSPENSIONS

A) All orders allowing for visitation by the parent of a foster child that resides in a home that is quarantined or isolated due to COVID-19 remain suspended. The Department of Child and Family Services is hereby ordered to make all reasonable efforts to continue to allow for alternative visitation.

B) SHAREHOLDER MEETINGS

1) Subpart A of Part 7 of the Business Corporation Act, including without limitation, Subsection B of Section 1-701, subsection C of 1-702 and subsections A and E of Section 1-705 of the Business Corporation Act, hereby remain suspended to the extent it requires meetings of shareholders to be noticed and held at a physical location in connection with any shareholder meeting that either (a) has a record date that falls during the Public Health emergency declared by Proclamation Number 25 JBE 2020 (or as extended by this subsequent Proclamation), (b) requires notice to be provided in connection therewith during the Public Health emergency declared by Proclamation Number 25 JBE 2020 (or as extended by this subsequent Proclamation) or (c) is scheduled to occur during the Public Health emergency declared by Proclamation Number 25 JBE 2020 (or as extended by this subsequent Proclamation).

2) This Proclamation shall remain in full force and effect with respect to any meeting duly called and convened in accordance with the Business Corporation Act and in reliance upon Section 1 hereof, notwithstanding the lapse or termination of this Proclamation.

C) REMOTE NOTARIZATION

1) During this emergency, a regularly commissioned notary public who holds a valid notarial commission in the State of Louisiana, including a person who is licensed to practice law and commissioned by the Secretary of State, may perform notarization for an individual not in the physical presence of the notary public if:
   a) the individual and the notary public can communicate simultaneously by sight and sound through an electronic device or process at the time of the notarization;
   b) the notary public—
      i) has reasonably identified the individual; and
      ii) either directly or through an agent.
         a. creates an audio and visual recording of the performance of the notarization, and
         b. retains such recording as a notarial record for at least 10 years from the date of execution unless a law of the state requires a different period of retention, and if any laws of the state govern the content, retention, security, use, effect, and disclosure of such recording and any information contained therein such recording shall be subject thereto.
      iii) The person appearing and the Notary Public can affix their digital signatures to the act in a manner that renders any subsequent change or modification of the remote online notarial act to be evident.
2) If a state law requires an individual to appear personally before or be in the physical presence of a notary public at the time of a notarization that requirement shall be satisfied if the individual and the notary public are not in the physical presence of each other but can communicate simultaneously by sight and sound through an electronic device or process at the time of the notarization; except for the laws pertaining to testaments, trust instruments, donations inter vivos, matrimonial agreements, acts modifying, waiving or extinguishing an obligation of final spousal support and authentic acts.
3) During this emergency, the recorder (as used in La. C.C. Art 3344) shall not refuse to record a tangible copy of an electronic record on the ground that it does not bear the original signature of a person if a notary public or other officer before whom it was executed certifies that the tangible copy is an accurate copy of the electronic record.

D) To reduce the burden on members of the public and to limit the interactions of individuals with state employees in governmental offices, the following regulatory statutes are hereby suspended as follows:

1) Department of Public Safety

   a) The deadlines for the period to request an administrative hearing pursuant to La. R.S. 15:542.1.3(B)(4) which expired on or after March 9, 2020 but before May 10, 2020 remains suspended and extended until June 9, 2020.
   b) Further, with regard to Concealed Handgun Permits, the rules related to expiration of permits at LAC 55:1.1307(D) and LAC 55: 1.1309(F) shall continue to be suspended until May 10, 2020.
   c) The requirement for the renewal of a motor vehicle inspection certificate required under La. R.S. 32:1304 is suspended until May 2020.
   d) The late fee assessed for firework retail permit applications filed after April 1, 2020, as set forth in La. R.S. 51:656(B), is hereby suspended.
   e) The late fees assessed for failure to timely renew life safety and property protection licenses, as set forth in La. R.S. 40:1664.9(F) and (G), are temporarily suspended through April 30, 2020.

