

SENATE FISCAL AGENCY MEMORANDUM

DATE: July 9, 2020

TO: Members of the Michigan Senate

FROM: Ellyn Ackerman, Bruce Baker, Joe Carrasco, John Maxwell, Elizabeth Raczkowski, Cory Savino, and Michael Siracuse, Fiscal Analysts; and Jeff Mann, Associate Director

RE: Coronavirus Disease 2019 (COVID-19) Executive Orders 2020-123 through 2020-129

Overview

From June 15, 2020, through June 18, 2020, Governor Whitmer issued Executive Orders (EOs) 2020-123 through 2020-129 to maintain a state of emergency across the State of Michigan in relation to the outbreak of COVID-19 and to implement various measures in response to COVID-19 in Michigan. These measures affect, among other things, long-term care facilities, pharmacies, grocery stores, frontline COVID-19 workers, and meetings of public bodies. The EOs will have an impact on State revenue, local governments, and various State departments, including the Department of Licensing and Regulatory Affairs (LARA), the Department of Health and Human Services (DHHS), and the Department of Labor and Economic Opportunity (LEO).

COVID-19

Coronavirus disease 2019, COVID-19, is a respiratory illness caused by a virus that can spread from person to person. Generally, coronaviruses cause mild, cold-like symptoms; however, severe diseases, such as Severe Acute Respiratory Syndrome (SARS) and Middle East Respiratory Syndrome (MERS) also are examples of diseases caused by other forms of coronavirus. Reported symptoms of COVID-19 have ranged from mild (if any) cold-like symptoms in the majority of individuals, to severe illness or death.

The virus that causes COVID-19 was identified as the cause of an outbreak detected in Wuhan City, China, in November 2019. In late January 2020, the first case of COVID-19 in the United States was confirmed. The Michigan DHHS identified the first two positive cases of COVID-19 in Michigan on March 10, 2020. As of July 8, 2020, the DHHS has reported 67,237 cases and 6,015 deaths attributable to COVID-19.

Authority for Orders

Executive Order 2020-99, which continues the state of emergency and state of disaster in response to the COVID-19 pandemic, cites the Emergency Management Act (EMA) and Public Act (PA) 302 of 1945 (which pertains to the Governor's emergency powers) as authority for its issuance.¹ Under the EMA, the Governor must declare a state of emergency if he or she finds that an emergency has occurred or that the threat of an emergency exists. In addition, Section 1

¹ On June 18, 2020, Governor Whitmer issued Executive Order 2020-127, which terminates the state of emergency under EO 2020-99 and declares a new state of emergency. The Order states that any EOs that rested on EO 2020-99 now rest on EO 2020-127.

of PA 302 of 1945 allows the Governor to proclaim a state of emergency "during times of great public crisis, disaster, rioting, catastrophe, or similar public emergency" within Michigan.

The Governor derives the authority for the orders summarized in the memorandum from those same acts, namely Section 3 of the EMA, which provides (in pertinent part), that the Governor may "issue executive orders, proclamations, and directives having the force and effect of law to implement" the EMA, and Section 1 of PA 302 of 1945.²

A listing of all Executive Orders issued in response to the COVID-19 pandemic through Executive Order 2020-130, including the effective date and the expiration date of each, can be found in the appendix attached to this document.

Summary of Order Contents

Executive Order 2020-123

Effective June 15, 2020, and continuing until July 12, 2020, the Order implements protections for residents and employees of long-term care facilities in Michigan. The Order rescinds EO 2020-95, which granted similar authorization.

The Order prohibits evictions or involuntary discharges for residents for nonpayment but does not abrogate the obligation to pay or right to receive payment due under an admission contract between a resident and a facility. The Order also prohibits a long-term care facility from denying admission or readmission of a resident based on COVID-19 testing requirements. Additionally, the Order prohibits a facility from denying the readmission of a resident who is residing elsewhere (such as with family) during the emergency. Before accepting the return of such a resident, the facility must undertake screening precautions consistent with relevant guidance from the DHHS when receiving the returning resident. A facility may not accept the return of a COVID-19-positive resident if it does not have a dedicated unit or regional hub meeting the Order's requirements. The Order also requires facilities to use best efforts to facilitate the use of telemedicine.

The Order directs long-term care facility employees who test positive for COVID-19 or show one or more of the symptoms of COVID-19 to remain in their homes, and prohibits their employers from discharging, disciplining, or otherwise retaliating against them for doing so.

