

## **MIAMI-DADE COUNTY EMERGENCY ORDER 22-20**

WHEREAS, section 252.38(3)(a), Florida Statutes, gives political subdivisions the authority to declare and enact a State of Local Emergency for a period of up to seven days, thereby waiving the procedures and formalities otherwise required of the political subdivision by law; and

WHEREAS, on March 1, 2020, the Governor of Florida issued Executive Order Number 20-51, directing the State Health Officer and Surgeon General to declare a Public Health Emergency due to the discovery of Coronavirus Disease 2019 (COVID-19) in Florida; and

WHEREAS, on March 9, 2020, the Governor issued Executive Order Number 20-52, declaring a State of Emergency for the State of Florida related to COVID-19; and

WHEREAS, on March 11, 2020, the Florida Division of Emergency Management issued Order 20-002, which recognized that nursing homes and assisted living facilities are uniquely vulnerable to COVID-19; and

WHEREAS, on March 12, 2020, the County Mayor declared a State of Emergency for all of Miami-Dade County; and

WHEREAS, the County Mayor has filed an affidavit indicating that this State of Emergency, including extensions, may last for more than 30 days; and

WHEREAS, on March 30, 2020, the Governor issued Executive Order Number 20-89, restricting the operation of non-essential businesses in Palm Beach, Broward, and Miami-Dade Counties and requiring such establishments to take reasonable actions to comply with the United States Centers for Disease Control and Prevention (CDC) guidelines on social distancing; and

WHEREAS, COVID-19 poses a health risk to Miami-Dade County residents, particularly elderly residents and those who are immunosuppressed or otherwise have high-risk medical conditions; and

WHEREAS, there are numerous residential health care facilities in Miami-Dade County, providing crucial services to some of the County's most vulnerable residents; and

WHEREAS, the County needs timely and accurate information in order to ensure its efforts to combat the virus are effective, and to allocate resources where needed,

Miami-Dade County Declaration of Local State of Emergency

THEREFORE, as County Mayor of Miami-Dade County, I hereby order:

1. All residential health care facilities in the unincorporated and incorporated areas of Miami-Dade County report, if requested by the County, the following information:

- (1) How many COVID-19 positive patients are currently residing at the facility;
- (2) How many COVID-19 positive staff are employed by the facility, and for each such employee, the date they were last in the facility;
- (3) The total number of residents currently hospitalized due to COVID-19;
- (4) The total number of deaths due to COVID-19, if any, among former residents of the facility;
- (4) When making the first report:
  - (a) the number of COVID-19 positive cases among patients the facility has had to-date;
  - (b) the number of patient deaths attributed to COVID19 to-date; and
  - (c) the number of COVID-19 positive cases among staff to-date.

This information does not need to be provided with any subsequent reports.

2. For the purposes of this order, a residential health care facility includes assisted living facilities as defined under section 429.02, Florida Statutes; nursing homes as defined under section 400.021, Florida Statutes; adult family care homes as defined in section 429.63, Florida Statutes; intermediate care facilities as defined in section 400.701, Florida Statutes; residential treatment facilities as defined in section 394.67, Florida Statutes; and transitional living facilities as defined in section 400.9971, Florida Statutes.

3. Each residential health care facility shall be responsible for providing the above information solely with respect to its physical campus. No residential health care facility shall transmit any individually identifiable patient health information or other such information which may not be disclosed pursuant to federal or state law. If a residential health care facility believes that all or some of this information is trade secret, as defined in Florida Statutes, the facility shall expressly indicate this when it transmits this information

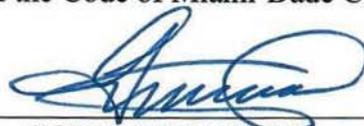
4. This order shall be effective as of 6:00 p.m. on May 6, 2020.

5. This order shall expire upon the expiration of the existing Miami-Dade County State of Local Emergency, except that if such State of Local Emergency is extended, this order shall also be deemed to extend for the duration of such extension. This order may be cancelled at any time by action of the County Mayor.

6. This order shall be provided to all appropriate media consistent with the requirements of section 8B-7(2)(n) of the Code of Miami-Dade County.

Enacted:

Signed: \_\_\_\_\_

  
COUNTY MAYOR

Date: 5/6/2020

Time: 15:40

Miami-Dade County Declaration of Local State of Emergency

Witness: Lawrence P. Jimenez

Cancelled:

Signed: \_\_\_\_\_

**COUNTY MAYOR**

Date: \_\_\_\_\_

Time: \_\_:\_\_

Witness: \_\_\_\_\_