2) Office of Motor Vehicles

a) Late fees for driver's license which would be charged beginning on March 9, 2020 through May 10, 2020, remain suspended until May 20, 2020.

b) The three-day period mandated in La. R.S. 32:863.1 to appear at an Office of Motor Vehicle field office for a notice of violation served on or after March 9, 2020 but before May 10, 2020, remains suspended until May 13, 2020.

c) The expiration date of temporary registration plates issued pursuant to La. R.S. 47:519 and La. R.S. 47:519.2 which expired on or before March 9, 2020 remains suspended until May 10, 2020.

d) The expiration date of license plates issued pursuant to La. R.S. 47:462, *et seq.*, which expired on or after March 9, 2020 but before May 10, 2020 remains suspended until May 10, 2020.

e) The notice of default issued pursuant to La. R.S. 32:429.4 that would be issued on or after March 9, 2020 but before May 15, 2020 remains suspended, and the notices will not be issued until after May 15, 2020.

f) The expiration date of an apportioned registration issued under the International Registration Plan which expires March 31, 2020 remains suspended and the expiration date remains extended to May 31, 2020.

g) The period to request an administrative hearing submitted to the Department pursuant to La. R.S. 32:667, La. R.S. 32:863, La. R.S. 863.1 and LAC Title 55, Part III, Chapter 1, §159 which expired on or after March 9, 2020 but before May 10, 2020 remains suspended and extended until June 10, 2020.

h) The sixty-day delay for the Department to submit the administrative hearing record to the Division of Administrative Law pursuant to La. R.S. 32:667(D)(1) for an arrest which occurred on or after March 9, 2020 but before May 10, 2020 remains extended until August 8, 2020.

i) Office of Motor Vehicles may continue to offer services by remote customer services agent interaction in current Office of Motor Vehicles office locations.

j) All driving schools in the State of Louisiana shall remained closed for in-class instruction until April 30, 2020.

k) The expiration date of driver's licenses which expire on or after March 9, 2020, but on or before May 10, 2020, is suspended and the expiration date is extended to May 20, 2020.

l) The expiration of a temporary driver's license issued pursuant La R.S. 32:667(A) which were issued on or after March 9, 2020 through May 10th, 2020 is suspended until June 9, 2020.

m) All students who enroll in a driver's education course after March 9, 2020 shall be allowed to begin the driver's education course without the issuance of the temporary instructional permit until May 10, 2020.

n) Any suspension for which the official notice of withdrawal was issued on or after Feb 17,2020, but before May 10, 2020, shall remain pending until June 9,2020.

o) The expiration date of a hang tag issued pursuant to La. R.S. 47:463.4, *et seq.*, which expired on or after March 9, 2020, but before May 10, 2020, is suspended until May 30, 2020.

p) For purchasers of used vehicles, purchased from a private individual on or after February 4, 2020 but before May 10, 2020, the 60 day grace period provided for in La. R.S. 32:707(H) for citations for failure to have have a current registration and license plate is extended until June 20, 2020.

E) There shall remain in effect an exemption from the federal rules and regulations that limit the hours operators of commercial vehicles may drive, specifically, Part 395 (drivers' hours of service) of Title 49 of the Code of Federal Regulations, and any additional appropriate response regarding additional expenditures due to this

declaration as determined by the Secretary of the Department of Transportation and Development, or by the Louisiana State Police or local law enforcement agencies for public safety issues in order to ensure the uninterrupted supply of essential goods and commodities.

F) Nothing herein shall be construed as an exemption from the Commercial Driver's License requirements in 49 CFR 383, the financial requirements in 49 CFR 387, or applicable federal size and weight limitations.

G) The following specific provisions of the Louisiana Revised Statutes of 1950 related to the imposition of fees or charges related to transactions with the Department of Health, or their authorized agent, as qualified by this Order, are hereby suspended for transactions by individuals when, as determined by any guidelines or directions issued by the Secretary, the request is a result of the emergency conditions:

1) La. R.S. 40:40(2), to the extent that it requires payment of a fee for production of a duplicate birth record.
2) La. R.S. 40:40(3), to the extent that it requires payment of a fee for production of a duplicate death certificate.