The Order requires long-term care facilities to cancel communal dining and group activities, to take precautions to disinfect and clean facilities, to provide personal protective equipment (PPE) and hand sanitizer to employees, to inform employees of the presence of any COVID-19-affected residents within 12 hours after identification (and to report that information to their local health department and to the DHHS), and to keep and report data on the quantity of PPE available on-site.

The Order requires a long-term care facility to report the presence of a COVID-19-affected resident to the local health department within 24 hours of identification, and to transfer medically

² Section 1 of PA 302 of 1945 specifically states that orders may designate specific zones within the area involved in the emergency in which occupancy and use of buildings and ingress and egress of people and vehicles may be prohibited or regulated; control places of amusement and assembly and of individuals on public streets and thoroughfares; establish a curfew; and control the sale, transportation, and use of alcoholic beverages and liquors, among other things.

unstable COVID-19-positive residents to a hospital for evaluation, except as otherwise provided by an advance directive. Nursing facilities must create a unit dedicated to the care of COVID-19-positive residents and provide appropriate PPE to staff in that unit. A nursing home provider with multiple facilities may designate a specific facility for COVID-19-positive residents. A nursing home provider may not create a dedicated unit unless it can implement effective and reliable infection control procedures.

If a long-term care facility has a dedicated unit, it must transfer COVID-19-affected residents to its dedicated unit, or to a regional hub if the facility does not have a dedicated unit. If a regional hub is not available, then the facility must transfer the resident to a hospital that has available bed capacity.

Once a transferred patient is medically stable, then he or she must be discharged to a regional hub, back to the long-term care facility where the resident resides, to an alternate care facility with physical and operational capacity to care for the resident, or to an available swing bed. Discharge destinations should be determined consistent with CDC and DHHS guidelines. Until an acceptable destination is identified, the individual must remain in the care of the hospital. A long-term care facility that transfers or discharges a resident must notify the resident and his or her representative of the transfer within 24 hours.

The Department of Licensing and Regulatory Affairs is authorized to take action to assure proper level of care and services in connection with this order, consistent with Section 21799b of the Public Health Code.

To the extent necessary to effectuate the terms of the Order, strict compliance with any statute, rule, regulation, or policy pertaining to bed hold requirements or procedures, or to pretransfer or predischarge requirements or procedures, is suspended temporarily.

Executive Order 2020-124

Effective June 16, 2020, and continuing until July 14, 2020, at 11:59 PM, the Order extends special permissions pertaining to the operation and regulation of pharmacies that are included in that Order. The Order allows pharmacists and others to conduct their work in a manner that differs from standard practice and, in some cases, conflicts with existing statutes, rules, and regulations. A requirement that an applicant for licensure as a pharmacist show evidence of the completion of continuing education credits also is waived. The Order suspends strict compliance with current law, rules, and regulations to the extent they conflicted with the permissions outlined by the Order. The Order rescinds EO 2020-93.

A willful violation of the Order is a misdemeanor.

Dispensing of Prescriptions, Treatments, and Substances

The Order expands a pharmacist's ability to refill prescriptions and to dispense and administer drugs for the treatment of COVID-19. A pharmacist or pharmacist intern is permitted to dispense a controlled substance without the supervision of another pharmacist. Insurers and health maintenance organizations that issue policies that provide prescription drug benefits must cover any emergency refills issued under the Order, including early refills.

Location

The Order allows pharmacists to operate a pharmacy temporarily in an area other than that designated on the pharmacy license. However, those licensees could prepare only low-risk preparations in those areas. Other rules and statutes pertaining to the size and set-up of prescription departments are suspended as needed to comply with the remainder of the Order. In addition, licensees are not required to reapply and be approved before beginning work at a new location.

Regulations Pertaining to Supervision

The Order allows pharmacists to supervise pharmacy technicians and other pharmacy staff remotely if it is conducted through a real-time audiovisual system that allows the identification of markings on medications. The relevant patient information must be available to the pharmacist. However, a pharmacy technician may not perform sterile or nonsterile compounding without a pharmacist on the premises.

The Order suspends strict compliance with a number of provisions of Part 177 (Pharmacy Practice and Drug Control) of the Public Health Code and associated rules that pertain to the supervision of and scope of practice allowed for pharmacy technician and pharmacy interns to the extent those provisions conflict with the Order.

Out-of-State Entities

The Order requires pharmacies and wholesale distributors licensed, certified, or otherwise registered and in good standing in another state to be deemed licensed to do business in Michigan. They are prohibited from delivering controlled substances in Michigan and must adhere to State regulations unless otherwise exempted.

