



THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

**STATE OF EMERGENCY
FOR CONTINUED COVID-19 ECONOMIC RECOVERY
REGULATORY SUSPENSIONS**

- WHEREAS:** On June 30, 2021, due to the ongoing negative impacts of COVID-19 on the State of Georgia, I issued Executive Order 06.30.21.01, declaring a State of Emergency in Georgia for Continued COVID-19 Economic Recovery; and
- WHEREAS:** On July 22, 2021, I renewed the State of Emergency for Continued COVID-19 Economic Recovery until August 29, 2021, by issuing Executive Order 07.22.21.01; and
- WHEREAS:** On August 19, 2021, I renewed the State of Emergency for Continued COVID-19 Economic Recovery until September 28, 2021, by issuing Executive Order 08.19.21.01; and
- WHEREAS:** On September 20, 2021, I renewed the State of Emergency for Continued COVID-19 Economic Recovery until October 28, 2021, by issuing Executive Order 09.20.21.01; and
- WHEREAS:** The State is experiencing such state of emergency due to the impacts of COVID-19 on the economy, supply chain, and healthcare infrastructure; and
- WHEREAS:** The Governor is vested with the emergency powers cited herein as the Chief Executive of this State; and
- WHEREAS:** Code Section 38-3-28 provides that “[a]ll orders, rules, and regulations promulgated by the Governor” have the force and effect of law; and
- WHEREAS:** As Chief Executive, the Governor is tasked with protecting the citizens of this State, including during a state of emergency; and

- WHEREAS:** Code Section 38-3-51(c)(1) vests the Governor with the power to enforce all laws, rules, and regulations relating to emergency management and to assume direct operational control of all civil forces and helpers in the state; and
- WHEREAS:** Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and
- WHEREAS:** Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and
- WHEREAS:** Code Section 38-3-51(d)(2) vests the Governor with the power to utilize all available resources of the state government and of each political subdivision of the state as reasonably necessary to cope with the emergency or disaster, therefore providing the Governor with emergency authority over all resources of every local government of the State; and
- WHEREAS:** Code Section 38-3-51(d)(3) establishes the Governor's emergency authority over the operation of state departments and agencies by vesting the Governor with the power to transfer the direction, personnel, or functions of state departments and agencies or units thereof for the purpose of performing or facilitating emergency services; and
- WHEREAS:** Code Section 38-3-28(a) prohibits political subdivisions of the state from making, amending, or rescinding any orders, rules, and regulations as may be necessary for emergency management that are inconsistent with any orders, rules, or regulations promulgated by the Governor; and
- WHEREAS:** Local rules, ordinances, orders, or mandates that provide for any action more or less permissive than the recommendations and requirements of this Order will result in an incompatible outcome for the uniform response to this state of emergency, therefore constituting inconsistency as Black's Law Dictionary defines "inconsistent" as lacking agreement among parts or otherwise not compatible with another fact or claim; and
- WHEREAS:** In accordance with Georgia law, the Governor has ultimate authority over the State's emergency management procedures because, while other agencies and political subdivisions of the State may be directed or authorized to develop and implement emergency management

plans, rules, regulations, and emergency rules and regulations, Code Section 38-3-28(a) clearly provides that no such rule, regulation, or order may be inconsistent with the Governor's own emergency management directives; and

WHEREAS: Various regulatory statute, rule, and regulation suspensions regarding the operations of state entities are critical in assisting the State and its residents and visitors in coping with and responding to the continued negative impacts of COVID-19 on Georgia's economy, supply chain, and healthcare infrastructure; and

WHEREAS: In consultation with state economic, healthcare, and emergency preparedness officials, I have determined that the following actions are necessary and appropriate to protect the continued strength of Georgia's economy and provide for the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO CODE SECTION 38-3-51, AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: That unless otherwise noted herein, all provisions of this Order shall remain effective until the State of Emergency for Continued COVID-19 Economic Recovery declared by Executive Order 06.30.21.01, and renewed by Executive Orders 07.22.21.01, 08.19.21.01, and 09.20.21.01, is terminated or ceases to be renewed by the Governor, the provision expires by the nature of its terms, or the provision is otherwise terminated via subsequent Executive Order.

