



NOTICE/STATEMENTS OF AUTHORITY

NOTICES SHOULD NOT INDICATE THAT ESTABLISHMENTS MUST CLOSE—ONLY THAT DINE-INN SERVICE MUST CEASE
NOTICES SHOULD DECLARE THAT CARRY OUT, CURB SIDE PICKUP, DRIVE THROUGH SERVICE AND CUSTOMER PICK UP OPTIONS ARE NOT PROHIBITED

NOTICES SHOULD OUTLINE POTENTIAL FOR LICENSE RESCISSION, CLOSURE AND CRIMINAL AND CIVIL LIABILITY FOR NON-COMPLIANCE

NOTICES INTENDED TO ENCOURAGE COMPLIANCE;
GRACE PERIOD IF ANY UP TO LOCAL DISCRETION



NOTICE TO CEASE AND DESIST

IDEALLY ISSUED BY IDPH AS PRIMARY AUTHORITY BUT MAY BE ISSUED BY OTHER LICENSING ENTITIES INCLUDING ILCC AND LOCAL EQUIVALENT

SHOULD BE PERSONALLY SERVED AT NON-COMPLIANT ESTABLISHMENT BY LOCAL LAW ENFORCEMENT WITH ASSISTANCE FROM ISP OR OTHER ENTITIES IF NEEDED

LOCAL LAW ENFORCEMENT MAY ADVISE ISP ZONE COMMANDER OF NON-COMPLIANCE; ZONE COMMANDER WILL COORDINATE WITH STATE AND LOCAL DPH; STATE AND LOCAL LIQUOR COMMISSION; AND LOCAL STATE'S ATTORNEY



ENFORCEMENT OPTIONS

1. LICENSE RESCISSION

WORK WITH LOCAL AUTHORITIES TO BEGIN RESCISSION PROCESSES

WORK WITH LOCAL AND STATE LIQUOR COMMISSIONS WHERE APPROPRIATE

2. WORK WITH LOCAL SAO TO OBTAIN CIRCUIT COURT ORDER MANDATING COMPLIANCE WITH GOVERNOR'S ORDER

3. IDPH CLOSURE ORDER (20 ILCS 2305/3(c)).

4. CRIMINAL CHARGES (PROVIDED FOR IN IDPH ACT OR CRIMINAL RECKLESS CONDUCT

5. OTHER CIVIL REMEDIES (TRO PURSUANT TO PUBLIC NUISANCE PRINCIPLES)



The World Health Organization has declared COVID-19 to be a pandemic. The President of United States has declared the COVID-19 outbreak to be a national emergency. The Governor of Illinois has proclaimed COVID-19 to be a state disaster and declared all counties in the state as a disaster area. Federal, state and local public officials have been required to take extraordinary measures to protect the health, safety and welfare of citizens.

Per COVID-19 Executive Order No. 5, Section 1: Beginning March 16, 2020 at 9 p.m. through March 30, 2020, all businesses in Illinois that offer food or beverages for on-premises consumption—including restaurants, bars, grocery stores, and food halls—must suspend service for and may not permit on-premises consumption. Such businesses are permitted and encouraged to serve food and beverages so that they may be consumed off-premises, as currently permitted by law, through means such as in-house delivery, third-party delivery, drive-through, and curbside pick-up. In addition, customers may enter the premises to purchase food or beverages for carry-out; however, establishments offering carry-out service, including food trucks, must ensure an environment where patrons maintain adequate social distancing. Businesses located in airports, hospitals, and dining halls in colleges and universities are exempt from the requirements of this Executive Order. Hotel restaurants may continue to provide room service and carry-out. Catering services may continue.

Per COVID-19 Executive Order No. 5, Section 2: Beginning March 18, 2020, all public and private gatherings in the State of Illinois of 50 people or more are prohibited for the duration of the Gubernatorial Disaster Proclamation. A public or private gathering includes community, civic, public leisure, faith-based events, sporting events with spectators, concerts, conventions, and any similar event or activity that brings together 50 or more people in a single room or a single space at the same time. This includes venues such as fitness centers/health clubs, bowling alleys, private clubs, and theatres. This does not include venues that provide essential goods or services such as grocery stores, hospitals, pharmacies, gas stations, banks/credit unions, and shelters.

Please be advised that your establishment is required to adhere to this Executive Order immediately, and that these steps are necessary and proper to prevent further spreading of COVID-19.

If you do not adhere to this Executive Order, the Illinois Department of Public Health and Certified Local Health Departments have the authority to order that a place be closed and made off limits to the public “to prevent the probable spread of a dangerously contagious or infectious disease *** until such time as the condition can be corrected or the danger to the public health eliminated or reduced in such a manner that no substantial danger to the public's health any longer exists.” 20 ILCS 2305/2(b). The process of issuing such an order is set forth in 20 ILCS 2305/3(c). Furthermore, police officers, sheriffs and all other officers in Illinois are authorized to enforce such orders.

Signed:



CEASE AND DESIST NOTICE

The outbreak of COVID-19 has resulted in the following: (1) The World Health Organization declaring a pandemic, (2) the President of United States declaring a national emergency, and (3) the Governor of the State of Illinois, JB Pritzker, proclaiming a state disaster. Public officials at the federal, state, and local levels have employed extraordinary measures to protect the health, safety, and welfare of citizens.

Consistent with general health and safety actions taken by many public officials throughout the country, on March 20, 2020, Governor Pritzker issued an Executive Order (COVID 19 EXECUTIVE ORDER NO. 8) mandating that effective 5:00 p.m. on March 21, 2020, all businesses and operations in the State, except certain Essential Businesses and Operations that are specifically defined in the Executive Order, are required to cease all activities within the State, unless those activities involve employees working at their own residences.

Please be advised that your business does not qualify as an Essential Business or Operation as defined by Executive Order No.8 and must suspend all public business activities immediately.

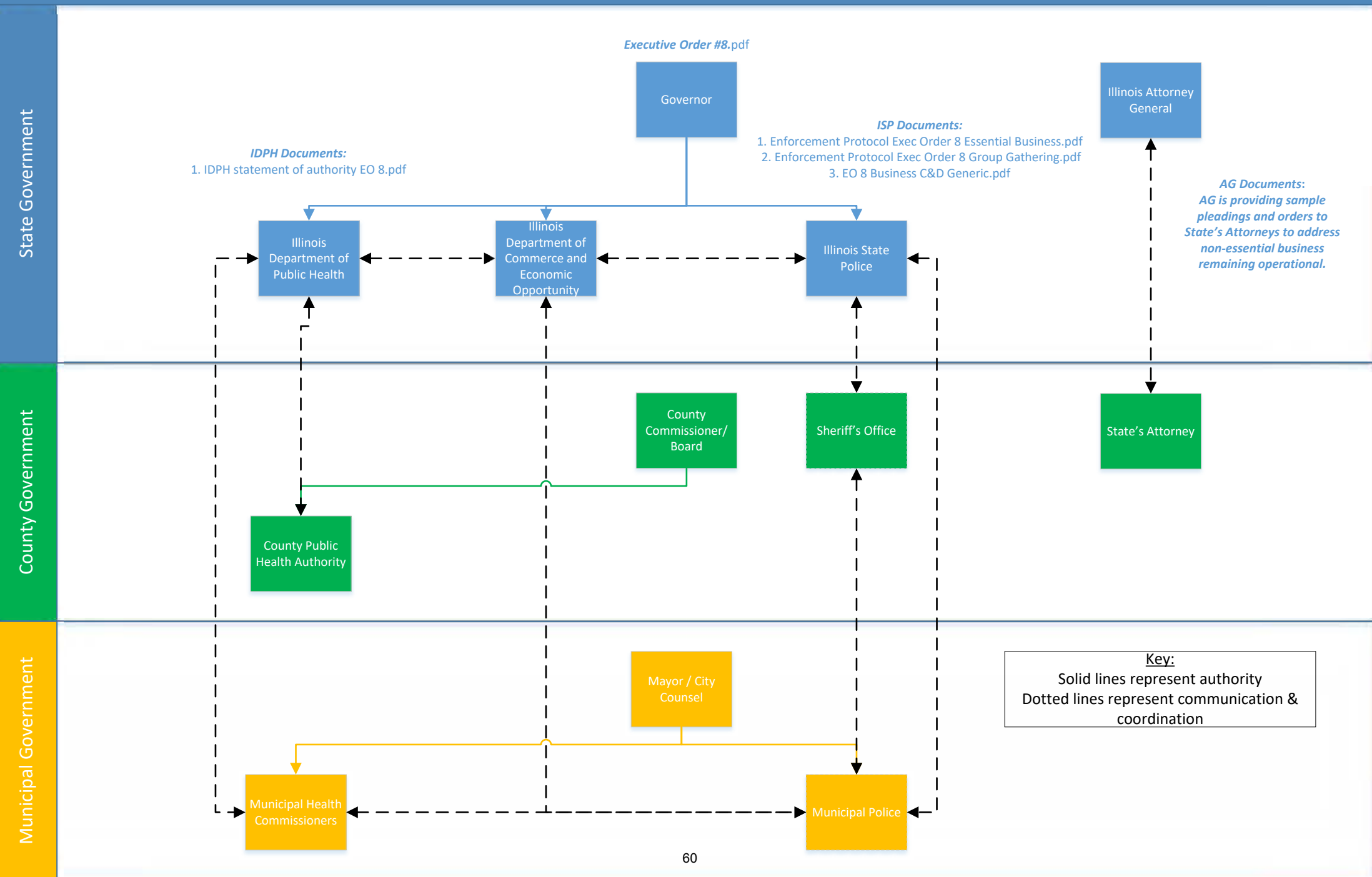
Your failure to comply with this Executive Order may result in one or all of the following: (1) the rescission of licenses necessary to operate your business, (2) an order of closure issued by the state or local health department, or (3) civil and/or criminal liability.