The Order also grants additional permissions and suspends temporarily certain other restrictions related to the practice of pharmacy.

Executive Order 2020-125

Effective June 17, 2020, the Order identifies COVID-19 response employees and clarifies workers' disability for workplace exposure to COVID-19. The Order was rescinded and replaced by EO 2020-128, which is discussed below.

Executive Order 2020-126

The Order, effective June 17, 2020, and continuing until July 15, 2020, establishes and modifies regulations on food-selling establishments and pharmacies. The Order rescinds EO 2020-109.

The Order requires checkout employees and any individual entering a food-selling establishment or pharmacy to wear a face covering if they are medically able to do so. "Food-selling establishment" means grocery stores, convenience stores, restaurants that sell groceries or food available for takeout, and any other business that sells food.

Food-selling establishments and pharmacies must take certain actions to reduce the possibility of customer and employee exposure to COVID-19, including cleaning, disinfecting, and social

distancing enforcement. The Order also requires the affected establishments to prohibit sick employees from reporting to work and to send home any workers who display symptoms. Establishments must accommodate vulnerable employees and implement a daily employee screening program following the procedures described in EO 2020-114 or any orders that follow from it.

If an employee tests positive for COVID-19, an establishment must notify vendors and employees within 12 hours of learning of the results. The employee's personal health information must otherwise be protected.

The Order also requires grocery stores and pharmacies to designate at least two hours per week as special shopping times for vulnerable populations. Vulnerable populations include people over 60, pregnant individuals, and those with chronic conditions.

In addition, the Order suspends temporarily strict compliance with Sections 3119, 4109, 4113, and 4115 of the Food Law to the extent necessary to extend certain deadlines for fee submission and license and registration, until 60 days after the states of emergency and disaster end or the end of any subsequently declared states of disaster or emergency arising out of the COVID-19 pandemic, whichever comes later. The Order also suspends strict compliance with Section 6137 of the Food Law to the extent necessary to make a license holder eligible for a special transitory temporary food unit for the 2020-2021 licensing year, even if the license holder already received one for that licensing year.

A willful violation of the Order, except for those who cannot medically tolerate a face covering, is a misdemeanor.

Executive Order 2020-127

Effective June 18, 2020, and continuing until July 16, 2020, at 11:59 PM, the Order declares a state of emergency under PA 302 of 1945. The Order rescinds EO 2020-99, which extends the declared state of emergency under EOs 2020-33, 2020-67, and 2020-68. All previous orders that rested on those order now rest on this Order.

The Order specifies that the COVID-19 pandemic constitutes a disaster and emergency throughout the State. The Order also specifies, subject to ongoing litigation and appeals, and to the extent the Governor may declare states of emergency and disaster under the EMA when emergency and disaster conditions exist but the Legislature has not granted an extension request, that the Order constitutes states of emergency and disaster declarations under the EMA.

Executive Order 2020-128

Effective June 18, 2020, and continuing until the end of the states of emergency and disaster declared in EO 2020-127, or the end of any future declared state of emergency or disaster related to COVID-19, whichever is later, the Order clarifies the eligibility of certain employees for coverage under the Workers' Disability Compensation Act (WDCA) in case of injury or disability related to COVID-19 contracted at work. The Order rescinds EO 2020-125.

Under the Order, a COVID-19 response employee who tests positive for COVID-19 on or after March 18, 2020, is presumed to have suffered a personal injury as defined by the WDCA. The individual's status is subject to rebuttal by specific facts to the contrary. Under the Order, "COVID-

19 response employee" mean an employee required to have regular or prolonged contact with COVID-19 due to their job responsibilities. A list of employees who meet this definition is included in the Order.

The Order authorizes the Director of LEO to issue orders and directives necessary to implement the Order. The Order suspends and replaces the emergency rules that LEO filed with the Secretary of State on March 30, 2020. However, if any portion of the Order is finally adjudicated invalid, those emergency rules will not be suspended or replaced.

Executive Order 2020-129

The Order, effective June 18, 2020, and continuing until July 31, 2020, at 11:59 PM, suspends temporarily strict compliance with Section 3 of the Open Meetings Act (OMA) to alleviate any physical-place or physical-presence requirements to the extent that OMA requires a meeting of a public body to be held in a physical space available to the general public or requires the physical presence of one or more members of a public body. (Section 3 of OMA requires all meetings of a public body to be open to the public and, among other things, requires all individuals to be permitted to attend those meetings except as otherwise specified in the Act.) The Order rescinds EO 2020-75.