IT IS FURTHER

ORDERED: That the Georgia Composite Medical Board is authorized to grant temporary licenses to physicians who apply for a temporary medical license and are currently licensed as a physician in good standing by equivalent boards in other states to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Georgia Board of Nursing is authorized to grant temporary licenses to nurses who apply for a temporary license and are currently licensed in good standing as an Advanced Practice Registered Nurse, Licensed Practical Nurse, or Registered Professional Nurse by an equivalent board in another state to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Georgia Board of Pharmacy is authorized to grant temporary licenses to pharmacists who apply for a temporary license and are currently licensed in good standing as a pharmacist by an equivalent board in another state to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the regulatory provisions of Code Section 43-1-4 and Ga. Comp. R. & Regs. r. 360-2-.05(2), Ga. Comp. R. & Regs. r. 360-2-.05(4), Ga. Comp. R. & Regs. r. 360-2-.06, and all other implementing administrative rules which prohibit the practice of medicine, surgery, osteopathic medicine, and osteopathic surgery, by a licensee whose license is inactive or lapsed shall not be enforced. Suspension of these provisions is limited to licenses which have lapsed or expired within the five (5) years prior to this Executive Order, to licenses that were not subject to pending investigation by a respective licensing board, and to those licenses that have no history of administrative action adverse to the licensee. Suspension of these provisions is further limited to medical treatment of victims of COVID-19 or patients affected by the negative impact of COVID-19 on the healthcare infrastructure.

IT IS FURTHER

ORDERED: That the Georgia Board of Nursing is authorized to grant temporary licenses to practice under Code Sections 43-26-8 and 43-26-38 to graduate registered nurses and graduate practical nurses who have yet to take their respective licensing exam. Temporary licenses shall allow the graduate registered nurse or graduate practical nurse to work under a licensed registered nurse or licensed practical nurse respectively during the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That the Commissioner of Labor is authorized to implement the suspension of Code Section 34-8-193(d)(1) requiring the maximum unemployment benefits payable to an individual in a benefit year to be limited to the lesser of one-fourth of base period wages or fourteen (14) to twenty (26) times the individual's weekly benefit amount.

IT IS FURTHER

ORDERED: That the Commissioner of Labor or his designee is authorized to implement waivers of those rules and regulations necessary to implement the suspension of Code Section 34-8-193(d)(1).

IT IS FURTHER

ORDERED: That the Commissioner of Labor is authorized to adopt emergency rules establishing the maximum unemployment benefits payable to an individual in a benefit year with the suspension of Code Section 34-8-193(d)(1) becoming effective upon the adoption of such emergency rules.

IT IS FURTHER

ORDERED: That the Georgia State Board of Pharmacy (the “Board”) is authorized and directed to implement the suspension of O.C.G.A. § 26-4-82(c)(2) and Ga. Comp. R. & Regs. r. 480-15-.03(d)(2), to the extent necessary to allow pharmacy technicians and pharmacists to complete computer-based processing of prescriptions at alternative locations, including from the residence of the pharmacy technician or pharmacist.

IT IS FURTHER

ORDERED: That any purported requirement under the laws of this state that a notarial act performed pursuant to Chapter 17 of Title 45 or Chapter 2 of Title 45 of the Official Code of the of Georgia must occur in the physical presence of the notary public is hereby suspended, and any such act may be performed remotely if all following requirements are met:

1. The notary public uses real-time audio-video communication technology or any similar real-time means of electronic video conferencing that allows the parties to communicate with each other simultaneously by sight and sound in order to notarize signatures.
2. The notary public is an attorney licensed to practice law in the State of Georgia or is operating under the supervision of an attorney licensed to practice law in the State of Georgia. As used here, the term “supervision” shall mean that the notary public is an employee, independent contractor, agent, or other representative of an attorney or an attorney observes the execution of documents either in-person or via the real-time audio-video communication technology.
3. The signer requiring the notarial act from the notary public presents satisfactory evidence of identity as required in Code Section 45-17-8, while connected to the real-time audio-video communication technology.
4. The notary public is physically located in the state of Georgia.

5. The signer transmits a copy of the signed document to the notary public on the same date it was executed for execution by the notary.

