

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

Vision: To be the Healthiest State in the Nation

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES,
ORDERS, AND RULES PURSUANT TO
EXECUTIVE ORDER NUMBER
23-171 MADE NECESSARY BY
HURRICANE IDALIA.

DOH No. 23-003

RECEIVED
DEPARTMENT OF HEALTH
2023 AUG 30 PM 2:04
OFFICE OF THE CLERK

EMERGENCY ORDER

WHEREAS, on August 26, 2023, Governor Ron DeSantis issued Executive Order 23-171 regarding Invest 93L and declared a state of emergency in 33 counties; and

WHEREAS, on August 27, 2023, Invest 93L strengthened to a Tropical Storm with sustained winds of 40 miles per hour; and

WHEREAS, on August 28, 2023, Governor Ron DeSantis issued Executive Order 23-172, declaring a state of emergency in an additional 13 counties; and

WHEREAS, on August 29, 2023, Governor Ron DeSantis issued Executive Orders 23-174 and 23-175, declaring a state of emergency in an additional 3 counties; and

WHEREAS, on August 29, 2023, Tropical Storm Idalia strengthened into a hurricane, with maximum sustained winds of 75 miles per hour; and

WHEREAS, on August 30, 2023, Hurricane Idalia made landfall in Florida as a Category 3 storm with sustained winds of 125 miles per hour; and

WHEREAS, Section 4 of Executive Order 23-171 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, the threat posed by Hurricane Idalia requires precautions to minimize disruptions in the delivery of health care services in impacted areas; and

WHEREAS, I find that strict compliance with the provisions of certain statutes or rules prescribing 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. 23-171, 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 Idalia. In order to effectively respond to the threat posed by Hurricane Idalia it is necessary to promulgate the following:

Section 1: Waiver of State Licensure Requirements

Section 456.065(2), Florida Statutes, which establish 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. Section 456.065(2), Florida Statutes, is hereby suspended for a period of 15 days for any health care profession 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 Idalia. The permitted provision of health care services under this section is limited to the following licensees:

- a. Physicians and Physician Assistants under Chapter 458, Florida Statutes.
- b. Osteopathic Physicians and Physician Assistants under Chapter 459, Florida Statutes.

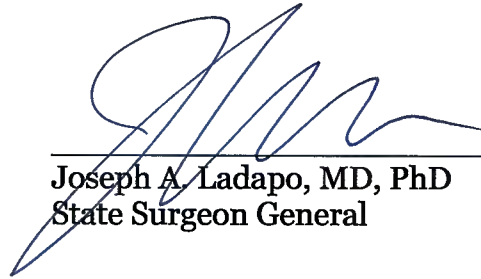
- c. Advanced Practice Registered Nurses, Registered Nurses, Licensed Practical Nurses under Chapter 464, Part I, Florida Statutes.
- d. Pharmacists under Chapter 465, Florida Statutes.

Section 2: 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 for a period of 30 days for any health care profession 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 Idalia. Section 456.47(2)(a), which requires a telehealth provider to practice in a manner consistent with his or her scope of practice and the prevailing professional standard of practice for a health care practitioner who provides in-person health care services to patients in this state, remains in full effect. The permitted provision of telehealth services under this section is limited to the following licensees:

- a. Physicians and Physician Assistants under Chapter 458, Florida Statutes.
- b. Osteopathic Physicians and Physician Assistants under Chapter 459, Florida Statutes.
- c. Advanced Practice Registered Nurses under Chapter 464, Part I, Florida Statutes.
- d. Psychologists and School Psychologists under Chapter 490, Florida Statutes.
- e. Mental Health Counselors, Clinical Social Workers, and Marriage and Family Therapists under Chapter 491, Florida Statutes.

Executed this 30th day of August 2023, in Florida Department of Health offices,
Tallahassee, Leon County, Florida.



Joseph A. Ladapo, MD, PhD
State Surgeon General