The Order allows a meeting of a public body to be held electronically, including by telephonic conferencing or video conferencing, in a manner that allows the general public and members of the body to participate electronically.

A meeting held electronically is subject to the following conditions:

- The meeting must be held in a manner that allows two-way communication so that members of the public body can hear and be heard by other members and so that the general public participants can hear members of the public body and be heard by members and other participants during a public comment period.
- Members of the public body and of the general public participating electronically will be considered present and in attendance and may participate as if physically present at the meeting.
- All individuals must be allowed to participate, except as otherwise provided in OMA.
- If a public body directly or indirectly maintains an official internet presence, the body must post advance notice of a meeting held electronically (the notice must contain certain information prescribed in the Order) on a portion of the body's website fully accessible to the public.
- The right of a person to participate in a meeting electronically includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting, consistent with OMA.
- A public body may not require a person to register or otherwise provide his or her name or other information as a condition of participation, other than mechanisms necessary to permit the person to participate in the public comment period of the meeting.
- A person must be permitted to address a meeting under the rules established and recorded by the public body and may not be excluded except for a breach of the peace committed during the meeting.
- Members are urged to take all votes by roll call to avoid questions about how each member votes.

- If the public body directly or indirectly maintains an internet presence, it is encouraged to make an agenda and other materials related to the meeting available to the general public through its website homepage.
- Members of a public body must avoid using email, texting, instant messaging, and other forms of electronic communication to deliberate or make a decision during a meeting, or use "around-the-horn" decision-making in a manner not accessible to the public during an open meeting.

If a decision or other action of a public body is in compliance with the Order and the other requirements of OMA, it is in compliance with OMA. If a statute or rule other than OMA requires that public comments be permitted, or a public hearing held, a public body or agency may provide a means for remote public comment or participation to facilitate participation by the general public to the same extent as if the member of the public appeared in person. If not expressly authorized by statute or rule, written comment also is permitted.

The Order suspends temporarily strict compliance with Sections 11a(6), 384(7), and 418a(1) of the Revised School Code, which require school district boards to hold meetings at least once a month.

Nothing in the Order permits a public body to limit or restrict the rights of the press or other news media. Members of public bodies are encouraged to facilitate access by members of the press and other news media both to meetings held electronically and to members of public bodies. The terms "decision", "meeting", and "public body" mean those terms as defined in Section 2 of OMA, except the Order does not apply to State legislative bodies. A provision of the Order prevails over any conflicting provision of a local charter, ordinance, or rule. The Order supersedes Sections 2 and 3 of Executive Directive 2020-2, which pertains to access to meetings of public bodies and agencies subject to OMA.

Violations of Orders

Executive Orders 2020-123, 2020-124, and 2020-126 specify that, consistent with Section 3 of PA 302 of 1945 (MCL 10.33) and Section 5(3) of the EMA (MCL 30.405(3)), a willful violation of these Orders is a misdemeanor.

Section 3 of PA 302 of 1945 specifies that a violation of an order, rule, or regulations made in conformity with the Act is punishable as a misdemeanor, when it states that a violation constitutes a misdemeanor. Section 5(3) of the EMA states that a person who willfully disobeys or interferes with the implementation of a rule order, or directive issued by the Governor pursuant to Section 5 of EMA is guilty of a misdemeanor. Under Section 504 of the Michigan Penal Code, if a person is convicted of a crime under State law designated as a misdemeanor for which no punishment is prescribed, the violation is punishable by up to 90 days' imprisonment or a maximum fine of \$500, or both.

Fiscal Impact

Overview

The Orders will have a substantial fiscal impact, immediately and in the near future. Some of these impacts will be absorbed by existing appropriations, while others may require additional

appropriations in the future. For orders that prescribe a misdemeanor penalty for a violation, each may have a negative fiscal impact on the State and local governments. New misdemeanor arrests and convictions may increase resource demands on law enforcement, court systems, community supervision, and jails. However, it is unknown how many people will be prosecuted for a violation. Any additional revenue from imposed fines will go to local libraries.

Executive Order 2020-123

The Order will increase short-term costs for nursing facilities, depending on the number of residents who are diagnosed with COVID-19. The costs will increase because of the costs of PPE and the possibility of additional staff being needed to provide services that previously had been provided in communal settings. As some nursing facilities are county-owned, this will have a clear impact on local government. While costs for most nursing homes eventually are indirectly recouped through the rate-setting process, the retrospective nature of this process means that any reimbursement of cost increases will not occur for one to two years.