It is imperative that you comply to protect the safety and health of your staff as well as your customers. Should you have any questions, please contact _____.

March ____, 2020

COVID-19 Executive Order #8

Enforcement Authority





**EMERGENCY EXECUTIVE ORDER
NO. 8
SHELTER IN PLACE**

MARCH 2020



EMERGENCY EXECUTIVE ORDER NO. 8

COVID-19 Executive Order No. 8, Section 1: Beginning March 21, 2020, at 5 p.m., all Illinois citizens are ordered to stay at home or at their residence. Citizens may leave their homes only for Essential Activities and must at all times maintain social distancing of at least six feet from any other person. Essential activities include activities in furtherance of health and safety (going to the doctor or pharmacy); obtaining necessary supplies and services (grocery store, hardware store, takeout); outdoor activity provided that social distancing is practiced; work related to essential businesses or operations (going to work); caring for family, friends, and pets; and obtaining public health or human services.

COVID-19 Executive Order No. 8, Section 3: Beginning March 21, 2020 at 5 p.m., all public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for certain limited purposes related to essential activities or essential government or business operations. Groups of more than 10 people in a public location are prohibited.



WHAT **ARE** ESSENTIAL ACTIVITIES?

- **For health and safety.** seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
- **For necessary supplies and services.** To obtain necessary services or supplies such as groceries and food, household consumer products, supplies they need to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.
- **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas.
- **For certain types of work.** To perform work providing essential products and services such as Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure
- **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets



WHAT IS **NOT** AN ESSENTIAL ACTIVITY?

- Essential activities **DO NOT INCLUDE** visiting places of public amusement, such as carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs, fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.



COMMUNITY CARETAKING

• STEP ONE: EXERCISE COMMUNITY CARETAKING FUNCTION

- **Community caretaking** refers to a police act that is unrelated to the investigation of crime. Community caretaking does not require police to have reasonable suspicion, probable cause, or a warrant to engage in contact with a citizen to protect health and safety. *People v. McDonough*, 239 Ill. 2d 260, 271-75 (2010).
- Using their community caretaking authority, law enforcement is encouraged engage with citizens who are outside their residences or in public places without an obvious essential purpose to evaluate whether the person should be out; to educate the person on the purpose and guidelines of EO 8, and to direct that person to leave a certain location and/or return to his/her residence if appropriate.



LARGE GROUPS

- If a large group is gathered in a non-essential business location, or in an outdoor area, law enforcement is free to use their training to disperse the crowd for public safety purposes.



STAY SAFE

- Law enforcement should exercise safety precautions when engaging in the community caretaking function, e.g. remaining in vehicle and speaking to citizen through window; practicing social distancing, and use of in car public address system, use of PPE per department directive.



- **STEP TWO: ENFORCEMENT (LAST RESORT)**

- If a person refuses to comply with a verbal command to return to leave a public location, and/or return to his/her residence, or if a gathered crowd refuses to disburse, law enforcement should use verbal commands to facilitate disbursement;
- Stop cards or field reports can be filled out if necessary.
- In extreme circumstances of non-compliance, and with required probable cause, misdemeanor citations may be issued for offenses such as:
 - Reckless Conduct, **720 ILCS 5/12-5(a) Class misdemeanor**
 - Disorderly Conduct, **720 ILCS 5/26-1(a)(1) Class C misdemeanor**
- Citizens **should not be taken into custody** (bonding procedures should comport with department directives and directives provided local State's Attorney's Office in light of COVID protocols).



GROUP GATHERINGS

- IF A GROUP OF 10 OR MORE IS GATHERED IN VIOLATION OF EO 8:
 - LAW ENFORCEMENT SHOULD INQUIRE TO DETERMINE WHETHER THE GATHERING IS AN EXCEPTION RECOGNIZED BY EO 8. IF IT IS NOT, LAW ENFORCEMENT SHOULD ADVISE GROUP OF EO8 AND PROVIDE VERBAL COMMANDS TO DISPERSE TO ENSURE PUBLIC SAFETY.
 - IF GROUPS CONTINUE TO CONGREGATE IN THE LOCATION, LOCAL LAW ENFORCEMENT MAY ADVISE ISP ZONE COMMANDER OF NON-COMPLIANCE; ZONE COMMANDER MAY COORDINATE WITH RELEVANT STATE AGENCIES AND SAOs.



ENFORCEMENT

Executive Order 2020-10

(COVID -19 Executive Order No. 8)

JB PRITZKER, GOVERNOR

NGOZI O. EZIKE, MD, DIRECTOR

The World Health Organization has declared COVID-19 to be a pandemic. The President of United States has declared the COVID-19 outbreak to be a national emergency. The Governor of Illinois has proclaimed COVID-19 to be a state disaster and declared all counties in the state as a disaster area. Federal, state and local public officials have been required to take extraordinary measures to protect the health, safety and welfare of citizens.

Per Executive Order 2020-10 (COVID-19 Executive Order No. 8), Section 1: Beginning March 21, 2020, at 5 p.m., through April 7, 2020, all Illinois citizens are ordered to stay at home or at their place of residence. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, as set forth in the Executive Order, and must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person. Essential activities include activities in furtherance of health and safety; obtaining necessary supplies and services; outdoor activity provided that social distancing is practiced; work related to essential businesses or operations; caring for family, friends, and pets; and obtaining public health or human services.

Per Executive Order 2020-10 (COVID-19 Executive Order No. 8), Section 2: Beginning March 21, 2020 at 5 p.m., through April 7, 2020, all businesses and operations in the State, except certain Essential Businesses and Operations that are specifically defined in the Executive Order, are required to cease all activities, unless those activities involve employees working at their own residences. Essential Businesses and Operations include the following: stores that sell groceries and medicines; producers of food, beverages, or cannabis; charitable or social service organizations; media; gas stations and businesses needed for transportation; financial institutions; hardware and supply stores; critical trades; mail, post, shipping, logistics, and delivery and pick-up services; educational institutions (for the purpose of facilitating distance learning or other essential functions); laundry services; restaurants for consumption off premises; supplies to work from home; supplies for essential business and operations; travel; home care; residential care; legal, accounting and insurance services; certain day care locations; manufacture, distribution, and supply chain for critical products and industries; critical labor union functions; hotels and motels; and funeral functions.

Per Executive Order 2020-10 (COVID-19 Executive Order No. 8), Section 3: Beginning March 21, 2020 at 5 p.m., through April 7, 2020, all public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for certain limited purposes. This Executive Order includes all places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums,



ENFORCEMENT
Executive Order 2020-10
(COVID -19 Executive Order No. 8)

JB PRITZKER, GOVERNOR

NGOZI O. EZIKE, MD, DIRECTOR

arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs.

Per Executive Order 2020-10 (COVID-19 Executive Order No. 8), Section 4: Beginning March 21, 2020 at 5 p.m., through April 7, 2020, all travel, except Essential Travel, is prohibited. People riding on public transit for essential business and personal activities must comply with Social Distancing Requirements to the greatest extent feasible.

Please be advised that your establishment is required to adhere to this Executive Order, and that these steps are necessary and proper to prevent further spreading of COVID-19.

If you do not adhere to this Executive Order, the Illinois Department of Public Health has the authority to order that a place be closed and made off limits to the public "to prevent the probable spread of a dangerously contagious or infectious disease *** until such time as the condition can be corrected or the danger to the public health eliminated or reduced in such a manner that no substantial danger to the public's health any longer exists." 20 ILCS 2305/2(b). The process of issuing such an order is set forth in 20 ILCS 2305/3(c). Furthermore, police officers, sheriffs and all other officers in Illinois are authorized to enforce such orders.

Signed:



February 2020

Office for Civil Rights, U.S. Department of Health and Human Services

BULLETIN: HIPAA Privacy and Novel Coronavirus

In light of the Novel Coronavirus (2019-nCoV) outbreak, the Office for Civil Rights (OCR) at the U.S. Department of Health and Human Services (HHS) is providing this bulletin to ensure that HIPAA covered entities and their business associates are aware of the ways that patient information may be shared under the HIPAA Privacy Rule in an outbreak of infectious disease or other emergency situation, and to serve as a reminder that the protections of the Privacy Rule are not set aside during an emergency.

The HIPAA Privacy Rule protects the privacy of patients' health information (protected health information) but is balanced to ensure that appropriate uses and disclosures of the information still may be made when necessary to treat a patient, to protect the nation's public health, and for other critical purposes.

The U.S. Centers for Disease Control and Prevention (CDC) has advised: if you were in China within the past 14 days and feel sick with fever, cough, or difficulty breathing, you should get medical care. Call the office of your health care provider before you go and tell them about your travel and your symptoms. They will give you instructions on how to get care without exposing other people to your illness. While sick, avoid contact with people, don't go out and delay any travel to reduce the possibility of spreading illness to others. More information from the CDC available at: <https://www.cdc.gov/coronavirus/2019-ncov/downloads/2019-ncov-factsheet.pdf>.