IT IS FURTHER

ORDERED: That any requirement under Georgia law, including, but not limited to, Code Sections 10-6B-5, 15-9-86, 19-3-62, 19-8-4, 19-8-5, 19-8-6, 19-8-7, 29-2-11, 29-4-3, 29-5-3, 31-32-5, 44-2-1 *et seq.*, 44-5-128, 44-5-143, 44-5-144, 44-5-145, or 53-4-20, including a power of attorney, verified petition filed in probate court, antenuptial agreement, surrender of rights for adoption, return filed in probate court, standby guardian designation, nomination of guardian, nomination of conservator, advance directive for health care, deed, recordable instrument, designation of successor custodian, will, codicil, or other document be signed, subscribed, executed, witnessed, attested, acknowledged, or affirmed in the physical presence of another individual or other individuals may be satisfied by the use of audio-video communication technology or any similar real-time means of electronic video conferencing that allows all of the parties to communicate with each other simultaneously by sight and sound.

IT IS FURTHER

ORDERED: That employees, staff, and contractors of health care institutions and medical facilities shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery. This provision shall only apply to employees, staff, and contractors of health care institutions and medical facilities defined by Code Sections 31-7-1(4)(A), 31-7-1(4)(C)-(G), and 31-7-1(5).

IT IS FURTHER

ORDERED: That services provided or performed by health care institutions and medical facilities as defined by Code Sections 31-7-1(4)(A), 31-7-1(4)(C)-(G), and 31-7-1(5) to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That cardiac technicians, emergency medical technicians, paramedics, and paramedic clinical preceptors as defined by Code Section 31-11-2 shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services

performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That officers, directors, employees, staff, and contractors of air ambulance services, ambulance providers, emergency medical services systems, EMSC programs, and local coordinating entities as defined by Code Section 31-11-2 shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35 for services performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery.

IT IS FURTHER

ORDERED: That services provided or performed by air ambulance services, ambulance providers, emergency medical services systems, EMSC programs, and local coordinating entities as defined by Code Section 31-11-2 to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That the requirements of Code Sections 36-70-27 and 50-8-8 are hereby suspended to the extent that they would prevent local governments from being eligible to receive state funding for expenditures made during the Public Health State of Emergency declared by Executive Order 03.14.20.01 or the State of Emergency for Continued COVID-19 Economic Recovery related to the prevention, treatment, or mitigation of COVID-19.

IT IS FURTHER

ORDERED: That on-the-road driving tests conducted by the Department of Drivers Services may be administered by the Department by examiners riding in the vehicle with drivers' license applicants during the test or by remote means.

IT IS FURTHER

ORDERED: That the employees, staff, and contractors of healthcare facilities as defined by Code Sections 31-6-2(17) and 31-44-1(6), where services are provided or performed to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery, specifically including those employees, staff, and contractors defined by Code Section 31-44-1(4), shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That persons who are licensed, certified, or otherwise authorized under Code Section 31-44-1(4) and those under Title 43, Chapter 26 and Chapter 34 to provide healthcare services in the ordinary course of business or practice of a profession or in an approved education or training program, whose practices are affected by the spread of COVID-19, shall be considered auxiliary emergency management workers pursuant to Code Section 38-3-35. However, in no case shall employees, staff, or contractors providing or performing services in or in conjunction with healthcare facilities as defined by Code Section 31-7-1(4)(B) be considered auxiliary emergency management workers pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That services provided or performed by healthcare facilities as defined by Code Section 31-6-2(17) or 31-44-1(6) to assist with the needs of the State of Emergency for Continued COVID-19 Economic Recovery shall be considered emergency management activities pursuant to Code Section 38-3-35. In no case shall services provided or performed by healthcare facilities as defined by Code Section 31-7-1(4)(B) be considered emergency management activities pursuant to Code Section 38-3-35.

IT IS FURTHER

ORDERED: That any purported requirement under the laws of this state requiring original signatures and raised corporate seals related to construction surety bonds required under Code Sections 13-10-40-65, 32-2-70, 36-91-1, 36-91-2, 36-91-50 and 36-91-70-93 and commercial surety bonds required or permitted under numerous other statutes are suspended for the limited purpose of providing that public procurement officers shall accept electronic signatures and electronic corporate seals as provided by the provisions of Code Sections 10-12-2 et seq. and 33-24-14 and any construction surety bond or commercial surety bond may be executed electronically if all the following requirements are met:

1. The document is notarized pursuant to the requirements of Executive Order 04.09.20.01; and
2. If requested by the procurement officer, the original shall be provided within seven (7) business days.