The Order may result in minor cost increases for LARA due to increased communications costs as well as the cost of monitoring and enforcing the provisions of the Order. The magnitude of these costs cannot be estimated at this time.

Executive Order 2020-124

The Order likely will not have a significant fiscal impact on LARA. The Department may see increased administrative costs because of increases in the number of individuals seeking information regarding the Order, but it is unlikely that the cost of providing guidance and monitoring compliance will require any additional appropriations.

Executive Order 2020-125

This Order was rescinded on June 18, 2020, by EO 2020-128 (the fiscal impact for which is provided below).

Executive Order 2020-126

The Order likely will have a minor negative fiscal impact on State government. The Department of Licensing and Regulatory Affairs may incur minor administrative costs related to monitoring and enforcement. These activities likely will be covered by existing appropriations. However, it is possible that there may be additional costs related to staff overtime, depending on the particular actions of the Department and the number of complaints received.

The suspension of certain late fees may result in a minor negative fiscal impact on LARA.

Executive Order 2020-127

The declaration of emergency, by itself, will not have a fiscal impact on State or local government. Any fiscal impact from the orders authorized by the declaration of emergency are included in the fiscal impact statements under those specific orders.

Executive Order 2020-128

The Order will have an indeterminate fiscal impact on State government and local government units. The magnitude of the impact will depend on the number of eligible employees of the State who are determined to be injured or disabled due to a COVID-19 infection at work and the specifics of the associated claims. Departments potentially affected by the Order include the DHHS, the Michigan Department of Corrections, the Michigan State Police, and LARA. It cannot be determined at this time how many claims would be made by COVID-19 response employees employed by the State of Michigan or local units of government.

The cost to LEO of issuing orders and directives likely will be covered by existing appropriations.

Executive Order 2020-129

The Order will have an indeterminate, though likely minor, fiscal impact on State and local government. The provision to hold meetings remotely is optional; therefore, any costs or savings will depend on the actions of individual departments and public bodies. Public bodies required to reimburse members for the cost of attending meetings may have fewer costs if members do not have to travel to the meetings. However, there may be additional costs related to the upgrade or purchase of the technology required to conduct the meetings. Any additional administrative costs related to notices is expected to be minor and will be handled within existing appropriations.

Conclusion

The EOs summarized above implement various measures in response to COVID-19 in Michigan. These measures affect, among other things, long-term care facilities, pharmacies, grocery stores, frontline COVID-19 workers, and meetings of public bodies. The EOs will have an impact on State revenue, local governments, and various State departments, including LARA, the DHHS, and LEO.

If you have any questions regarding these Executive Orders, please do not hesitate to contact us.

