

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Scott A. Rivkees, M.D.
State Surgeon General

Vision: To be the Healthiest State in the Nation

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES,
ORDERS, AND RULES PURSUANT TO
EXECUTIVE ORDER NUMBER
21-150 MADE NECESSARY BY
TROPICAL STORM ELSA.

DOH No. 21-003

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DEPARTMENT OF HEALTH
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EMERGENCY ORDER

WHEREAS, on July 3, 2021, Governor Ron DeSantis issued Executive Order 21-150 regarding Tropical Storm Elsa and declared a state of emergency; and

WHEREAS, Section 4 of Executive Order 21-150 allows state agencies to suspend the provisions of any regulatory statute, order, or rule, if strict compliance with the provisions of the statute, order, or rule would prevent, hinder, or delay necessary action in coping with the emergency; and

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

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

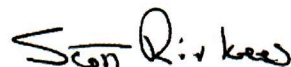
NOW, THEREFORE, I, SCOTT A. RIVKEES, M.D., pursuant to section 4.B. of Executive Order No. 21-150, find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for conduct of state business by the Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by Tropical Storm Elsa. In order to effectively respond to the threat posed by Tropical Storm Elsa it is necessary to promulgate the following:

Section 1:

Sections 287.055(3)(a)-(d), 4(a)-(d), 5(a)-(c), and 287.057(3), Florida Statutes, and Florida Administrative Code Rules 60A-1.002(4), 60A-1.021(2), and 60A-1.043(1)-(3), are likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency and are hereby suspended for the duration of Executive Order 21-150 and any modifications or extensions thereof.

Because section 252.36(5)(a), Florida Statutes, allows the Governor to suspend the provisions of "any regulatory statute prescribing the procedures for [the] conduct of state business," and because Executive Order 21-150 provides the authority to issue this Emergency Order, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to this Order. This order shall remain in effect as stated above or until modified by order of the State Surgeon General.

Executed this 6th day of July 2021, in Department of Health offices, Tallahassee, Leon County, Florida.



Scott A. Rivkees, M.D.
State Surgeon General