IT IS FURTHER

ORDERED: That for the purposes of Code Section 48-5-311(e)(6A), "in-person" appearances before county boards of equalization may occur via remote communications, including, but not limited to, video

teleconference. This provision shall be implemented consistent with Ga. Comp. R. & Regs. r. 560-11-12-.02, which requires hearings before county boards of equalization to “only be as formal as is necessary to preserve order and be compatible with the principles of justice.” Further, this provision does not abrogate the requirement that county boards of equalization comply with the Georgia Open Meetings Act. Further, decisions of county boards of equalization may be transmitted electronically if all parties consent at the time of the hearing.

IT IS FURTHER

ORDERED:

That the Georgia Board of Dentistry shall be authorized to issue temporary licenses to dental hygienist applicants who graduated in 2020 from an accredited dental hygiene school and have yet to take their licensing exam due to said exam being postponed or cancelled as a result of COVID-19. Such temporary licenses shall allow a graduate dental hygienist applicant to work under the direct supervision of a licensed supervising dentist during the period of temporary licensure. Guidelines for the requirements and procedure for the application of the temporary license shall be issued by the Georgia Board of Dentistry. Code Section 43-11-70.1 and Ga. Comp R. & Regs. R. 150-5-.02(2) shall be suspended to the extent that they would prohibit the issuance of such temporary licenses.

IT IS FURTHER

ORDERED:

That the Georgia Board of Dentistry shall be authorized to issue temporary licenses to dental applicants who graduated in 2020 from an accredited dental college and have yet to take their licensing exam due to said exam being postponed or cancelled as a result of COVID-19. Such temporary licenses shall allow a graduate dental applicant to work under the direct supervision of a licensed supervising dentist during the period of temporary licensure. Guidelines for the requirements and procedure for the application of the temporary license shall be issued by the Georgia Board of Dentistry. Code Section 43-11-42 and Ga. Comp R. & Regs. R. 150-3-.04(1)(a) shall be suspended to the extent that they would prohibit the issuance of such temporary licenses.

IT IS FURTHER

ORDERED:

That any purported requirement of the laws of this state, including but not limited to certain provisions of Code Sections 15-12-67 and 15-12-68, that prohibits remote administration of oaths for grand jury purposes is hereby suspended.

IT IS FURTHER

ORDERED: That any purported requirement of the laws of this state, including but not limited to certain provisions of Code Section 15-12-66.1, that prohibits remote attendance of grand jurors and prospective grand jurors is hereby suspended.

IT IS FURTHER

ORDERED: That the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists shall be authorized to issue temporary authorization to practice within the State of Georgia to practitioners who apply for temporary authorization and are currently licensed in good standing as a professional counselor, social worker, or marriage and family therapist by an equivalent board in another state for the purpose of providing telemental health service to said practitioner's existing patient(s) that have relocated to Georgia as a result of COVID-19. Guidelines for the requirements and procedure for the application of the temporary authorization shall be issued by the Georgia Composite Board of Professional Counselors, Social Workers, and Marriage and Family Therapists. Code Section 43-10A-7, Ga. Comp R. & Regs. R. 135-3-.01 *et seq.*, Ga. Comp R. & Regs. R. 135-5-.01 *et seq.*, and Ga. Comp R. & Regs. R. 135-11-.01 shall be suspended only to the extent that they would prohibit the issuance of such temporary authorization.