H) LEGAL AND ADMINISTRATIVE DEADLINES

1) Legal deadlines, including liberative prescription and peremptive periods applicable to legal proceedings in all courts, administrative agencies, and boards, are hereby suspended until at least Monday, April 30, 2020, including, but not limited to, any such deadlines set forth by law within the following:

   a) Louisiana Civil Code;
   b) Louisiana Code of Civil Procedure;
   c) Louisiana Code of Criminal Procedure;
   d) Louisiana Children's Code;
   e) Title 9 of Louisiana Revised Statutes, Civil Code Ancillaries;
   f) Title 13 of Louisiana Revised Statutes, Courts and Judicial Procedure;
   g) Title 14 of Louisiana Revised Statutes, Criminal Law;
   h) Title 15 of Louisiana Revised Statutes, Criminal Procedure;
   i) Title 18 of Louisiana Revised Statutes, Louisiana Election Code;
   j) Title 23 of Louisiana Revised Statutes, Labor and Worker's Compensation;
   k) Title 32 of Louisiana Revised Statutes, Motor Vehicles and Traffic Regulations;
   l) Title 40 of Louisiana Revised Statutes, Public Health and Safety;
   m) Title 46 of Louisiana Revised Statutes, Public Welfare and Assistance are hereby suspended;
   n) Title 47 of Louisiana Revised Statutes, Revenue and Taxation;
   o) Title 49 of Louisiana Revised Statutes, State Administration; and
   p) Title 56 of Louisiana Revised Statutes, Wildlife and Fisheries.

2) In addition, all other deadlines in legal proceedings in all courts, administrative agencies, and boards shall remain suspended until Monday, April 30, 2020.
3) Courts, administrative agencies and boards statewide shall continue to use due diligence in communicating with attorneys, parties to proceedings with pending deadlines, and the public how the court, agency or board will implement and interpret the provisions of this Order.
4) Paragraph 2 of this Subsection shall not be interpreted so as to prohibit an owner of immovable property from reclaiming leased property if abandoned as provided by law, or entering leased property to make necessary repairs as provided by law.

K) Any state department or agency or political subdivision is hereby granted authority to further extend any non-essential deadline for a period of no longer than 30 days if deemed necessary to respond to the threat of COVID-19.

SECTION 6: DEPARTMENT OF EDUCATION

A) All public schools in the State of Louisiana shall continue to close facilities to students until April 30, 2020. Schools may offer complete distance learning, as capabilities exist. With appropriate social distancing measures, schools shall, if able, continue to provide meals or other essential services with applicable staff. Instructional minute requirements shall be temporarily suspended for distance education courses and for curriculum delivery. The required 63,720 instructional minute requirement per year shall also remain suspended. The Board of Elementary and Secondary Education shall report to the Governor and the Legislature any further actions necessary to ensure that eligible students achieve successful student grading, promotion, and graduation.

B) The provisions of La. R.S. 17:24.4 and BESE Bulletin 741 that mandate annual administration of testing under the Louisiana Education Assessment Program and End of Course examinations hereby remain suspended for the entirety of the 2019-2020 school year contingent upon receipt of a waiver of the accountability mandates in the Every Student Succeeds Act from the United States Department of Education.

C) The provisions of La. R.S. 17:4023 and La. R.S. 47:6301(B)(2)(ii) that require nonpublic schools to administer testing under the Louisiana Education Assessment Program and End of Course examinations to students participating in the Louisiana Student Scholarships for Educational Excellence program and to students receiving scholarships from donations to school tuition organizations hereby remain suspended for the entirety of the 2019-2020 school year upon receipt of a waiver of the accountability mandates in the Every Student Succeeds Act from the United States Department of Education.