/mh

Attachment

c: Christopher Harkins, Director

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
4	Declaration of State of Emergency	3/10/2020	EO 2020-33	4/1/2020
5	Temporary prohibition on large assemblages and events, temporary school closures	3/13/2020	EO 2020-11	3/16/2020
6	Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities	3/14/2020	EO 2020-6	3/14/2020
7	Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities	3/14/2020	EO 2020-37	4/5/2020
8	Enhanced restrictions on price gouging	3/16/2020	EO 2020-18	4/13/2020
9	Temporary restrictions on the use of places of public accommodation	3/16/2020	EO 2020-20	3/22/2020
10	Temporary expansions in unemployment eligibility and cost-sharing	3/16/2020	EO 2020-24	3/25/2020
11	Temporary prohibition on large assemblages and events, temporary school closures	3/16/2020		4/5/2020
12	Enhanced support for deliveries	3/16/2020	EO 2020-44	4/13/2020
13	Temporary enhancements to operational capacity and efficiency of health care facilities	3/17/2020	EO 2020-49	4/14/2020
14	Temporary extension of deadline to redeem property for nonpayment of delinquent property taxes	3/18/2020	EO 2020-106	5/28/2020
15	Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards	3/18/2020	EO 2020-48	4/14/2020
16	Expanding child care access during the COVID-19 emergency	3/18/2020	EO 2020-51	4/15/2020
17	Temporary restrictions on non-essential medical and dental procedures	3/20/2020	EO 2020-96	5/28/2020
18	Enhanced restrictions on price gouging	3/20/2020	EO 2020-53	4/17/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
19	Temporary prohibition against entry to premises for the purpose of removing or excluding a tenant or mobile home owner from their home	3/20/2020	EO 2020-54	4/17/2020
20	Temporary restrictions on the use of places of public accommodation	3/22/2020	EO 2020-43	4/13/2020
21	Temporary requirement to suspend activities that are not necessary to sustain or protect life	3/24/2020	EO 2020-42	4/9/2020
22	Extension of county canvass deadlines for the March 10, 2020 Presidential Primary Election	3/24/2020		4/30/2020
23	Enhanced authorization of remote means for carrying out state administrative procedures	3/25/2020	EO 2020-45	4/13/2020
24	Temporary expansions in unemployment eligibility and cost-sharing	3/25/2020	EO 2020-57	4/22/2020
25	Temporary enhancements to operational capacity, flexibility, and efficiency of pharmacies	3/25/2020	EO 2020-56	4/21/2020
26	Extension of April 2020 Michigan income tax filing deadlines	3/27/2020		*
27	Conducting elections on May 5, 2020 using absent voter ballots	3/27/2020		5/5/2020
28	Restoring water service to occupied residences during the COVID-19 pandemic	3/28/2020		*
29	Temporary COVID-19 protocols for entry into Michigan Department of Corrections facilities and transfers to and from Department custody; temporary recommended COVID-19 protocols and enhanced early-release authorization for county jails, local lockups, and juvenile detention centers	3/29/2020	EO 2020-62	4/26/2020
30	Temporary relief from certain restrictions and requirements governing the provision of medical services	3/29/2020	EO 2020-61	4/26/2020
31	Temporary relief from standard vapor pressure restrictions on gasoline sales	3/30/2020	EO 2020-102	5/22/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
32	Temporary restrictions on non-essential veterinary services	3/31/2020	EO 2020-34	4/2/2020
33	Expanded emergency and disaster declaration	4/1/2020	EO 2020-66 EO 2020-67	4/30/2020
34	Temporary restrictions on veterinary services	4/2/2020	EO 2020-96	5/28/2020
35	Provision of K-12 education during the remainder of the 2019-2020 school year	4/2/2020	EO 2020-65	4/30/2020
36	Protecting workers who stay home, stay safe when they or their close contacts are sick	4/3/2020		*
37	Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities	4/5/2020	EO 2020-72	5/3/2020
38	Temporary extensions of certain FOIA deadlines to facilitate COVID-19 emergency response efforts	4/5/2020	EO 2020-112	6/11/2020
39	Temporary relief from certain restrictions and requirements governing the provision of emergency medical services	4/7/2020	EO 2020-112	6/3/2020
40	Temporary relief from certain credentialing requirements for motor carriers transporting essential supplies, equipment, and persons	4/8/2020	EO 2020-73	5/5/2020
41	Encouraging the use of electronic signatures and remote notarization, witnessing, and visitation during the COVID-19 pandemic	4/8/2020	EO 2020-74	5/5/2020
42	Temporary requirement to suspend activities that are not necessary to sustain or protect life	4/9/2020	EO 2020-59	4/24/2020
43	Temporary restrictions on the use of places of public accommodation	4/13/2020	EO 2020-43	4/30/2020
44	Enhanced support for deliveries	4/13/2020	EO 2020-81	5/11/2020
45	Enhanced authorization of remote means for carrying out state administrative procedures	4/13/2020	EO 2020-80	5/11/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
46	Mitigating the economic harms of the COVID-19 pandemic through the creation of a spirits buyback program for restaurants and bars throughout the state	4/13/2020		*
47	Temporary extension of validity of driver's licenses, state identification cards and registration	4/13/2020	EO 2020-78	5/8/2020
48	Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards	4/14/2020	EO 2020-75	5/6/2020
49	Temporary enhancements to operational capacity and efficiency of health care facilities	4/14/2020	EO 2020-82	5/12/2020
50	Enhanced protections for residents and staff of long-term care facilities during the COVID-19 pandemic	4/15/2020	EO 2020-84	5/13/2020
51	Expanding child care access during the COVID-19 pandemic	4/15/2020	EO 2020-83	5/13/2020
52	Temporary extension of certain pesticide applicator certificates	4/17/2020		*
53	Enhance restrictions on price gouging	4/17/2020	EO 2020-89	5/15/2020
54	Temporary prohibition against entry to premises for the purpose of removing or excluding a tenant or mobile home owner from their home	4/17/2020	EO 2020-85	5/14/2020
55	Michigan Coronavirus Task Force on Racial Disparities	4/20/2020		*
56	Temporary enhancements to operational capacity, flexibility, and efficiency of pharmacies	4/21/2020	EO 2020-93	5/19/2020
57	Temporary expansions in unemployment eligibility and cost-sharing	4/22/2020	EO 2020-76	5/6/2020
58	Temporary suspension of certain timing requirements relating to the commencement of civil and probate actions and proceedings	4/22/2020	EO 2020-122	6/19/2020
59	Temporary requirement to suspend activities that are not necessary to sustain or protect life	4/24/2020	EO 2020-70	5/15/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
60	Temporary safety measures for food-selling establishments and pharmacies and temporary relief from requirements applicable to the renewal of licenses for the food-service industry	4/24/2020	EO 2020-71	5/1/2020
61	Temporary relief from certain restrictions and requirements governing the provision of medical services	4/26/2020		*
62	Temporary COVID-19 protocols for entry into Michigan Department of Corrections facilities and transfers to and from Department custody; temporary recommended COVID-19 protocols and enhanced early-release authorization for county jails, local lockups, and juvenile detention centers.	4/26/2020	EO 2020-119	6/11/2020
63	Temporary suspending the expiration of personal protection orders	4/27/2020		7/21/2020
64	Affirming anti-discrimination policies and requiring certain health care providers to develop equitable access to care protocols	4/29/2020		*
65	Provision of K-12 education during the remainder of the 2019-2020 school year	4/30/2020		*
66	Termination of the state of emergency and disaster declared under the Emergency Management Act in Executive Order 2020-33	4/30/2020		4/30/2020
67	Declaration of state of emergency under the Emergency Powers of the Governor Act, 1945 PA 302	4/30/2020	EO 2020-99	5/22/2020
68	Declaration of states of emergency and disaster under the Emergency Management Act, 1976 PA 390	4/30/2020	EO 2020-99	5/22/2020
69	Temporary restrictions on the use of places of public accommodation	4/30/2020	EO 2020-110	6/1/2020
70	Temporary requirement to suspend activities that are not necessary to sustain or protect life	5/1/2020	EO 2020-77	5/7/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
71	Temporary safety measures for food-selling establishments and pharmacies and temporary relief from requirements applicable to the renewal of licenses for the food-service industry	5/1/2020	EO 2020-109	5/29/2020
72	Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities	5/3/2020	EO 2020-108	5/29/2020
73	Temporary relief from certain credentialing requirements for motor carriers transporting essential supplies, equipment, and persons	5/5/2020		6/2/2020
74	Encouraging the use of electronic signatures and remote notarization, witnessing, and visitation during the COVID-19 pandemic	5/5/2020		6/30/2020
75	Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards	5/6/2020	EO 2020-129	6/18/2020
76	Temporary expansions in unemployment eligibility and cost-sharing	5/6/2020		*
77	Temporary requirement to suspend certain activities that are not necessary to sustain or protect life	5/7/2020	EO 2020-92	5/18/2020
78	Temporary extension of the validity of driver licenses, state identification cards, and certain vehicle registrations	5/8/2020		7/31/2020
79	Temporary suspension of youth work permit application requirements	5/11/2020		6/8/2020
80	Enhanced authorization of remote means for carrying out state administrative procedures	5/11/2020	EO 2020-80	6/4/2020
81	Enhanced support for deliveries	5/11/2020		5/25/2020
82	Temporary enhancements to operational capacity and efficiency of health care facilities	5/12/2020	EO 2020-112	6/3/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
83	Expanding child care access during the COVID-19 pandemic	5/13/2020	EO 2020-117	6/9/2020
84	Enhanced protections for residents and staff of long-term care facilities during the COVID-19 pandemic	5/13/2020	EO 2020-95	5/20/2020
85	Temporary prohibition against entry to premises for the purpose of removing or excluding a tenant or mobile home owner from their home	5/14/2020	EO 2020-118	6/11/2020
86	Encouraging the use of telehealth services during the COVID-19 emergency	5/14/2020		*
87	Temporary Extension of Deadlines for Boards of Review, County Equalization, and Tax Tribunal Jurisdiction	5/14/2020		**
88	COVID-19 Return to School Advisory Council Executive Office of the Governor	5/15/2020		
89	Enhanced restrictions on price gouging	5/15/2020		6/12/2020
90	Resumption of laboratory research activities	5/15/2020	EO 2020-92	5/18/2020
91	Safeguards to protect Michigan's workers from COVID-19	5/18/2020	EO 2020-97	
92	Temporary requirement to suspend certain activities that are not necessary to sustain or protect life	5/18/2020	EO 2020-96	5/21/2020
93	Temporary enhancements to operational capacity, flexibility, and efficiency of pharmacies	5/19/2020	EO 2020-124	6/16/2020
94***	Declaration of State of Emergency [Midland]	5/19/2020		6/16/2020
95	Enhanced protections for residents and staff of long-term care facilities during the COVID-19 pandemic	5/20/2020	EO 2020-123	6/15/2020
96	Temporary requirement to suspend certain activities that are not necessary to sustain or protect life	5/21/2020	EO 2020-110	6/1/2020
97	Safeguards to protect Michigan's workers from COVID-19	5/21/2020		