IT IS FURTHER

ORDERED: That for any weapons carry license or renewal license that expires during the State of Emergency for Continued COVID-19 Economic Recovery, the application for renewal of such weapons carry license or renewal license made pursuant to Code Section 16-11-129 shall be considered to be for a renewal license if the holder of such weapons carry license or renewal license applies within 120 days after the expiration date on the face of license.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Section 40-5-21.1, that limits the time period for which a noncitizen who holds a Georgia driver's license or identification card may be issued a temporary driving permit or identification card to 120 days from the date of expiration of his or her valid driver's license or identification card is hereby suspended to the extent necessary to allow noncitizen holders of a Georgia driver's license or identification card, whose driver's license or identification card expired on or after March 14, 2020, who have already been issued the 120 day temporary driving permit or identification card permitted under Code Section 40-5-21.1, and have

filed, or on whose behalf has been filed, a request for an extension with the United States Department of Homeland Security, or similar such federal issuing agency, for time to remain lawfully within the United States and said request is still pending, to apply to the Georgia Department of Driver Services for one or more additional 120 day temporary driving permits or identification cards. Any such temporary driving permit or identification card shall be issued in accordance with existing procedures established by the Georgia Department of Driver Services and in the sole discretion of the Commissioner of the Georgia Department of Driver Services. The Georgia Department of Driver Services shall be authorized to issue additional guidelines and procedures for the application and issuance of said temporary driving permits and identification cards as needed. Nothing in this Order shall be construed to suspend or otherwise alter any existing identity or lawful status verification requirements established by the Georgia Department of Driver Services to comply with federal REAL ID requirements.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519(27), that graduates of eligible high schools, as defined by Code Section 20-3-519(6), receive a qualifying standardized college admission test score prior to high school graduation in order to qualify as a Zell Miller Scholarship Student is hereby suspended for all such students that have graduated or will graduate high school in the year 2020 or between January 1, 2021 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of Zell Miller Scholarship eligibility to June 30, 2021 for 2020 graduates and to June 30, 2022 for students that graduate between January 1, 2021 and June 30, 2021; (b) to establish rules and procedures for retroactively awarding Zell Miller Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable Zell Miller Scholarship checkpoint requirements; and (c) to establish rules and procedures whereunder HOPE scholarship funds issued to incoming freshman students that later qualify for the Zell Miller Scholarship in accordance with the extended deadline provided for herein shall be returned.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519(27), that graduates of ineligible high schools, meaning ones that do not meet the definition of Code Section 20-3-519(6), or graduates of home

study programs meeting the requirements of Code Section 20-2-690(c) must receive a qualifying standardized college admission test score prior to high school graduation or home study completion in order to qualify as Zell Miller Scholarship Students is hereby suspended for all such students that graduate or complete home study between March 14, 2020 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of Zell Miller Scholarship eligibility to June 30, 2021 for those students that graduate or complete home study between March 14, 2020 and December 31, 2020 and to June 30, 2022 for such students that graduate or complete home study between January 1, 2021 and June 30, 2021; and (b) to establish rules and procedures for retroactively awarding Zell Miller Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable Zell Miller Scholarship checkpoint requirements.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 20-3-519.2, that graduates of ineligible high schools, meaning those that do not meet the definition of Code Section 20-3-519(6), students that completed home study programs meeting the requirements of Code Section 20-2-690(c), or recipients of general education development (GED) diplomas receive a score in the seventy-fifth percentile or higher nationally on a standardized college admission test prior to graduation, home study completion, or earning the GED in order to qualify for a HOPE Scholarship is hereby suspended for all such students that graduate, complete home study, or earn a GED between March 14, 2020 and June 30, 2021. The Georgia Student Finance Commission shall be authorized to: (a) extend the deadline by which said students must submit a qualifying standardized college admission test score for purposes of HOPE Scholarship eligibility to June 30, 2021 for those students that graduate, complete home study, or earn a GED between March 14, 2020 and December 31, 2020 and to June 30, 2022 for such students that graduate, complete home study, or earn a GED between January 1, 2021 and June 30, 2021; and (b) to establish rules and procedures for retroactively awarding HOPE Scholarships to those students who submit a qualifying standardized college admission test score in accordance with the extended deadline provided that they met any applicable HOPE Scholarship checkpoint requirements.

IT IS FURTHER

ORDERED: That strict compliance with Code Section 45-20-16 and Ga. Comp. R. & Regs. r. 478-1-.16(12) shall be suspended for the limited purposes of (1) allowing all employees, as defined by Ga. Comp. R. & Regs. r. 478-1-.02(14), but not including temporary employees as defined by Ga. Comp. R. & Regs. r. 478-1-.02(34), to use up to eight (8) hours of emergency office closure leave for the purpose of receiving a COVID-19 vaccine, provided that any employee who uses emergency office closure leave for the purpose of receiving a COVID-19 vaccine shall provide proof of said vaccination to his or her supervisor, and (2) allowing employees who receive a COVID-19 vaccine and experience negative side effects from said vaccine, the severity of which prohibit him or her from being able to perform his or her duties of employment, to use up to sixteen (16) hours of emergency office closure leave for recovery from said side effects, provided that any employee who uses emergency office closure leave for the purpose of recovering from negative side effects of a COVID-19 vaccine shall provide documentation of such negative side effects from a medical provider to his or her supervisor, if so requested.