Sharing Patient Information

Treatment Under the Privacy Rule, covered entities may disclose, without a patient's authorization, protected health information about the patient as necessary to treat the patient or to treat a different patient. Treatment includes the coordination or management of health care and related services by one or more health care providers and others, consultation between providers, and the referral of patients for treatment. See 45 CFR §§ 164.502(a)(1)(ii), 164.506(c), and the definition of "treatment" at 164.501.

Public Health Activities The HIPAA Privacy Rule recognizes the legitimate need for public health authorities and others responsible for ensuring public health and safety to have access to protected health information that is necessary to carry out their public health mission. Therefore, the Privacy Rule permits covered entities to disclose needed protected health information without individual authorization:

- **To a public health authority**, such as the CDC or a state or local health department, that is authorized by law to collect or receive such information for the purpose of preventing or controlling disease, injury or disability. This would include, for example, the reporting of disease or injury; reporting vital events, such as births or deaths; and conducting public health surveillance, investigations, or interventions. A "public health authority" is an agency or authority of the United States government, a State, a territory, a political subdivision of a State or territory, or Indian tribe that is responsible for public health matters as part of its official mandate, as well as a person or entity acting under a grant of authority from, or under a contract with, a public health agency. See 45 CFR §§ 164.501 and 164.512(b)(1)(i). For example, a covered entity may disclose to the CDC protected health information on an ongoing basis as needed to report all prior and prospective cases of patients exposed to or suspected or confirmed to have Novel Coronavirus (2019-nCoV).



- **At the direction of a public health authority, to a foreign government agency** that is acting in collaboration with the public health authority. See 45 CFR 164.512(b)(1)(i).
- **To persons at risk** of contracting or spreading a disease or condition if other law, such as state law, authorizes the covered entity to notify such persons as necessary to prevent or control the spread of the disease or otherwise to carry out public health interventions or investigations. See 45 CFR 164.512(b)(1)(iv).

Disclosures to Family, Friends, and Others Involved in an Individual's Care and for Notification A covered entity may share protected health information with a patient's family members, relatives, friends, or other persons identified by the patient as involved in the patient's care. A covered entity also may share information about a patient as necessary to identify, locate, and notify family members, guardians, or anyone else responsible for the patient's care, of the patient's location, general condition, or death. This may include, where necessary to notify family members and others, the police, the press, or the public at large. See 45 CFR 164.510(b).

- The covered entity should get verbal permission from individuals or otherwise be able to reasonably infer that the patient does not object, when possible; if the individual is incapacitated or not available, covered entities may share information for these purposes if, in their professional judgment, doing so is in the patient's best interest.
- For patients who are unconscious or incapacitated: A health care provider may share relevant information about the patient with family, friends, or others involved in the patient's care or payment for care, if the health care provider determines, based on professional judgment, that doing so is in the best interests of the patient. For example, a provider may determine that it is in the best interests of an elderly patient to share relevant information with the patient's adult child, but generally could not share unrelated information about the patient's medical history without permission.
- In addition, a covered entity may share protected health information with disaster relief organizations that, like the American Red Cross, are authorized by law or by their charters to assist in disaster relief efforts, for the purpose of coordinating the notification of family members or other persons involved in the patient's care, of the patient's location, general condition, or death. It is unnecessary to obtain a patient's permission to share the information in this situation if doing so would interfere with the organization's ability to respond to the emergency.

Disclosures to Prevent a Serious and Imminent Threat Health care providers may share patient information with anyone as necessary to prevent or lessen a serious and imminent threat to the health and safety of a person or the public – consistent with applicable law (such as state statutes, regulations, or case law) and the provider's standards of ethical conduct. See 45 CFR 164.512(j). Thus, providers may disclose a patient's health information to anyone who is in a position to prevent or lessen the serious and imminent threat, including family, friends, caregivers, and law enforcement without a patient's permission. HIPAA expressly defers to the professional judgment of health professionals in making determinations about the nature and severity of the threat to health and safety. See 45 CFR 164.512(j).

Disclosures to the Media or Others Not Involved in the Care of the Patient/Notification In general, except in the limited circumstances described elsewhere in this Bulletin, affirmative reporting to the media or the public at large about an identifiable patient, or the disclosure to the public or media of specific information about treatment of an identifiable patient, such as specific tests, test results or details of a patient's illness, may not be done without the patient's written authorization (or the written authorization of a personal representative who is a person legally authorized to make health care



decisions for the patient). See 45 CFR 164.508 for the requirements for a HIPAA authorization. Where a patient has not objected to or restricted the release of protected health information, a covered hospital or other health care facility may, upon a request to disclose information about a particular patient asked for by name, release limited facility directory information to acknowledge an individual is a patient at the facility, and may provide basic information about the patient's condition in general terms (e.g., critical or stable, deceased, or treated and released). Covered entities may also disclose information when the patient is incapacitated, if the disclosure is believed to be in the best interest of the patient and is consistent with any prior expressed preferences of the patient. See 45 CFR 164.510(a).

Minimum Necessary For most disclosures, a covered entity must make reasonable efforts to limit the information disclosed to that which is the "minimum necessary" to accomplish the purpose. (Minimum necessary requirements do not apply to disclosures to health care providers for treatment purposes.) Covered entities may rely on representations from a public health authority or other public official that the requested information is the minimum necessary for the purpose, when that reliance is reasonable under the circumstances. For example, a covered entity may rely on representations from the CDC that the protected health information requested by the CDC about all patients exposed to or suspected or confirmed to have Novel Coronavirus (2019-nCoV) is the minimum necessary for the public health purpose. In addition, internally, covered entities should continue to apply their role-based access policies to limit access to protected health information to only those workforce members who need it to carry out their duties. See 45 CFR §§ 164.502(b), 164.514(d).

Safeguarding Patient Information

In an emergency situation, covered entities must continue to implement reasonable safeguards to protect patient information against intentional or unintentional impermissible uses and disclosures. Further, covered entities (and their business associates) must apply the administrative, physical, and technical safeguards of the HIPAA Security Rule to electronic protected health information.

HIPAA Applies Only to Covered Entities and Business Associates

The HIPAA Privacy Rule applies to disclosures made by employees, volunteers, and other members of a covered entity's or business associate's workforce. Covered entities are health plans, health care clearinghouses, and those health care providers that conduct one or more covered health care transactions electronically, such as transmitting health care claims to a health plan. Business associates generally are persons or entities (other than members of the workforce of a covered entity) that perform functions or activities on behalf of, or provide certain services to, a covered entity that involve creating, receiving, maintaining, or transmitting protected health information. Business associates also include subcontractors that create, receive, maintain, or transmit protected health information on behalf of another business associate. The Privacy Rule does not apply to disclosures made by entities or other persons who are not covered entities or business associates (although such persons or entities are free to follow the standards on a voluntary basis if desired). There may be other state or federal rules that apply.

Business Associates A business associate of a covered entity (including a business associate that is a subcontractor) may make disclosures permitted by the Privacy Rule, such as to a public health authority, on behalf of a covered entity or another business associate to the extent authorized by its business associate agreement.



Other Resources

For more information on HIPAA and Public Health, please visit:

<https://www.hhs.gov/hipaa/for-professionals/special-topics/public-health/index.html>

For more information on HIPAA and Emergency Preparedness, Planning, and Response, please visit: [https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-](https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/index.html)

[preparedness/index.html](https://www.hhs.gov/hipaa/for-professionals/special-topics/emergency-preparedness/index.html)

General information on understanding the HIPAA Privacy Rule may be found at:

<https://www.hhs.gov/hipaa/for-professionals/privacy/index.html>

For information regarding how Federal civil rights laws apply in an emergency, please visit:

[https://www.hhs.gov/civil-rights/for-individuals/special-topics/emergency-](https://www.hhs.gov/civil-rights/for-individuals/special-topics/emergency-preparedness/index.html)
[preparedness/index.html](https://www.hhs.gov/civil-rights/for-individuals/special-topics/emergency-preparedness/index.html)

Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule: A Guide for Law Enforcement

What is the HIPAA Privacy Rule?

The Health Insurance Portability and Accountability Act of 1996 (*HIPAA*) Privacy Rule provides Federal privacy protections for individually identifiable health information, called protected health information or PHI, held by most health care providers and health plans and their business associates. The HIPAA Privacy Rule sets out how and with whom PHI may be shared. The Privacy Rule also gives individuals certain rights regarding their health information, such as the rights to access or request corrections to their information.

Who must comply with the HIPAA Privacy Rule?

HIPAA applies to health plans, health care clearinghouses, and those health care providers that conduct certain health care transactions electronically (e.g., billing a health plan). These are known as covered entities. Hospitals, and most clinics, physicians and other health care practitioners are HIPAA covered entities. In addition, HIPAA protects PHI held by business associates, such as billing services and

others, hired by covered entities to perform services or functions that involve access to PHI.

Who is not required to comply with the HIPAA Privacy Rule?

Many entities that may have health information are not subject to the HIPAA Privacy Rule, including:

- employers,
- most state and local police or other law enforcement agencies,
- many state agencies like child protective services, and
- most schools and school districts.

While schools and school districts maintain student health records, these records are in most cases protected by the Family Educational Rights and Privacy Act (FERPA) and not HIPAA. HIPAA may apply however to patient records at a university hospital or to the health records of non-students at a university health clinic.



Under what circumstances may a HIPAA covered entity disclose PHI to law enforcement?

A HIPAA covered entity may disclose PHI to law enforcement with the individual's signed HIPAA authorization.

