

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

RECEIVED
DEPARTMENT OF HEALTH
Joseph A. Ladapo, MD, PhD
State Surgeon General

2022 OCT -5 AM 9:42

Vision: To be the Healthiest State in the Nation

OFFICE OF THE CLERK

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES,
ORDERS, AND RULES PURSUANT TO
EXECUTIVE ORDER NUMBER
22-218 MADE NECESSARY BY
HURRICANE IAN.

DOH No. 22-005

EMERGENCY ORDER

WHEREAS, on September 23, 2022, Governor Ron DeSantis issued Executive Order 22-218 regarding Tropical Depression Nine and declared a state of emergency in 24 counties; and

WHEREAS, on September 24, 2022, Tropical Depression Nine strengthened into Tropical Storm Ian and Governor Ron DeSantis issued Executive Order 22-219 reaffirming his previous order and declaring a state-wide emergency; and

WHEREAS, on September 26, 2022, Tropical Storm Ian strengthened to a Hurricane with maximum sustained winds of 85 miles per hour; and

WHEREAS, on September 28, 2022, Hurricane Ian made landfall in Florida as a category 4 hurricane with sustained winds over 140 miles per hour; and

WHEREAS, Hurricane Ian caused catastrophic damage to the physical infrastructure of southwest and central Florida and substantially impaired the normal delivery of health care services; and

WHEREAS, the damage caused by Hurricane Ian requires supplemental deployment of

licensed health care professionals from neighboring jurisdictions to prevent interruption in the delivery of critical health care services; and

WHEREAS, the tragic loss of life and property caused by Hurricane Ian and the psychological demands placed on those involved in the emergency response have greatly increased the need for mental health services throughout the state; and

WHEREAS, Section 4 of Executive Order 22-218 allows state agencies to suspend the provisions of any regulatory statute, order, or rule, if strict compliance with the provisions of the statute, order, or rule would prevent, hinder, or delay necessary action in coping with the emergency; and

NOW, THEREFORE, I, JOSEPH A. LADAPO, MD, PhD, pursuant to section 4.B. of Executive Order No. 22-218, find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for conduct of state business by the Florida Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by Hurricane Ian. In order to effectively respond to the threat posed by Hurricane Ian it is necessary to promulgate the following:

Section 1: Extension of Prior Orders

I hereby reaffirm and extend the provisions of Department of Health Emergency Order Numbers, 22-001, 22-002, 22-003, and 22-004 until November 30, 2022.

Section 2: Waiver of State Licensure Requirements

Section 456.065(2), Florida Statutes, which establishes penalties for the unlicensed practice of health care professions in Florida, is likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. The provisions of section 456.065(2), Florida Statutes, are hereby suspended until November 30, 2022, for any health care professional listed below that holds a valid, unrestricted, and unencumbered license in any state, territory, and/or district

that provides services necessary to prepare for, respond to, or mitigate the effects of Hurricane Ian. The permitted provision of health care services under this section is limited to the following licensees:

- a. Psychologists and School Psychologists under Chapter 490, Florida Statutes.
- b. Mental Health Counselors, Clinical Social Workers, and Marriage and Family Therapists under Chapter 491, Florida Statutes.

Section 3: Waiver of Telehealth Registration Requirement

Section 456.47(4)(a), Florida Statutes, which requires health care practitioners to register with the Florida Department of Health prior to providing telehealth services to Florida patients, is likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. Section 456.47(4)(a), Florida Statutes, is hereby suspended until November 30, 2022, for any health care professional listed below that holds a valid, unrestricted, and unencumbered license in any state, territory, and/or district that provides services necessary to prepare for, respond to, or mitigate the effects of Hurricane Ian. The permitted provision of telehealth services under this section is limited to the following licensees:

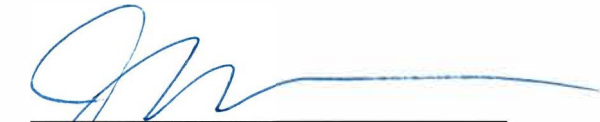
- a. Psychologists and School Psychologists under Chapter 490, Florida Statutes.
- b. Mental Health Counselors, Clinical Social Workers, and Marriage and Family Therapists under Chapter 491, Florida Statutes.

Section 4: Telehealth Recertification for Certain Qualifying Patients

Section 381.986(4)(a)1., Florida Statutes, which requires qualified physicians to conduct an in-person physical examination of a qualified patient before issuing a certification, is likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. Section 381.986(4)(a)1., Florida Statutes, is hereby suspended until November 30, 2022, to allow for

remote recertification of existing qualified patients in Charlotte, Collier, DeSoto, Flagler, Hardee, Hendry, Highlands, Hillsborough, Lake, Lee, Manatee, Orange, Osceola, Pinellas, Polk, Putnam, St. Johns, Sarasota, Seminole, and Volusia Counties. Qualifying physicians may use telehealth, as defined in Section 456.47(1)(a), Florida Statutes, to complete recertification examinations during this time.

Executed this 5th day of October 2022, in Department of Health offices, Tallahassee, Leon County, Florida.



Joseph A. Ladapo, MD, PhD
State Surgeon General