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
98***	Declaration of State of Emergency [Midland, Arenac, Gladwin, Saginaw]	5/22/2020		6/16/2020
99	Declaration of state of emergency and state of disaster related to the COVID-19 pandemic	5/22/2020	EO 2020-127	6/18/2020
100	Amending certain previously issued executive orders to clarify their duration	5/22/2020		
101	Extending the expiration date for watercraft registration	5/22/2020		7/31/2020
102	Temporary Relief from Standard Vapor Pressure Restrictions on Gasoline Sales	5/22/2020		6/30/2020
103	Providing alternative notice of public hearing under Michigan's tax abatement statutes	5/22/2020		6/30/2020
104	Increasing COVID-19 testing by expanding the scope of practice for certain professionals and encouraging the establishment of community testing locations	5/26/2020		*
105***	Declaration of State of Emergency [Iosco]	5/26/2020		6/16/2020
106	Establishing deadline to redeem property for nonpayment of delinquent property taxes	5/28/2020		6/29/2020
107***	Department of Labor and Economic Opportunity Michigan Workforce Development Board	5/29/2020		
108	Temporary restrictions on entry into health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities	5/29/2020		6/26/2020
109	Temporary safety measures for food-selling establishments and pharmacies and temporary relief from requirements applicable to the renewal of licenses for the food-service industry	5/29/2020	EO 2020-126	6/17/2020
110	Temporary restrictions on certain events, gatherings, and businesses	6/1/2020		*