A HIPAA covered entity also may disclose PHI to law enforcement without the individual's signed HIPAA authorization in certain incidents, including:

- To report PHI to a law enforcement official reasonably able to prevent or lessen a serious and imminent threat to the health or safety of an individual or the public.
- To report PHI that the covered entity in good faith believes to be evidence of a crime that occurred on the premises of the covered entity.
- To alert law enforcement to the death of the individual, when there is a suspicion that death resulted from criminal conduct.
- When responding to an off-site medical emergency, as necessary to alert law enforcement to criminal activity.
- To report PHI to law enforcement when required by law to do so (such as reporting gunshots or stab wounds).

- To comply with a court order or court-ordered warrant, a subpoena or summons issued by a judicial officer, or an administrative request from a law enforcement official (the administrative request must include a written statement that the information requested is relevant and material, specific and limited in scope, and de-identified information cannot be used).
- To respond to a request for PHI for purposes of identifying or locating a suspect, fugitive, material witness or missing person, but the information must be limited to basic demographic and health information about the person.
- To respond to a request for PHI about an adult victim of a crime when the victim agrees (or in limited circumstances if the individual is unable to agree). Child abuse or neglect may be reported, without a parent's agreement, to any law enforcement official authorized by law to receive such reports.

For More Information

This is a summary of the relevant provisions and does not include all requirements that are found in the HIPAA Privacy Rule. For complete information, please visit the U.S. Department of Health and Human Service's Office for Civil Rights HIPAA web site at <http://www.hhs.gov/ocr/privacy>.



COVID-19 and HIPAA: Disclosures to law enforcement, paramedics, other first responders and public health authorities

Does the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule allow a covered entity to share the name or other identifying information of an individual who has been infected with, or exposed to, the virus SARS-CoV-2, or the disease caused by the virus, Coronavirus Disease 2019 (COVID-19), with law enforcement, paramedics, other first responders, and public health authorities without an individual's authorization?

Yes, the HIPAA Privacy Rule permits a covered entity to disclose the protected health information (PHI) of an individual who has been infected with, or exposed to, COVID-19, with law enforcement, paramedics, other first responders, and public health authorities¹ without the individual's HIPAA authorization, in certain circumstances, including the following²:

- ***When the disclosure is needed to provide treatment.*** For example, HIPAA permits a covered skilled nursing facility to disclose PHI about an individual who has COVID-19 to emergency medical transport personnel who will provide treatment while transporting the individual to a hospital's emergency department. 45 CFR 164.502(a)(1)(ii); 45 CFR 164.506(c)(2).
- ***When such notification is required by law.*** For example, HIPAA permits a covered entity, such as a hospital, to disclose PHI about an individual who tests positive for COVID-19 in accordance with a state law requiring the reporting of confirmed or suspected cases of infectious disease to public health officials. 45 CFR 164.512(a).
- ***To notify a public health authority in order to prevent or control spread of disease.*** For example, HIPAA permits a covered entity to disclose PHI to a public health authority

¹ Under HIPAA, "public health authority" means an agency or authority of the United States, a State, a territory, a political subdivision of a State or territory, or an Indian tribe, or a person or entity acting under a grant of authority from or contract with such public agency, including the employees or agents of such public agency or its contractors or persons or entities to whom it has granted authority, that is responsible for public health matters as part of its official mandate. 45 CFR 164.501 (definition of "public health authority").

² The HIPAA Privacy Rule limitations only apply if the entity or individual that is disclosing protected health information meets the definition of a HIPAA covered entity or business associate. This guidance provides examples of disclosures from certain types of entities, some of which are covered by HIPAA, and others that may not be. While the entities in the examples are covered under HIPAA, the examples are not intended to imply that all public health authorities, 911 call centers, or prison doctors, for example, are covered by HIPAA and are required to comply with the HIPAA Rules.



(such as the Centers for Disease Control and Prevention (CDC), or state, tribal, local, and territorial public health departments) that is authorized by law to collect or receive PHI for the purpose of preventing or controlling disease, injury, or disability, including for public health surveillance, public health investigations, and public health interventions. 45 CFR 164.512(b)(1)(i); *see also* 45 CFR 164.501 (providing the definition of “public health authority”).

- ***When first responders may be at risk of infection.*** A covered entity may disclose PHI to a first responder who may have been exposed to COVID-19, or may otherwise be at risk of contracting or spreading COVID-19, if the covered entity is authorized by law, such as state law, to notify persons as necessary in the conduct of a public health intervention or investigation. For example, HIPAA permits a covered county health department, in accordance with a state law, to disclose PHI to a police officer or other person who may come into contact with a person who tested positive for COVID-19, for purposes of preventing or controlling the spread of COVID-19. 45 CFR 164.512(b)(1)(iv).
- ***When the disclosure of PHI to first responders is necessary to prevent or lessen a serious and imminent threat to the health and safety of a person or the public.*** A covered entity may disclose PHI to prevent or lessen a serious and imminent threat to a person or the public, when such disclosure is made to someone they believe can prevent or lessen the threat, which may include the target of the threat. For example, HIPAA permits a covered entity, consistent with applicable law and standards of ethical conduct, to disclose PHI about individuals who have tested positive for COVID-19 to fire department personnel, child welfare workers, mental health crisis services personnel, or others charged with protecting the health or safety of the public if the covered entity believes in good faith that the disclosure of the information is necessary to prevent or minimize the threat of imminent exposure to such personnel in the discharge of their duties. 45 CFR 164.512(j)(1).
- ***When responding to a request for PHI by a correctional institution or law enforcement official having lawful custody of an inmate or other individual,*** if the facility or official represents that the PHI is needed for:
 - providing health care to the individual;
 - the health and safety of the individual, other inmates, officers, employees and others present at the correctional institution, or persons responsible for the transporting or transferring of inmates;
 - law enforcement on the premises of the correctional institution; or
 - the administration and maintenance of the safety, security, and good order of the correctional institution.

For example, HIPAA permits a covered entity, such as a physician, located at a prison medical facility to share an inmate’s positive COVID-19 test results with correctional guards at the facility for the health and safety of all people at the facility. 45 CFR 164.512(k)(5).



General Considerations: Except when required by law, or for treatment disclosures, a covered entity must make reasonable efforts to limit the information used or disclosed under any provision listed above to that which is the “minimum necessary” to accomplish the purpose for the disclosure. 45 CFR 164.502(b).

In some cases, more than one provision of the HIPAA Privacy Rule may apply to permit a particular use or disclosure of PHI by a covered entity. The illustrative examples below involve uses and disclosures of PHI that are permitted under 45 CFR 164.512(a), 164.512(b)(1), and/or 164.512(j)(1), depending on the circumstances.

ADDITIONAL EXAMPLES:

- **Example:** A covered entity, such as a hospital, may provide a list of the names and addresses of all individuals it knows to have tested positive, or received treatment, for COVID-19 to an EMS dispatch for use on a per-call basis. The EMS dispatch (even if it is a covered entity) would be allowed to use information on the list to inform EMS personnel who are responding to any particular emergency call so that they can take extra precautions or use personal protective equipment (PPE).

Discussion: Under this example, a covered entity should not post the contents of such a list publicly, such as on a website or through distribution to the media. A covered entity under this example also should not distribute compiled lists of individuals to EMS personnel, and instead should disclose only an individual’s information on a per-call basis. Sharing the lists or disclosing the contents publicly would not ordinarily constitute the minimum necessary to accomplish the purpose of the disclosure (*i.e.*, protecting the health and safety of the first responders from infectious disease for each particular call).

- **Example:** A 911 call center may ask screening questions of all callers, for example, their temperature, or whether they have a cough or difficulty breathing, to identify potential cases of COVID-19. To the extent that the call center may be a HIPAA covered entity, the call center is permitted to inform a police officer being dispatched to the scene of the name, address, and screening results of the persons who may be encountered so that the officer can take extra precautions or use PPE to lessen the officer’s risk of exposure to COVID-19, even if the subject of the dispatch is for a non-medical situation.

Discussion: Under this example, a 911 call center that is a covered entity should only disclose the minimum amount of information that the officer needs to take appropriate precautions to minimize the risk of exposure. Depending on the circumstances, the minimum necessary PHI may include, for example, an individual’s name and the result of the screening.



Covered entities should consult other applicable laws (*e.g.*, state and local statutes and regulations) in their jurisdiction prior to using or making disclosures of individuals' PHI, as such laws may place further restrictions on disclosures that are permitted by HIPAA.

Information about HIPAA Privacy and COVID-19 is available at
<https://www.hhs.gov/sites/default/files/february-2020-hipaa-and-novel-coronavirus.pdf>.

Information about disclosures of PHI to law enforcement officials is available in OCR's HIPAA Guide for Law Enforcement at
[https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/special/emergency/final hipaa guide law enforcement.pdf](https://www.hhs.gov/sites/default/files/ocr/privacy/hipaa/understanding/special/emergency/final%20hipaa%20guide%20law%20enforcement.pdf).

Information about uses and disclosures of PHI for public health is available at
<https://www.hhs.gov/hipaa/for-professionals/special-topics/public-health/index.html>.



CEASE AND DESIST NOTICE

Date: March 18, 2020

Due to the outbreak of COVID-19 and the declaration of a national public emergency, federal, state and local public officials have been required to take extraordinary measures to protect the health, safety and welfare of its citizens.

Please be advised that your establishment is unlawfully operating amidst a declared limitation on service that is necessary and proper to prevent further spreading of the COVID-19 pathogen. You must cease and desist all unlawful operations, specifically dine-in service, immediately.