D) The provisions of La. R.S. 17:10.1 that provide for the School and District Accountability System and any rules or regulations adopted by the Board of Elementary and Secondary Education pertaining to the School and District Accountability System hereby remain suspended for the 2019-2020 school year upon receipt of a waiver of the accountability mandates in the Every Student Succeeds Act from the United States Department of Education.

E) The provisions of La. R.S. 17:391.2, *et seq.*, that provide for public school accountability and assessment hereby remain suspended for the entirety of the 2019-2020 school year upon receipt of a waiver of the accountability mandates in the Every Student Succeeds Act from the United States Department of Education.

F) The provisions of La. R.S. 17:154.3 that require teachers to work a minimum number of days per school year hereby remain suspended for the entirety of the 2019-2020 school year.

G) The provisions of La. R.S. 17:221 that mandate every person having control or charge of a child to send that child to a public or nonpublic school hereby remain suspended for the entirety of the 2019-2020 school year.

H) The provisions of La. R.S. 17:232 that require attendance to be checked daily at all schools hereby remain waived for the entirety of the 2019-2020 school year.

I) The provisions of La. R.S. 17:3881, *et seq.*, La. R.S. 17:3901, *et seq.*, and La. R.S. 17:3997(D) that provide for the use of value-added data in teacher evaluation and as criteria for receipt of teaching credentials hereby remain suspended for the entirety of the 2019-2020 school year upon receipt of a waiver of the accountability mandates in the Every Student Succeeds Act from the United States Department of Education.

J) The provisions of La. R.S. 17:3991(C)(1)(b) that require charter schools to adhere to certain student application and enrollment procedures hereby remain suspended for the entirety of the 2019-2020 school year.

K) The provisions of 17:183.2(B) and (C) that require students graduating in Spring 2020 to complete the Individualized Education Program (IEP) goals and requirements for the purposes of graduation are suspended for the entirety of the 2019-2020 school year.

L) The provisions of 17:183.3(D) and (E) that require students graduating in Spring 2020 to complete the IEP goals and requirements for the purposes of graduation for the entirety of the 2019-2020 school year.

M) The provisions of 17:183.3(B)(2)(f) are suspended to allow eligible twelfth grade students to graduate in Spring 2020 with less than 9 credit units if the students were enrolled in a course within the Jump Start sequence in Spring 2020.

N) The Board of Elementary and Secondary Education shall maintain emergency rules as necessary to effect the suspension of the statutes described in the sections above.

SECTION 7: HIGHER EDUCATION

A) All Public Post-secondary institutions and proprietary schools within the State of Louisiana that are licensed by the Louisiana Board of Regents shall continue to be allowed to substitute in-person clinical and classroom instruction with online and lab simulations for enrolled students for the duration of the declared emergency.

Further, all proprietary schools within the State of Louisiana that are licensed by the Louisiana Board of Regents shall continue to be allowed to substitute in-person clinical and classroom instruction with online and lab simulations for currently enrolled students as of March 1, 2020.

B) Relative to the initial eligibility requirements for a Taylor Opportunity Program for Students Award, for students who were enrolled in a Louisiana public high school; students who were enrolled in a nonpublic high school in Louisiana having the approval of the State Board of Elementary and Secondary Education; students who resided in the State of Louisiana and were enrolled in a home study program approved by the State Board of Elementary and Secondary Education; and students who resided out of state during the 2020 academic year but who meet the residency requirements to qualify for a TOPS award provided for in La. R.S. 17:5023, the following requirements shall be suspended:

1) The ACT deadlines imposed by La. R.S. 17:5062, including the requirement that a student be assessed a one semester penalty as set forth in La. R.S. 17:5062 for failure to achieve a qualifying score no later than the national ACT test date of the year of high school graduation.
2) The home study requirements set forth in La. R.S. 17:5029(B)(1)(b)(i).
3) The TOPS Tech core curriculum requirement that a student earn at least nine credits in Jump Start course sequences, workplace experiences, and credentials as set forth in La. R.S. 17:5026 when such requirement has been suspended for the purpose of meeting high school graduation requirements.