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
111	Protecting the Food Supply and Migrant and Seasonal Agricultural Workers from the effects of COVID-19	6/1/2020		6/29/2020
112	Rescission of certain executive orders	6/3/2020		*
113	Enhanced authorization of remote means for carrying out state administrative procedures	6/4/2020		6/30/2020
114	Safeguards to protect Michigan's workers from COVID-19	6/5/2020		*
115	Temporary restrictions on certain events, gatherings, and businesses	6/5/2020		*
116	Temporary suspension of youth work permit application requirements	6/5/2020		7/3/2020
117	Expanding child care access during the COVID-19 pandemic	6/9/2020		7/7/2020
118	Temporary prohibition against entry to premises for the purpose of removing or excluding a tenant or mobile home owner from their home	6/11/2020		7/30/2020
119	Temporary COVID-19 protocols for entry into Michigan Department of Corrections facilities and transfers to and from Department custody; temporary recommended COVID-19 protocols and enhanced early-release authorization for county jails, local lockups, and juvenile detention centers	6/11/2020		7/9/2020
120	Returning overnight camps to operation	6/12/2020		
121***	Department of State Police Michigan Commission on Law Enforcement Standards Executive Reorganization	8/12/2020		
122	Ending the extension of case-initiation deadlines	6/12/2020		
123	Enhanced protections for residents and staff of long-term care facilities during the COVID-19 pandemic	6/15/2020		7/12/2020

Executive Orders Issued since Declared State of Emergency related to COVID-19				
EO 2020-	Title	Effective Date	Rescinded by	End Date
124	Temporary enhancements to operational capacity, flexibility, and efficiency of pharmacies	6/16/2020		7/14/2020
125	Clarifying WDCA Eligibility for Workplace Exposure to COVID-19	6/17/2020	EO 2020-128	6/18/2020
126	Temporary safety measures for food-selling establishments and pharmacies and temporary relief from requirements applicable to the renewal of licenses for the food-service industry	6/17/2020		7/15/2020
127	Declaration of state of emergency and state of disaster related to the COVID-19 pandemic	6/18/2020		7/16/2020
128	Clarifying WDCA Eligibility for Workplace Exposure to COVID-19	6/18/2020		*
129	Temporary authorization of remote participation in public meetings and hearings and temporary relief from monthly meeting requirements for school boards	6/18/2020		7/31/2020
130***	Executive Office of the Governor Michigan Statewide Independent Living Council Rescission of Executive Order 2016-11	7/15/2020		
*The end date for these marked items will be the end of the declared state of emergency or a date reasonably related to the end of the declared state of emergency.				
**Affecting the 2020 tax year, only.				
***These indicate non-COVID-19 related Executive Orders.				