Consistent with general health and safety actions taken by many public officials, and under the advice and authority of State public health officials, the Governor of the State of Illinois has ordered that dine-in service cease at establishments serving food and beverages. The Governor's order does not prohibit carry out, drive through, curbside pickup, or home delivery services.

In consideration of the Governor's order, the Illinois Liquor Control Commission ("State Commission") has the responsibility and authority to take necessary actions to protect the "health, safety, and welfare of the People of the State of Illinois." 235 ILCS 5-1-2; 235 ILCS 5/3-12(a)(2); 235 ILCS 5/3-4. Furthermore, the State Commission has the responsibility and authority to ensure that its license holders abide by all State and Federal laws. 11 Ill. Admin. Code 100.30. Your non-compliance with the Governor's order could result in rescission of licenses required to operate your business; a closure order; or other criminal and civil remedies.

Should you have any questions, please contact the Chief of Enforcement for the ILCC, Les Peterson, at Les.Peterson@Illinois.gov.

Signed:

Les Peterson
Chief of Enforcement
Illinois Liquor Control Commission



CEASE AND DESIST NOTICE

The outbreak of COVID-19 has resulted in the following: (1) The World Health Organization declaring a pandemic, (2) the President of United States declaring a national emergency, and (3) the Governor of the State of Illinois, JB Pritzker, proclaiming a state disaster. Public officials at the federal, state, and local levels have employed extraordinary measures to protect the health, safety, and welfare of citizens.

Consistent with general health and safety actions taken by many public officials throughout the country, on March 16, 2020, Governor Pritzker issued an Executive Order (COVID 19 EXECUTIVE ORDER NO. 5) mandating that effective 9:00 p.m. on March 16, 2020, all businesses in the State of Illinois that offer food or beverages for on-premises consumption suspend that service. The Governor's Executive Order does not prohibit service of food or beverages by other means, such as take out, in home delivery, drive through, or curb side pickup.

Please be advised that your establishment is required to suspend all on-premises dine-in service immediately as a result of this Executive Order.

Your failure to comply with this Executive Order may result in one or all of the following: (1) the rescission of licenses necessary to operate your business (e.g. liquor license), (2) an order of closure issued by the state or local health department, or (3) civil and/or criminal liability.

It is imperative that you comply to protect the safety and health of your staff as well as your customers. Should you have any questions, please contact _____.

March 18, 2020



ILLINOIS STATE POLICE
Office of the Director

JB Pritzker
Governor

Brendan F. Kelly
Director

CEASE AND DESIST NOTICE

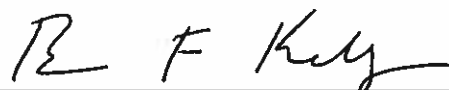
The outbreak of COVID-19 has resulted in the following: (1) The World Health Organization declaring a pandemic, (2) the President of United States declaring a national emergency, and (3) the Governor of the State of Illinois, JB Pritzker, proclaiming a state disaster. Public officials at the federal, state, and local levels have employed extraordinary measures to protect the health, safety, and welfare of citizens.

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It is imperative that you comply to protect the safety and health of your staff as well as your customers. Should you have any questions, please contact your ISP District Headquarters.

Signed: 

Brendan F. Kelly
Director, Illinois State Police
March 18, 2020

801 South Seventh Street • Suite 1100-S
Springfield, IL 62703-2487
(217) 782-7263 (voice) • 1 (800) 255-3323 (TDD)
www.illinois.gov • www.isp.state.il.us



ILLINOIS STATE POLICE
Office of the Director

JB Pritzker
Governor

MEMORANDUM

Brendan F. Kelly
Director

TO: Brendan Kelly
Director

FROM: Andrew Dennis DO, FACS, FACOS
ISP Medical Director

DATE: First Responders and Cardio Pulmonary Resuscitation (CPR)

SUBJECT: April 2, 2020

First Responders administering cardio pulmonary resuscitation (CPR), especially with airway management, is considered an aerosolizing procedure. As such, this procedure carries significant risk of COVID-19 exposure if the providers are not wearing appropriate personal protective equipment (PPE).

Until further notice, Illinois State Police (ISP) First Responders are directed to adhere to the following guidelines if engaging in CPR is necessary:

- 1) **Effective immediately all ISP personnel will perform compression ONLY CPR. No breaths should be delivered either by bag valve mask or by shielded mouth to mouth.**
- 2) The patient receiving CPR should be considered COVID-19 positive and appropriate protective steps must be taken by the Officer.
 - a. N95 mask must be worn
 - i. If possible, a disposable surgical mask should be worn over the N95 mask to protect the N95 mask and allow for re-use.
 - ii. If a disposable surgical mask is not used, the N95 mask should be disposed of after completion of the encounter and the Officer is no longer in the presence of the patient
 - b. Eye protection must be worn.
 - c. Gloves must be worn, preferably two pairs so that one may be removed and the inner glove can be used to remove PPE.
 - d. Disposable gowns (if available) should be worn over clothing.
 - i. This gown should be removed without touching the front.



Director Brendan Kelly
April 2, 2020

Page 2

- ii. The gown should be disposed of after the completion of the encounter and the Officer is no longer in the presence of the patient.
 - e. Appropriate PPE removal procedures must be followed.
- 3) The administration of CPR is a COVID-19 exposure and should be reported through the command structure and to Amy Jeffers in the EMS Office. All ISP sworn First Responders shall immediately complete a medical Field Report in TraCS to document when CPR or other medical services is administered. Post exposure protocols should be followed as outlined in prior communications (see "Working with and around COVID19203-24-20 Final" posted in the ISP Portal under the COVID-19 information tab).



Concerns – Oleoresin Capsicum (OC) Spray and Other Chemical Agents

ISP Officers should consider de-prioritizing the use of OC spray or other chemical agents if the benefit of using these tools is outweighed by the risk of spreading or contracting COVID-19. Using OC spray or other chemical agents increases body mucus secretions and may cause a person to cough, sneeze, spit, or lacrimate. These symptoms of OC spray or other chemical agents would aerosolize the Coronavirus in microparticles and make it become airborne which greatly increases the chance of being contaminated by COVID-19.

If OC Spray or other chemical agents are used by ISP Officers, they should take into account the assessment of potential contamination which would not only include persons but the physical environment where any microparticles could land. Without proper and thorough decontamination procedures, there is a higher risk for contamination due to the Coronavirus. In addition, ISP Officers using OC spray or other chemical agents would end up going hands-on with a suspect which would further increase the risk for contamination.

As established in the guidelines set forth by ISP Medical Director, Dr. Andrew Dennis, ISP Officers are reminded to adhere to proper utilization of PPE when interacting with others.

Director Brendan F. Kelly



FIREARMS TRAINING RECOMMENDATIONS RELATIVE TO COVID-19 PRECAUTIONS

The following **COVID-19 SELF-ASSESSMENT** should be performed by all personnel before entering the training facility.

- Is your current Temperature greater than 100°F ?
- Are you currently experiencing a fever, shortness of breath, cough or sore throat?
- In the past 14 days, have you been exposed to anyone who has tested positive, or is under investigation for COVID-19?
- In the past 14 days, have you traveled internationally, or to the states of CA, MA, NY, or WA?

If you answer to any of the above is yes, contact your supervisor before entering the training facility.

GENERAL PRECAUTIONS

- Personnel should be practicing IDPH recommendations concerning social distancing and hand hygiene (washing with soap and water more than 20 seconds, or using a hand sanitizer that consists of at least 60% alcohol).
- Consistent with Range training protocols, do not eat or drink on the range.
- Class size (on each range or classroom) should be limited to groups of 10 or less (including instructors) with at least 6' of space between each person as often as possible.
- N95 masks should be utilized by all participants at all times.
- Care should be taken to practice frequent hand washing/sanitizing. Face touching and physical contact should be avoided.
- At this time, avoid vehicle related range training. If necessary, simulate shooting from a vehicle with a chair.
- All surfaces that are touched should be sprayed with a suitable sanitizer (i.e. Lysol). This includes door knobs, hand staplers, target holders, target controls, etc.
- Follow all other decontamination guidelines for equipment (e.g. Duty belts and outer garmets)



March 17, 2020

Executive Order 2020 – 08

EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 6)

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Center for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick; and,

WHEREAS, State agencies have been directed to temporarily reduce activities and workforce to core mission functions and essential operations, encouraging working remotely where possible; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (“Gubernatorial Disaster Proclamation”); and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and,

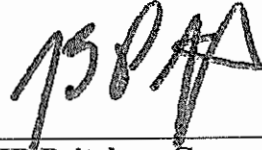
WHEREAS, it is necessary and appropriate for the State of Illinois to immediately take measures to protect the public’s health in response to this COVID-19 outbreak;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following:



Section 1. During the duration of the Gubernatorial Disaster Proclamation and for a period of thirty days following its termination, the following statutory provisions are suspended: (1) provisions of the Illinois Vehicle Code, 625 ILCS 5, providing for the expiration of vehicle registrations, driver's licenses, permits, and parking decals issued by the Secretary of State; (2) provisions of the Illinois Identification Card Act, 15 ILCS 335, providing for the expiration of temporary and standard identification cards issued by the Secretary of State; and (3) hearings conducted by the Secretary of State pursuant to the Illinois Vehicle Code, 625 ILCS 5/2-118, and the Secretary of State Merit Employment Code, 15 ILCS 310/9.