IT IS FURTHER

ORDERED: That, pursuant to U.S. Department of Health and Human Services guidance, any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-26.1, which limits the types of vaccines pharmacists or nurses may administer is hereby suspended to the extent necessary to allow pharmacists and nurses to administer a COVID-19 vaccination, with or without a vaccine protocol agreement. Such administration shall be in accordance with the Advisory Committee on Immunization Practices (ACIP) guidelines.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Section 26-4-82(e) and Ga. Comp R. & Regs. R. 480-15-.03(f), which limits the number of pharmacy interns, as defined by Code Section 26-4-5(19), that a pharmacist may be assisted by and directly supervise is hereby suspended to the extent necessary to allow a pharmacist to be assisted by and directly supervise more than one (1) pharmacy intern at a time for the limited purpose of supporting COVID-19 vaccination efforts.

IT IS FURTHER

ORDERED: That any provision of the laws or regulations of this state, including but not limited to Code Sections 43-11-1 and 43-11-17, which prohibits licensed dentists, as defined by Code Section 43-11-1(10),

from administering vaccinations is hereby suspended to the extent necessary to allow licensed dentists to administer a COVID-19 vaccination for the limited purpose of providing COVID-19 vaccine administration in partnership with the Georgia Department of Public Health. Any such vaccine administration shall be in accordance with the Georgia Department of Public Health guidelines.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-44 and Ga. Comp. R. & Regs. R. 360-3-.05, that a medical assistant, as defined by Ga. Comp. R. & Regs. R. 360-3-.05(A)(1), must be supervised by an on-site physician, a physician assistant, or an advanced practice nurse in order to administer injections is hereby suspended to the extent necessary to allow medical assistants to administer the COVID-19 vaccine without direct on-site supervision of a physician, a physician assistant, or an advanced practice nurse. A medical assistant administering the COVID-19 vaccine without direct on-site supervision must be remotely supervised by a physician, as defined by Code Section 43-34-1(2), a physician assistant, as defined by Code Section 43-34-102(7), an advanced practice registered nurse, as defined by Code Section 43-26-3(1.1), or a registered professional nurse, as defined by Code Section 43-26-3(9), who is available to the medical assistant by telephone or other electronic means as needed and must complete training regarding the handling and administration requirements for the COVID-19 vaccine as recommended by the Georgia Department of Public Health.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Section 43-34-26.1(f), that a licensed practical nurse, as defined by Code Section 43-26-32(5), must be directly supervised on-site by a registered professional nurse, as defined by Code Section 43-26-3(9), who is party to a vaccine protocol agreement in order to administer vaccinations is hereby suspended to the extent necessary to allow licensed practical nurses to administer the COVID-19 vaccine without direct on-site supervision of a registered professional nurse, and with or without a vaccine protocol agreement. A licensed practical nurse administering the COVID-19 vaccine without direct on-site supervision must be remotely supervised by a physician, as defined by Code Section 43-34-1(2), a physician assistant, as defined by Code Section 43-34-102(7), an advanced practice registered nurse, as defined by Code Section 43-26-3(1.1), or a registered professional nurse, as defined by Code Section 43-26-3(9), who is available to the licensed practical nurse by telephone or other electronic means as needed and must complete training regarding the handling and

administration requirements for the COVID-19 vaccine as recommended by the Georgia Department of Public Health.

