

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

Vision: To be the Healthiest State in the Nation

2022 NOV -9 PM 1:03

OFFICE OF THE CLERK

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES,
ORDERS, AND RULES PURSUANT TO
EXECUTIVE ORDER NUMBER
22-253 MADE NECESSARY BY
TROPICAL STORM NICOLE.

DOH No. 22-006

EMERGENCY ORDER

WHEREAS, on November 7, 2022, Governor Ron DeSantis issued Executive Order 22-253 regarding Tropical Storm Nicole and declared a state of emergency in 34 counties; and

WHEREAS, Tropical Storm Nicole is expected to strengthen before making landfall in Florida and poses a risk of dangerous storm surge, heavy rainfall, flash flooding, strong winds, hazardous seas, beach erosion, and the potential for isolated tornadic activity for Florida's Peninsula; and

WHEREAS, Section 4 of Executive Order 22-253 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

WHEREAS, it is necessary for the Department of Health to expeditiously procure commodities, goods, and services to effectively respond to the threat posed by Tropical Storm Nicole; and

WHEREAS, I find that strict compliance with the provisions of certain statutes or rules proscribing procedures governing the Florida Department of Health would prevent, hinder, or delay necessary action in preparing for and mitigating the effects of this emergency.

NOW, THEREFORE, I, JOSEPH A. LADAPO, MD, PhD, pursuant to section 4.B. of Executive Order No. 22-253, 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 Tropical Storm Nicole. In order to effectively respond to the threat posed by Tropical Storm Nicole it is necessary to promulgate the following:

Section 1: Procurement

Sections 287.055(3)(a)-(d), 4(a)-(d), 5(a)-(c), and 287.057(3), Florida Statutes, and Florida Administrative Code Rules 60A-1.002(4), 60A-1.021(2), and 60A-1.043(1)-(3), 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 22-253 and any modifications or extensions thereof.

Executed this 9th day of November 2022, in Department of Health offices, Tallahassee, Leon County, Florida.



Joseph A. Ladapo, MD, PhD
State Surgeon General