Section 2. The provisions of Article 4A of the Illinois Governmental Ethics Act, 5 ILCS 420/4A, and Section IV of Executive Order 2015-09, providing for the filing of statements of economic interests are suspended during the duration of the Gubernatorial Disaster Proclamation and for thirty days following its termination.



JB Pritzker, Governor

Issued by the Governor March 17, 2020
Filed by the Secretary of State March 17, 2020

FILED
INDEX DEPARTMENT
MAR 17 2020
IN THE OFFICE OF
SECRETARY OF STATE



Executive Order No.6 Enforcement Protocol

Pursuant to Governor's Executive order 2020-08 (COVID-19 EO #6) the provisions of the Illinois Vehicle Code dealing with the expiration of Driver's License and Vehicle License Plate registrations (plate stickers) are suspended for the duration of the State Emergency and thirty (30) days past it.

The following sections of IVC should not be enforced for individuals whose Driver's license or registration stickers expired after February 7, 2020 (since SOS give 30 days' grace)

- 625 ILCS 5/ 3-413(f) Operation of vehicle with expired registration plates or registration sticker (Illinois only)
- 625 ILCS 5/6-101 Driver's license expired less than one year (other provisions of 6-101 may still be enforced)



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Orlando, FL 32854-0774
Telephone: 407•875•1776
Facsimile: 407•875•0770
www.LC.org

122 C Street N.W., Suite 360
Washington, DC 20001
Telephone: 202•289•1776
Facsimile: 202•737•1776

Post Office Box 11108
Lynchburg, VA 24506-1108
Telephone: 434•592•7000
Facsimile: 407•875•0770
liberty@LC.org

Reply to: Florida

May 2, 2020

VIA FEDERAL EXPRESS

Governor J.B. Pritzker
Office of the Governor
207 State House
Springfield, IL 62706

Dear Governor Pritzker:

We the undersigned are Pastors and faith leaders of Romanian-American churches in Metropolitan Chicago. Our congregations, some large and some small, comprise over 2,700 congregants. We have for decades faithfully served our communities within the State of Illinois, both in preaching the Gospel and through a multitude of vibrant programs and outreaches.

The Romanian-Americans in our congregations have chosen Chicago as their homeland, many of them after fleeing communist oppression that targeted religious gatherings, houses of worship and communal exercise of their religion and faith.

We found a home in Illinois, where the promise of freedom has been consistently and faithfully achieved, until your Executive Order 2020-10 unlawfully required that our churches shut their doors to our congregants, irrespective of any social distancing and health precautions that we are willing and able to implement, while allowing many other non-religious businesses and organization to remain open.

We love our adopted country, and the Freedom we have found here, too much to stay silent as you trample on our God-given rights. In light of our shared experience living behind the Iron Curtain – where discriminatory treatment of Churches by authoritarian governments was the norm – we are determined to do everything that we can to ensure that our beloved country and our State remain the beacons of freedom that brought us here.

We recognize your recent attempt to change course, yet we deem your April 30, 2020 allowance of churches to gather together with only 10 persons or less wholly inadequate. We regard this as further evidence of the arbitrary nature of your orders.

Governor J.B. Pritzker

May 2, 2020

Page 2 of 4

You have allowed supermarkets, liquor stores, hardware stores, abortion clinics and a host of other businesses deemed “essential” to operate without the same limitations. You have singled out churches as not essential, and you have closed our doors **even though we are willing and able to implement the same safety measures employed by those that remain open.** This is a flagrant violation of the United States Constitution, and the liberties we have risked our lives to be able to enjoy in this once-free Nation.

Our willing compliance with your orders thus far has been voluntary. But this should not be misunderstood as our acquiescence to the improper and unconstitutional authority you have sought to exercise over our worship.

Your orders are in clear violation of our First Amendment rights. The Constitution and the rights enshrined therein are not suspended during a pandemic, and neither is our religion.

Please be advised that, beginning on May 10, 2020, our congregations will resume in-person church gatherings, and we will no longer adhere to the 10-person limit or the other unconstitutional restrictions comprised within your orders.

Our corporate worship is not only commanded by the Holy Scripture, but it has been a foundational element of religious duty in the Christian Church for over 2,000 years. This has been the sacred practice of the Romanian-American faith community in Chicago for decades. These gatherings are how we worship our God, and the means by which our soul is healed and restored.

We have not only a biblical mandate but also a legal right to meet. The prohibition on religious assembly and church worship services under various government COVID-19 closure orders have already been successfully challenged as a violation of the First Amendment.

In a decision issued on May 2, 2020, the Sixth Circuit Court of Appeal entered an injunction against Kentucky Governor Andy Beshear, and rebuked his unequal treatment of churches in his COVID-19 orders. *See Maryville Baptist Church, Inc. v. Andy Beshear*, Case No. 20-5427 (6th Cir.), copy available at <http://lc.org/PDFs/Attachments2PRsLAs/2020/050220MaryvilleBaptistIPA.pdf>.

The Sixth Circuit held that “Orders prohibiting religious gatherings, enforced by police officers telling congregants they violated a criminal law and by officers taking down license plate numbers, amount to a significant burden on worship gatherings.” The Sixth Circuit also held that treating churches differently from other “essential” or “life sustaining” non-religious organizations and businesses violates the Constitution.

In a stunning rebuke of Governor Beshear’s constitutional overreach, which is similar to yours, the Sixth Circuit said that “while the law may take periodic naps during a pandemic, we will not let it sleep through one.”

Governor J.B. Pritzker

May 2, 2020

Page 3 of 4

In two other cases, the federal district courts have stated unequivocally that the government has no right to close churches, even in times of a pandemic, and certainly no right to treat churches unequally from other non-religious groups, organizations and business that are deemed “essential” and allowed to remain open. *See, e.g., On Fire Christian Center, Inc. v. Fischer*, No. 3:20-CV-264-JRW, 2020 WL 1820249 (W.D. Ky. Apr. 11, 2020) (“*On Fire*”); *First Baptist Church v. Kelly*, No. 20-1102-JWB, 2020 WL 1910021 (D. Kan. Apr. 18, 2020) (“*First Baptist*”). A copy of the court opinions in *On Fire* may be found at <http://lc.org/042920OnFireOpinion.pdf>, and in *First Baptist* may be found at <http://lc.org/042920FirstBaptistTRO.pdf>.

Both of these cases recognize that – even during COVID-19 – the government may not prohibit churches from hosting drive-in and parking lot worship services (*On Fire*), and may not prohibit churches from hosting in-person worship services on equal terms with other businesses and organizations that are permitted to remain open provided certain guidelines are practiced (*First Baptist*).

We recognize that you have limited gatherings with the stated goal of reducing the spread of COVID-19 and protecting medical staff. **We share this desire and commit to doing our part in protecting the physical well-being of all those who attend our church services.**

During the COVID-19 pandemic, we will implement protocols such as those recommended by the CDC, including but not limited to:

- (1) reduced seating for our in-person worship services;
- (2) our churches with moveable chairs will remove some of the chairs to maintain proper social distancing;
- (3) we will mark chairs or pews for use or non-use, and/or ushers can seat people with social distancing guidelines (while our family units can be seated together);
- (4) prior to and following any in-person service, our facilities will be sanitized;
- (5) attendees will be advised that, if they choose, they may wear masks and/or gloves;
- (6) attendees will be advised not to engage in hand shaking or other physical contact;
- (7) hand sanitizer will be available for use throughout the facility, and each person may be given a squirt of sanitizer or a sanitizer wipe upon entering;
- (8) we will have selected points of entry and exit separated from each other establishing a one-way traffic pattern;
- (9) our doors will be propped open or held open by ushers to prevent the need for congregants to touch doors while entering and exiting the church or sanctuary; and
- (10) we will ask anyone with any symptoms of COVID-19 illness, anyone who works in healthcare facilities that treat COVID-19 patients, and those that are elderly and/or with auto-immune issues to forego our in-person gatherings for a time.

These steps and others not enumerated here demonstrate our commitment to the well-being of the members of our congregations. This level of care and attention cannot be ordered by the state. We do this out of religious duty – it is our privilege to care for the bodies and the souls in our congregation, because no one can love our congregants more than we do.

Governor J.B. Pritzker
May 2, 2020
Page 4 of 4

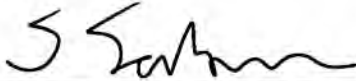
We respectfully ask you to reverse the orders that discriminate against our churches and trample on our constitutional freedoms.

In the meantime, and until you reverse course, **we have authorized our legal counsel to immediately challenge your unconstitutional orders in federal court.**

And, irrespective of how long you or the Courts take to vindicate our inalienable and non-negotiable rights, and to return the Constitution from exile in our State, **our decision is settled: we will reopen our churches on May 10, 2020.**

We pray unceasingly for you, for our state and for our Nation. May our Lord God, the Author and Creator of Freedom, abundantly bless you with wisdom, and continue to bless and heal our Land.

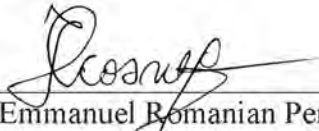
Respectfully,



El Roi Romanian Baptist Church
200 N. Main, Mount Prospect, IL 60056
Pastor Rev. Sorin Sabou, Ph. D.