IT IS FURTHER

ORDERED:

That the Georgia Board of Nursing (hereinafter, "Board") shall be authorized, in its sole discretion, to issue temporary permits to practice nursing, for the sole purpose of administering the COVID-19 vaccine and monitoring the patient for any adverse reactions in the subsequent observation period, to practitioners who hold a license, as such term is defined by Code Section 43-26-3, that has become lapsed or inactive within the five (5) years prior to the date of this Executive Order, provided that the licensee was not the subject of a pending investigation or any public or private disciplinary action at the time his or her license became lapsed or inactive. Rules for the requirements and procedure for the temporary permit application process shall be issued by the Board, which shall not charge any fee for the issuance of such temporary permit. Any provision of the laws or regulations of this state that would prohibit the issuance of such temporary permits, including but not limited to Code Sections 43-26-2, 43-26-3, and 43-26-10, Ga. Comp R. & Regs. R. 410-1-.01, and Ga. Comp R. & Regs. R. 410-6-.01, shall be suspended only to the extent necessary to allow such temporary permits.

IT IS FURTHER

ORDERED:

That any requirement of the laws or regulations of this state, including but not limited to Code Sections 43-34-23, 43-34-102, and 43-34-103 and Ga. Comp. R. & Regs. R. 360-5-.05, that a physician assistant, as defined by Code Section 43-34-102(7), may only perform medical acts approved for utilization by a physician, as defined by Code Section 43-34-1(2), in a job description approved by the Georgia Composite Medical Board is hereby suspended to the extent necessary to allow a physician assistant to administer the COVID-19 vaccine regardless of whether such medical act is described in the physician assistant's job description approved by the Georgia Composite Medical Board.

IT IS FURTHER

ORDERED:

That any provision of the laws or regulations of this state, including but not limited to Code Section 43-34-103 and Ga. Comp. R. & Regs. R. 360-5-.05, that prohibits a physician, as defined by Code Section 43-34-1(2), employed by the Georgia Department of Public Health or any institution thereof, the Georgia Department of Community Health or any institution thereof, or a local health department, whose duties are administrative and do not normally include providing health care to patients from supervising a physician assistant, as

defined by Code Section 43-34-102(7), who is employed by any of said entities is hereby suspended to the extent necessary to allow a physician employed by any of said entities to supervise an employee physician assistant for the purpose of administering the COVID-19 vaccine and providing other medical acts in support of COVID-19 response efforts.

IT IS FURTHER

ORDERED:

That any provision of the laws or regulations of this state, including but not limited to Ga. Comp. R. & Regs. R. 150-3-.01 and Ga. Comp. R. & Regs. R. 150-3-0.2-.11, that requires regional dental examinations for the assessment of clinical competencies to be performed on human subjects or on manikin-based typodonts using dental virtual-haptic machine simulation is hereby suspended to the extent necessary to allow dental license applicants to submit results from either the Central Regional Dental Testing Service (CRDTS) or American Board of Dental Examiners (ADEX) manikin-based typodont examinations, conducted with or without the use of virtual haptic machine simulation, taken on or after January 1, 2021 to the Georgia State Board of Dentistry with an application for licensure. The Board of Dentistry shall accept satisfactory results from any such exam as meeting the assessment of clinical competencies regional dental examinations requirement for licensure and, provided all other requirements of licensure are met, shall issue an unrestricted dental license to any such applicant. Licenses issued pursuant to this Order shall not be issued as temporary, provisional, or conditional licenses unless requested by the applicant or otherwise permitted by law or regulation.

IT IS FURTHER

ORDERED:

That the Department of Community Health is authorized and directed to implement the suspension of Code Section 31-6-40 where such suspension would permit capable facilities to expand capacity, offer services, or make expenditures necessary to assist with the needs of this State of Emergency.

IT IS FURTHER

ORDERED:

That the Commissioner of the Department of Community Health, or her designees, is authorized and directed to implement waivers of those rules and regulations necessary to prohibit the prevention, hindrance, or delay of necessary action to assist or aid in coping with this State of Emergency.

IT IS FURTHER

ORDERED:

That the federal rules and regulations limiting hours that operators of commercial vehicles may drive are suspended to ensure the uninterrupted supply of healthcare supplies as well as all other supplies, goods, and services throughout Georgia. This declared emergency justifies a suspension of Part 395 (driver's hours of service) of Title 49 of the Code of Federal Regulations. The suspension will remain in effect for thirty (30) days or until the emergency condition ceases to exist, whichever is less. Nothing herein will be construed as an exemption from the Commercial Driver's License requirements in 49 C.F.R. 383 and the financial requirements in 49 C.F.R. 387.

