

Mission:

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



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

RECEIVED
DEPARTMENT OF HEALTH
2022 SEP 28 AM 9:03

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. 22-003

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 27, 2022, Hurricane Ian continues to strengthen, increasing its maximum sustained winds to 125 miles per hour; and

WHEREAS, Hurricane Ian poses a risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, and the potential for isolated tornadic activity for the Florida Keys and much of Florida's Peninsula; and

WHEREAS, the threat posed by Hurricane Ian requires precautions to minimize disruptions in the delivery of health care services in impacted areas; 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: Mobile Pharmacies

Section 465.022(11)(c), Florida Statutes, and Florida Administrative Code Rule 64B16-28.113, which limit pharmacies and prescription department managers from operating in multiple or mobile locations, are 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 and are hereby suspended for the duration of Executive Order 22-218 and any modifications or extensions thereof.

Section 2: Prescription Drug Monitoring Reporting

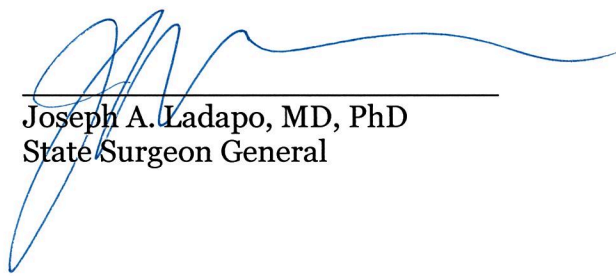
Section 893.055(3)(a), Florida Statutes, which requires dispensers to report controlled substance prescription data to the Prescription Drug Monitoring Program within one business day, is likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. The Department of Health authorizes a reporting extension in accordance with Section 893.055(3)(a), Florida Statutes, for up to 30 days.

Section 3: Renewal Extensions

Sections 468.1715(2), 468.309(1)(a), and 468.711, Florida Statutes, which require certain health care providers to renew their licenses every two years, are 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 Department of Health authorizes an extension of the upcoming renewal deadlines for Nursing Home Administrators, Radiological Personnel, and Athletic Trainers until October 31, 2022.

Because section 252.36(6)(a), Florida Statutes, allows the Governor to suspend the provisions of “any regulatory statute prescribing the procedures for [the] conduct of state business,” and because Executive Order 22-218 provides the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order. This order shall remain in effect as stated above or until modified by order of the State Surgeon General.

Executed this 28th day of September 2022, in Department of Health offices, Tallahassee, Leon County, Florida.



Joseph A. Ladapo, MD, PhD
State Surgeon General