Elim Romanian Pentecostal Church
4850 N Bernard St, Chicago, IL 60625
Pastor Rev. Cristian Ionescu



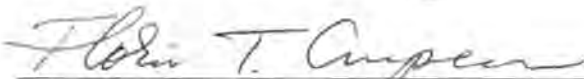
Emmanuel Romanian Pentecostal Church
4600 N Kilpatrick Ave, Chicago, IL 60630
Pastor Rev. Cosmin Ilioni



Golgota Romanian Pentecostal Church
10100 S 52nd Ave, Oak Lawn, IL 60453
Pastors: Rev. Pavel Sav and Rev. Constantin Lupancu

 *mike lozneanu*

Logos Romanian Baptist Church
7280 N Caldwell Ave, Niles, IL 60714
Pastor: Minister Daniel Chiu, Ph.D.
Chairman of the Board:
Rev. Mircea Lozneanu



Philadelphia Romanian Church of God
1713 W Sunnyside Ave, Chicago, IL 60640
Pastor: Rev. Bishop Florin T. Cimpean, M.Div.

Legal Counsel,



Horatio G. Mihet
Vice President of Legal Affairs and
Chief Litigation Counsel

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-91

(Essential Services and Activities During COVID-19 Emergency)

WHEREAS, on March 1, 2020, I issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention ("CDC") issued the "15 Days to Slow the Spread" guidance advising individuals to adopt far-reaching social distancing measures, such as avoiding gatherings of more than 10 people, and in states with evidence of community spread, recommending restrictions to certain establishments conducive to mass gatherings and congregations; and

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

WHEREAS, on March 31, 2020, the President updated the guidance, renaming it "30 Days to Slow the Spread", and along with the White House Coronavirus Task Force urged Americans to continue to adhere to the guidelines and expand community mitigation efforts; and

WHEREAS, the majority of individuals in Florida that have tested positive for COVID-19 have been concentrated in its southeastern counties and other urban cores; and

WHEREAS, positive cases of COVID-19 have continued to rise in other states in close proximity to Florida, resulting in increased risk to counties in northern Florida; and

WHEREAS, many thousands of people fled the New York City region to Florida following New York State issuing a “shelter-in-place” order, thereby jeopardizing the health and safety of Floridians; and

WHEREAS, on March 23, 2020, I issued Executive Order 20-80, requiring all individuals that fly into Florida from states with substantial community spread to self-isolate in Florida for 14 days or the duration of their trip, whichever is shorter; and

WHEREAS, on March 27, 2020, I issued Executive Order 20-86, requiring all individuals that drive into Florida from states with substantial community spread to self-isolate in Florida for 14 days or the duration of their trip, whichever is shorter; and

WHEREAS, persistent interstate travel continues to pose a risk to the entire state of Florida; and

WHEREAS, on March 24, 2020, I issued Executive Order 20-83, directing the State Surgeon General and State Health Officer to issue a public health advisory urging the public to avoid all social or recreational gatherings of 10 or more people and urging those who can work remotely to do so; and

WHEREAS, it is necessary and appropriate to take action to ensure that the spread of COVID-19 is slowed, and that residents and visitors in Florida remain safe and secure.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution Chapter

252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Safer At Home

A. Senior citizens and individuals with a significant underlying medical condition (such as chronic lung disease, moderate-to-severe asthma, serious heart conditions, immunocompromised status, cancer, diabetes, severe obesity, renal failure and liver disease) shall stay at home and take all measures to limit the risk of exposure to COVID-19.

B. In concert with the efforts of President Trump and the White House Coronavirus Task Force to fight COVID-19, and based on guidance provided by Florida Surgeon General and State Health Officer, Dr. Scott Rivkees, all persons in Florida shall limit their movements and personal interactions outside of their home to only those necessary to obtain or provide essential services or conduct essential activities.

Section 2. Essential Services

A. For purposes of this Order and the conduct it limits, “essential services” means and encompasses the list detailed by the U.S. Department of Homeland Security in its Guidance on the Essential Critical Infrastructure Workforce, v. 2 (March 28, 2020) (attached) and any subsequent lists published.

B. Essential services also include those businesses and activities designated by Executive Order 20-89 and its attachment which consists of a list propounded by Miami-Dade County in multiple orders.

C. Other essential services may be added under this Order with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential services, as specified in this Order along with any approved additions. The online list shall be available on the Division of

Emergency Management's website at www.floridadisaster.org and the Florida Department of Health's website at www.floridahealth.gov.

D. Nothing in this order prohibits individuals from working from home; indeed, this Order encourages individuals to work from home.

E. All businesses or organizations are encouraged to provide delivery, carry-out or curbside service outside of the business or organization, of orders placed online or via telephone, to the greatest extent practicable.

Section 3. Essential Activities

A. For purposes of this Order and the conduct it limits, "essential activities" means and encompasses the following:

- i. Attending religious services conducted in churches, synagogues and houses of worship; and
- ii. Participating in recreational activities (consistent with social distancing guidelines) such as walking, biking, hiking, fishing, hunting, running, or swimming; and
- iii. Taking care of pets; and
- iv. Caring for or otherwise assisting a loved one or friend.

B. Other essential activities may be added to this list with the approval of the State Coordinating Officer, in close coordination with the State Health Officer. The State Coordinating Officer shall maintain an online list of essential activities, as specified in this Order along with any approved additions.

C. A social gathering in a public space is not an essential activity. Local jurisdictions shall ensure that groups of people greater than ten are not permitted to congregate in any public space.

Section 4. Local Orders in Response to COVID-19

This Order shall supersede any conflicting official action or order issued by local officials in response to COVID-19 but only to the extent that such action or order allows essential services or essential activities prohibited by this Executive Order.

Section 5. Previous Executive Orders

This Executive Order does not supersede any Executive Order related to COVID-19.

Section 6. Effective Date and Expiration Date

This Order is effective 12:01 am on April 3, 2020. This Order shall expire on April 30, 2020 unless extended by subsequent order. Executive Order 20-68 (bars, restaurants) and Executive Order 20-71 (alcohol sales, restaurants) shall remain in effect through the duration of Executive Order 20-52, including any extensions.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 1st day of April, 2020


RON DESANTIS, GOVERNOR

ATTEST:


SECRETARY OF STATE

FILED
2020 APR -1 PM 1:15
TALLAHASSEE, FLORIDA

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

EXECUTIVE ORDER 20-08

FOR: DIRECTIVE FOR HOOSIERS TO STAY AT HOME

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

- WHEREAS,** on March 6, 2020, I issued Executive Order 20-02, which declared that 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 that a single Hoosier, living in one county, had contracted the virus;
- WHEREAS,** since then, 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 more than forty (40) counties throughout Indiana and caused several deaths, with these numbers expected to increase in the days ahead;
- WHEREAS,** on March 16, 2020, I issued Executive Order 20-04 which, among other things: (a) established that Indiana would adhere to the guidance of the Centers for Disease Control & Prevention ("CDC") for large events and gatherings; (b) encouraged all Indiana residents to heed the advice of the CDC, the Indiana State Department of Health ("ISDH"), the Indiana Department of Homeland Security ("IDHS"), as well as other healthcare and emergency officials in connection with this public health emergency; and (c) proclaimed it to be the duty of every person in our State and every entity doing business in Indiana, including all governmental bodies, agencies, authorities and officials of any nature, to cooperate fully with the Commissioner of the ISDH and the Executive Director of IDHS on all matters concerning this public health emergency;
- WHEREAS,** despite significant steps being taken in our State, this virus remains a serious threat to the health, safety, and welfare of all residents of Indiana, and further efforts are needed to address, control, and reduce the evolving threat posed by COVID-19;
- WHEREAS,** as Governor, I have broad authority and powers under Indiana law to declare and respond to public health emergencies on behalf of our State, including, but not limited to: (a) making, amending, and rescinding the necessary orders, rules, and regulations to carry out Indiana's Emergency Management & Disaster Law and its purposes, Ind. Code ch. 10-14-3 (the "Emergency Disaster Law"); (b) employing any measure and giving any direction to the ISDH and local boards of health as is reasonably necessary for securing compliance with the Emergency Disaster Law or with the findings or recommendations of the ISDH or local boards of health because of conditions arising from the actual or threatened emergency; and (c) controlling ingress to and egress from a disaster area (here, the entire State of Indiana), the movement of persons within said area, and the occupancy of premises in said area;
- WHEREAS,** the ISDH, which reports to me as the Governor, also has broad legal authority and powers in connection with public health emergencies (Ind. Code ch. 16-19-3), including, for example, the powers to do what is reasonable and necessary for the prevention and suppression of disease, to forbid public gatherings when necessary to prevent and stop epidemics, to bring actions in the courts for the enforcement of health laws, and all powers necessary to fulfill the duties prescribed by law; and
- WHEREAS,** in light of the above, and after consultation with and the concurrence of the ISDH and its Commissioner, it is necessary and proper to take further actions to protect the health, safety and welfare of all Hoosiers in connection with the continuing and evolving threat posed by COVID-19, as more particularly described herein;

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. Defined Terms and Phrases

In order to properly understand the full, complete and proper meaning of this Executive Order, please read and consult the definitions of the terms and phrases which are shown by underlining and found throughout this Executive Order, as follows:

- a. Essential Activities: Page 3
- b. Essential Businesses and Operations: Pages 5-8
- c. Essential Governmental Functions: Page 5
- d. Essential Infrastructure: Pages 4-5
- e. Essential Travel: Page 8
- f. Healthcare & Public Health Operations: Page 4
- g. Human Services Operations: Page 4
- h. Minimum Basic Operations: Page 8
- i. Social Distancing Requirements: Page 9

2. Duration

This Executive Order shall be effective at 11:59 p.m. on March 24, 2020, and remain in full force and effect until 11:59 p.m. on April 6, 2020, unless the I rescind, modifies, or extend this Executive Order.