C) Relative to continuing eligibility requirements for a Taylor Opportunity Program for Students Award, for students who were enrolled full time as of the census date in a postsecondary institution in Louisiana and remained enrolled as of March 13, 2020; students who were enrolled full time at an out of state college or university as of the census date and remained enrolled through March 13, 2020; students who were enrolled full time as of the census date and who were studying abroad and were required to return to Louisiana due to the outbreak of COVID-19 in the country in which the students were studying; and students who were scheduled to be enrolled full time at a school operating on a basis other than semesters during the spring of 2020; the following requirements shall be suspended:

1) The steady academic progress requirements imposed by La. R.S. 17:5041 or La. R.S. 17:5042.
2) The minimum grade point average requirements imposed by La. R.S. 17:5041 or La. R.S. 17:5042.
3) The deadlines imposed by La. R.S. 17:5041 or La. R.S. 17:5042 requiring that a student whose award is suspended for failure to meet the grade point average requirements must bring his grade point average up to that required in the applicable statute within a specified time period.

SECTION 8: INSURANCE

A) The Commissioner of Insurance shall continue to have limited authority from the Governor to suspend provisions of any regulatory statute of Title 22 of the Louisiana Revised Statutes of 1950 concerning any health insurance policy or contract relative to the current public health emergency, where such statutory or regulatory requirements prevent, hinder, or delay necessary action in coping with the current public health emergency, including the prohibition of any cost sharing, deductibles, copayments, and coinsurance related to the diagnosis or approved treatment of COVID-19.

B) The Commissioner of Insurance shall have limited transfer of authority from the Governor to suspend provisions of any regulatory statute of Title 22 of the Louisiana Revised Statutes of 1950 concerning the cancellation, termination. nonrenewal, and non-reinstatement provisions of Title 22, where such statutory or regulatory requirements prevent, hinder, or delay necessary action in coping with the current public health emergency, including providing additional time for policyholders to complete existing claims, providing additional time for policyholders to remit premium payments to avoid cancelation of policies, prohibiting cancelations where a policyholder is incapable of fulfilling requirements due to the current public health emergency, allowing for mid-term audit of auditable policies upon request of the insured and the recalculation of premium based on the mid-term audit to account for the current operations of the insurer to properly reflect the risk during the current public health emergency, requiring that insurer refund any excess premium as determined by the mid-term audit during the pendency of the current public health emergency.

C) This authority granted to the Commissioner shall not relieve an insured who has a claim caused by this public health emergency, or its aftermath, from compliance with the insured's obligation to provide information and cooperate in the claim adjustment process relative to such claim, or to pay insurance premiums upon termination of the provisions of this Order.

SECTION 9: HEALTH CARE REGULATIONS

A) Louisiana state licensure laws, rules, and regulations for medical professionals and personnel hereby remain suspended for those medical professionals and personnel from other states or other countries offering medical services in Louisiana to those needing medical services as a result of this disaster provided that said out-of-state or out-of-country medical professionals and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training, or ability.

B) All out-of-state or out-of-country medical professionals and personnel offering services in the State of Louisiana by authority of this Order shall continue to submit to the State Health Officer, or his designee at the Office of Public Health within the Louisiana Department of Health, a copy of their respective professional license and photo identification, together with any other forms or documents the State Health Officer may require, by contacting the Office of Public Health.

C) Because of the threat posed to health care workers from COVID-19 and the need to allocate resources to respond to this disaster, there is a need to continue to allow for additional telehealth opportunities. To facilitate the provision of telehealth

services where available and appropriate, the following guidelines remain in place:

1) The requirement of R.S. 40:1223.4 that each state agency or professional or occupational licensing board or commission that regulates the practice of a healthcare provider promulgate any rules necessary to provide for, promote, and regulate the use of telehealth in the delivery of healthcare services within the scope of practice regulated by the licensing entity hereby remains suspended during the term of this emergency declaration.
2) All licensing boards are encouraged to maintain emergency rules, if necessary, so that it will not be considered unethical nor a violation of any licensing standards of the healthcare provider, solely as a result of the provision of such care via telehealth.
3) The practice of the healthcare provider administered via telehealth must be within the scope of the provider's license, skill, training and experience. The services provided to the patient must meet the standard of care that would be provided if the patient were treated on an in-person basis.
4) Prescribing of any controlled substances via telehealth must be medically appropriate, well-documented and continue to conform to rules applicable to the prescription of such medications.