IT IS FURTHER

ORDERED:

That no motor carrier operating under the terms of this State of Emergency will require or allow an ill or fatigued driver to operate a motor vehicle. A driver who notifies a motor vehicle carrier that he or she needs immediate rest will be given at least ten (10) consecutive hours off-duty before being required to return to service.

IT IS FURTHER

ORDERED:

That weight, height, and length for any such vehicle traveling through the State of Georgia for the purposes of providing relief related to this State of Emergency for Petroleum Shortage, which traverses roadways maintained by the State of Georgia, excluding interstates, shall not exceed the following:

- A. A maximum gross vehicle weight for vehicles equipped with five (5) weight-bearing axles, with an outer bridge span of not less than fifty-one (51) feet, shall not exceed a gross vehicle weight of ninety-five (95) thousand pounds, a maximum width of ten (10) feet, and an overall length of one hundred (100) feet. Continuous travel is authorized with the proper escorts.
- B. If the width of said vehicle exceeds eight (8) feet six (6) inches and is traveling after daylight, defined as thirty (30) minutes before sunset to thirty (30) minutes after sunrise, the transporter is required to have a vehicle front and a rear escort/amber light when traveling on a two-lane roadway and a vehicle rear escort when traveling on a four-lane highway. Transporters are responsible for ensuring that they have proper oversize signs, markings, flags, and escorts as defined in the Georgia Department of Transportation Rules and Regulations.

IT IS FURTHER

ORDERED: That commercial vehicles operating outside the normal weight, height, and length restrictions under the authority of this State of Emergency shall be issued permits by the Georgia Department of Public Safety. Said vehicles shall be subject to any special conditions the Georgia Department of Public Safety may list on applicable permits. Nothing in this Executive Order shall be construed to allow any vehicle to exceed weight limits posted for bridges and like structures, nor shall anything in this Executive Order be construed to relieve compliance with restrictions other than those specified in this Order or from any statute, rule, order, or other legal requirement not specifically waived herein.

Oversize permits may be issued by the Georgia Department of Public Safety, Motor Carrier Compliance Division, during normal business hours, Monday through Friday by calling 404-624-7700 or through the Georgia Permitting and Routing Optimization System online portal at <https://gapros.dot.ga.gov/>.

IT IS FURTHER

ORDERED: That any requirement of the laws or regulations of this state, including but not limited to Code Section 47-7-81, Ga. Comp R. & Regs. R. 513-7-1-.04, and Ga. Comp R. & Regs. R. 513-7-1-.08, that a volunteer firefighter, as defined by Code Section 47-7-1(12), must attend a certain amount of group department drills and meetings each calendar year in order to earn creditable service for said calendar year is hereby suspended for the year 2021.

IT IS FURTHER

ORDERED: That any requirement of the laws or regulations of this state, including but not limited to Code Section 47-7-81, Ga. Comp R. & Regs. R. 513-7-1-.04, and Ga. Comp R. & Regs. R. 513-7-1-.08, that a volunteer fire department, as defined by Code Section 47-7-1(11), must offer a certain amount of group department drills and meetings each calendar year in order for any member of the department to earn creditable service for said calendar year is hereby suspended for the year 2021.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this Order shall control. Further, in the event of any conflict, the provisions of any Quarantine or Isolation Order issued to a specific person by the Georgia Department of Public Health shall control.

IT IS FURTHER

ORDERED: That nothing in this Order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

IT IS FURTHER

ORDERED: That no provision of this Order shall limit, infringe, suspend, or supplant any judicial order, judgment, or decree issued pursuant to the laws or constitution of this State or the laws or constitution of the United States, nor shall any person use any provision this Order as a defense to an action in violation of a judicial order, judgment, or decree by any court created pursuant to the laws or constitution of this State or the laws or constitution of the United States.


IT IS FURTHER

ORDERED: This Order does not attempt, nor shall it be construed, to imply that the Governor, in any instance, has the unilateral authority to overturn any judicial order, judgment, or decree.

IT IS FURTHER

ORDERED: The Office of the Governor may continue to issue guidance on the scope of this Order as needed through communication media, including social media, without need for further Executive Orders.

This 20th day of September 2021.



GOVERNOR