3. Stay at Home or Place of Residence

With exceptions as outlined below, all individuals currently living in the State of Indiana are ordered to stay at home or their place of residence, except as allowed in this Executive Order.

To the extent that individuals are using shared or outdoor spaces when outside of their homes or residences, they must at all times, and as much as reasonably possible, maintain social distancing of at least six (6) feet from any other person, with the exception of family or household members, consistent with the Social Distancing Requirements set forth in this Executive Order. All persons may leave their homes or residences only for Essential Activities, Essential Governmental Functions, or to participate in Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this provision, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as reasonably possible and to the maximum extent practicable (and to use, in their operation, COVID-19 risk mitigation practices recommended by the CDC and the ISDH).

With respect to individuals whose residences are unsafe or become unsafe, such as, by way of example, victims of domestic violence, they are expressly permitted and urged to leave their home and stay at a safe alternative location.

For purposes of this Executive Order, the terms "homes" and "residences" include hotels, motels, shared rental units, shelters, and similar facilities.

4. Non-Essential Business and Operations Must Cease

All businesses and operations in the State of Indiana, except for Essential Businesses and Operations (as defined below), are hereby required to cease all activities within the State, except, however, for Minimum Basic Operations (as defined below). For purposes of clarity, businesses (which includes home-based businesses) may also continue operations consisting exclusively of employees or contractors performing activities at their own homes or residences (i.e., working from home).

All Essential Businesses and Operations are hereby encouraged to remain open. Further, Essential Businesses and Operations shall comply with the Social Distancing Requirements defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the general public at all times, including, but not limited to, when any customers are standing in line.

5. Prohibited Activities

All public and private gatherings of any number of people that occur outside of a single household or living unit, are hereby prohibited, except, however, for the limited purposes permitted by this Executive Order. Any gathering of more than ten (10) people is hereby prohibited, unless exempted by this Executive Order. This is in accordance with the President's coronavirus guidelines issued on March 16, 2020. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including, but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs, shall be closed.

6. Prohibited and Permitted Travel

Only Essential Travel and Essential Activities (as defined herein) are permitted. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible. This Executive Order allows travel into, or out of, the State of Indiana in order to maintain Essential Businesses and Operations and Minimum Basic Operations.

7. Leaving the Home for Essential Activities is Permitted

For purposes of this Executive Order, individuals may leave their homes or residences only to perform any of the following, which are deemed to be "Essential Activities" hereunder:

a. For Health and Safety

To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members or persons who are unable or should not leave their home (including, but not limited to, pets), such as, by way of example and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.

b. For Necessary Supplies and Services

To obtain necessary services or supplies for themselves and their family or household members or persons who are unable or should not leave their home, or to deliver those services or supplies to others, such as, by way of example and without limitation, groceries and food, household consumer products, supplies they need in order to work from home, automobile supplies (including dealers, parts, supplies, repair and maintenance), and products necessary to maintain the safety, sanitation, and/or essential operation of homes or residences.

c. For Outdoor Activity

To engage in outdoor activity, provided that they comply with the Social Distancing Requirements (as defined below), such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, public access playgrounds may increase spread of COVID-19, and therefore shall be closed.

d. For Certain Types of Work

To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Essential Governmental Functions, Healthcare and Public Health Operations, Human Services Operations, and Essential Infrastructure) or to otherwise carry out activities specifically permitted or allowed by this Executive Order, including Minimum Basic Operations.

e. To Take Care of Others

To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.

8. Elderly People & Those Vulnerable as a Result of Illness Should Take Additional Precautions

People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible, except as necessary to seek medical care. Nothing in this Executive Order prevents the ISDH or local health departments from issuing and enforcing isolation and quarantine orders.

9. Healthcare and Public Health Operations

For purposes of this Executive Order, individuals may leave their residences to work for, or to obtain services through, Healthcare and Public Health Operations.

The phrase “Healthcare and Public Health Operations” includes, but is not limited to, the following: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; obstetricians and gynecologists; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; entities that transport and dispose of medical materials and remains; and veterinary care and all healthcare services provided to animals.

Also included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (“PPE”), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities are not included in Healthcare and Public Health Operations.

Further, the phrase “Healthcare and Public Health Operations” shall be construed broadly in order to avoid any impacts to the delivery of healthcare, broadly defined.

10. Human Services Operations

For purposes of this Executive Order, individuals may leave their homes and residences to work for or obtain services at any Human Services Operations, including any provider funded by the ISDH, Indiana Family and Social Services Administration, Indiana Medicaid, Indiana Division of Mental Health and Addiction, Indiana Department of Child Services, Indiana Department of Veterans Affairs and other similar governmental entities, that are providing services to the general public and including state-operated, institutional, or community-based settings providing human services to the public.

The phrase “Human Services Operations” includes, but is not limited to, the following: long-term care facilities; day care centers, day care homes, group day care homes; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Further, the phrase “Human Services Operations” shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

11. Essential Infrastructure

For purposes of this Executive Order, individuals may leave their homes and residences in order to provide any services or to perform any work necessary to offer, provision, operate, maintain, and repair Essential Infrastructure.

The phrase “Essential Infrastructure” includes, but is not limited to, the following: food production, distribution, fulfillment centers, storage facilities, marinas, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, school construction, essential business construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including, for example, water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Further, the phrase “Essential Infrastructure” shall be construed broadly in order to avoid any impacts to essential infrastructure, broadly defined.

12. Essential Governmental Functions

For purposes of this Executive Order, all first responders, law enforcement, emergency dispatchers and management personnel, legislators, judges, court personnel, jurors and grand jurors, corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other governmental employees working for, or to support, Essential Businesses and Operations, are hereby categorically exempt from this Executive Order.

The phrase “Essential Governmental Functions” means all services provided by the State of Indiana or any municipality, township, county, political subdivision, board, commission or agency of government and needed to ensure the continuing operation of government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Governmental Functions. Each governmental body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government.

13. Businesses Covered by this Order

For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.

14. Essential Businesses and Operations

For the purposes of this Executive Order, the phrase “Essential Businesses and Operations” means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, as well as the following:

a. CISA List

On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (“CISA”), issued a Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response. The definition of Essential Businesses and Operations in this Executive Order includes all of the workers identified in that Memorandum, which may be found or accessed at the following link: <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>.

b. Stores That Sell Groceries and Medicine

Grocery stores, pharmacies, certified farmer’s markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, prepared food, alcoholic and non-alcoholic beverages, any other household consumer products (such as cleaning and personal care products), and specifically includes their supply chain and administrative support operations. This includes stores that sell groceries, medicine (including medication not requiring a medical prescription), and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations.

c. Food, Beverage, and Agriculture

Food and beverage manufacturing, production, processing, cultivation, including farming, livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities.

d. Organizations That Provide Charitable and Social Services

Businesses and religious and secular non-profit organizations, including food banks, when providing food, shelter, and social services, 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.

e. Religious Entities

Religious facilities, entities and groups, and religious gatherings, provided they adhere to the CDC's guidance on social gatherings.

f. Media

Newspapers, television, radio, and other media services.

g. Gas Stations and Businesses Needed for Transportation

Gas stations and auto supply, auto-repair, farm equipment, construction equipment, boat repair, and related facilities, and bicycle shops and related facilities.

h. Financial and Insurance Institutions

Banks, currency exchanges, consumer lenders, including, but not limited to, credit unions, pawnbrokers, consumer installment lenders and sales finance lenders, title companies, appraisers, financial markets, trading and futures exchanges, payday lenders, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products. Also, insurance companies, underwriters, agents, brokers, and related insurance claims and agency services.

i. Hardware and Supply Stores

Hardware stores and businesses that sell electrical, plumbing, and heating material.

j. Critical Trades

Building, construction, and other trades, including, but not limited to, plumbers, electricians, exterminators, operating engineers, cleaning and janitorial staff for commercial and governmental properties, security staff, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations.

k. Mail, Post, Shipping, Logistics, Delivery, and Pick-Up Services

Post offices and other businesses that provide shipping and delivery services, as well as businesses that ship or deliver groceries, food, goods, vehicles, alcoholic and non-alcoholic beverages, or services to end users or through commercial channels.

l. Educational Institutions

Educational institutions (including public and private pre-K-12 schools, colleges, and universities) for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible.

This Executive Order is consistent with, and does not amend or supersede, any prior Executive Order regarding the closure of schools.

m. Laundry Services

Laundromats, dry cleaners, industrial laundry services, as well as laundry service providers.

n. Restaurants for Consumption Off-Premises

Restaurants, bars, taverns, and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carryout. The foregoing is addressed in Executive Orders 20-04 and 20-10. The in-person dining prohibition shall be enforced under and pursuant to the process described in Executive Order 20-10.

Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with, and does not amend or supersede, prior Executive Orders regarding the closure of restaurants.

o. Supplies to Work from Home

Businesses that sell, manufacture, or supply products needed for people to work from home.

p. Supplies for Essential Businesses and Operations

Businesses that sell, manufacture, and/or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security.

q. Transportation

Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, marinas, docks, boat storage, and other private, public, and commercial transportation and logistics providers necessary for the Essential Activities and other purposes expressly authorized in this Executive Order.

r. Home-Based Care and Services

Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery.

s. Residential Facilities and Shelters

Residential facilities and shelters for adults, seniors, children, pets, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, or mental illness.

t. Professional Services

Professional services, such as legal services, accounting services, insurance services, and real estate services (including appraisal and title services).