D) The ambulance staffing requirements set forth in R.S. 40:1135.1(A)(2)(a) hereby remain temporarily suspended as to ambulance drivers, provided that such driver possesses a driver's license valid in the State of Louisiana and meets the criminal background check requirements of R.S. 40:1203.1, *et seq.*

Except as expressly suspended herein, all other requirements of R.S. 40:1135.1 shall remain in place, including the requirement that an ambulance be staffed with a minimum of two persons, one of whom shall be a licensed emergency medical technician.

E) The licensing and certification requirements for Louisiana Clinical Laboratory Personnel set forth in R.S. 37:1318, including any requirements for criminal background checks, be temporarily suspended for those laboratory personnel conducting COVID-19 testing who demonstrate molecular biology polymerase chain reaction (PCR) experience and/or for those who demonstrate serological experience in testing clinical samples, when such testing and related activities are performed under the oversight and responsibility of a licensed physician or doctor of philosophy (Ph.D.) with demonstrated experience in the related laboratory activities who ensures the quality of results.

F) The requirement for supervision of physician assistants pursuant to La. R.S. 37:1360.28 is temporarily suspended, however a physician assistant shall practice within his/her scope of practice, subject to his/her education, knowledge, skills, and ability.

G) The Louisiana Board of Dentistry is granted the authority to issue licenses based upon a 2020 graduation from a Louisiana-based CODA accredited program for those who apply and complete their applications in 2020.

SECTION 10: PROVISIONS FOR FIRST RESPONDERS

A) FIRST-RESPONDER RULEMAKING

1) In an effort to preserve the health and safety of the first responders, specifically the firefighters and police officers subject to the Municipal Fire and Police Civil Service System, all local Municipal Fire and Police Civil Service Boards are to maintain emergency rules providing for special COVID-19 leave rules.
2) In order to quickly achieve these rule adoptions, the 30-day notice requirements for rule adoptions found in R.S. 33:2478 and R.S. 33:2538 hereby remain suspended during the pendency of the declaration of public health emergency.

3) Municipal Fire and Police Civil Service Boards shall post notice of the proposed emergency rule with the 24-hour public meeting notice provided in R.S. 42:19.

4) Due to the Stay at Home Order in place statewide, all Municipal Fire and Police Civil Service Boards shall conduct meetings by teleconference or video conference.

B) LAW ENFORCEMENT REHIRING

1) The limitation on receipt of full retirement benefits by rehired retirees assigned to road patrol or corrections function only, under La. R.S. 11:2175(E) shall remain suspended for the duration of this emergency. Any sheriff may rehire on a full-time basis any otherwise qualified retirees to road patrol or corrections functions only, without loss or suspension of retirement benefits to those rehired deputies, for the duration of the emergency.

2) The Boards of Trustees of the Louisiana Sheriffs Pension and Relief Fund shall not be required to suspend benefits to retirees rehired as full-time employees covered by this proclamation.

SECTION 11: The Governor's Office of Homeland Security and Emergency Preparedness is directed to ensure compliance with this order, and is empowered to exercise all authorities pursuant to La. R.S. 29:721, *et seq.*, and La. R.S. 29:760, *et seq.*

SECTION 12: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this event.

SECTION 13: Unless otherwise provided in this order, these provisions are effective from Thursday, April 2, 2020 to Thursday, April 30, 2020, or as extended by any subsequent Proclamation, unless terminated sooner.

IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 2rd day of April, 2020.

GOVERNOR OF LOUISIANA

ATTEST BY THE
SECRETARY OF STATE

SECRETARY OF STATE