

Executive Orders Relating to COVID-19

Executive Order No.	Date Issued	Topic	Summary Relevant to DCA	Section(s) Affected
N-47-20	4/7/2020	Support for Vulnerable Populations		
N-46-20	4/7/2020	Medical Supply Procurement		
N-45-20	4/4/2020	Expanded Access to Childcare for Essential Workers		
N-44-20	4/3/2020	Price Gauging Protection		
N-43-20	4/3/2020	Telehealth	<ul style="list-style-type: none"> • <u>Par. 1:</u> Requirements of BPC 2290.5(b) and any implementing regulations related to the responsibility of a health care provider to obtain and document verbal or written consent before using telehealth services are waived. • <u>Par. 8:</u> To the extent that the Order suspends any penalty / other enforcement mechanism associated with the violation of any statute where the violation arises out of the good faith provision of telehealth services, such violation shall not constitute unprofessional conduct pursuant to Art. 10.5, Ch. 1, Div. 2 of the BPC (BPC 725-733). • <u>Par. 10:</u> “Telehealth services” includes behavioral or mental health services, medical, surgical, or other health care services. 	BPC 2290.5(b) BPC 725 – 733
N-42-20	4/2/2020	Protection from Water Shutoffs for Homes and Small Businesses		

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N-41-20	4/1/2020	Expedited Resources		
N-40-20	3/30/2020	Small Business Relief		
		Administrative Procedure Act (Regulation Timelines)	<p><u>Par. 1:</u> (generally)</p> <ul style="list-style-type: none"> • One year deadline to complete a rulemaking from the date noticed is extended by 60 <i>calendar</i> days. • 120 day deadline to resubmit a regulation that has been returned to the agency by OAL is extended by 60 <i>calendar</i> days. • Requirement that OAL either approve or disapprove a regulation within 30 working days of submission to OAL for review is extended by 60 <i>calendar</i> days. • Requirement that OAL determine whether a change submitted as a “Section 100” change within 30 working days of its receipt is extended by 60 <i>calendar</i> days. <p><u>Par. 1:</u> (emergency regs)</p> <ul style="list-style-type: none"> • Requirement that an emergency regulation may remain in effect for a maximum of 180 days, without such regulation being recertified or adopted via a regular rulemaking, is extended by 60 <i>calendar</i> days. • OAL’s authority to approve a maximum of 2, 90-day readoptions of a substantially equivalent emergency regulation is extended by 60 <i>calendar</i> days. 	<p>GC 11346.4(b)</p> <p>GC 11349.4(a)</p> <p>GC 11349.3(a)</p> <p>1 CCR 100(c)</p> <p>GC 11346.1(e)</p> <p>GC 11346.1(h)</p>
		Continuing Education	<u>Par. 12:</u> Director of DCA may waive any of the continuing education requirements in Divisions 2 and 3 of the BPC and regulations for 60 days from the date of the Order. (Div. 2: Healing Arts; Div. 3: Prof. & Vocations, Generally)	BPC 500 – 4999.129, 5000 – 9998.11

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		Adverse Action	<u>Par. 16</u> : The deadline for serving a notice of adverse action per Gov. Code 19635 is extended for 60 days.	GC 19635
N-39-20	3/30/2020	Licensing Requirements (Healing Arts)	<u>Par. 5</u> : Director of DCA may, to the extent necessary and only for the duration of the declared emergency, waive any of the professional licensing requirements and amend scopes of practice in Division 2 of the BPC and regulations.	BPC 500 –4999.129
N-38-20	3/27/2020	Judicial Council Emergency Authority		
N-37-20	3/27/2020	Protection from Eviction		
N-36-20	3/24/2020	State Prisons and Juvenile Facilities		
N-35-20	3/21/2020	Bagley-Keene Open Meeting Act (Serial communications re declared emergency)	<u>Par. 2</u> : <ul style="list-style-type: none"> • Board members may receive updates, including but not limited to simultaneous updates, relevant to the declared emergency from federal, state and local officials, and may ask questions of such officials, in order to stay apprised of emergency operations and the impact of the emergency on their constituents; • <u>However</u>, members are <u>not</u> permitted to take action on, or discuss amongst themselves, any item of business within their agency’s jurisdiction without complying with the otherwise-applicable provisions of the OMA. • Nothing in this section shall impact paragraph 3 of N-29-20. 	GC 11122.5(b)(1)
		Administrative Procedure Act (Enforcement)	<u>Par. 8</u> : Agency deadline to act on an administrative law judge’s proposed decision within 100 days of the agency’s receipt of the same is extended for 60 days.	GC 11517(c)(2)(C)

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		Governor Appointments	<u>Par. 9:</u> Deadlines related to the Governor’s reappointment of an incumbent to an office, and transmittal of the required information relating to appointment of an incumbent to the Secretary of State, are extended for 60 days.	GC 1774(a), (b)
		Government Claims Act	<u>Par. 11:</u> <ul style="list-style-type: none"> • The time to present a claim against the government pursuant to Gov. Code 911, et seq. is extended by 60 days. • The time within which the Dept of General Services may act upon such claim is extended by 60 days. 	GC 911, et seq.
N-34-20	3/20/2020	Vote-by-Mail		
N-33-20	3/19/2020	Stay at Home		
N-32-20	3/18/2020	Homeless Funding		
N-31-20	3/17/2020	Timely Delivery of Vital Goods / Critical Supplies and Equipment		
N-30-20	3/17/2020	Suspension of Standardized Testing		
N-29-20	3/17/2020	Social Safety Net Services		
		Bagley-Keene Open Meeting Act (Teleconference)	<u>Par. 3:</u> <ul style="list-style-type: none"> • <i>Supersedes Par. 11 of N-25-20.</i> • Boards are authorized to hold public meetings via teleconference and make public meeting accessible telephonically or otherwise electronically to all public seeking to observe and address the board. 	GC 11123

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			<ul style="list-style-type: none"> • Any requirement(s) that board members be physically present to participate in or count towards a quorum to hold a public meeting are waived. • Any requirement(s) that the public be physically present as a condition of participating in a public meeting are waived. <p><u>Requirements suspended:</u></p> <ul style="list-style-type: none"> • Notice of each teleconference location where a board member will be participating. • Each teleconference location be accessible to the public. • Public must be able to address the board at each teleconference location. • Agenda must be posted each teleconference location. • At least one board member must be physically present at the meeting location identified in the Notice. • During teleconference meetings, at least a quorum of the board must participate from locations within the boundaries of their jurisdiction. <p><u>Accessibility Requirements:</u></p> <ul style="list-style-type: none"> • If a meeting is held via teleconference and the public is allowed to observe and address the meeting telephonically or otherwise electronically, the board must do <u>both</u> of the following: <ul style="list-style-type: none"> (1) implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities consistent with the ADA and resolving any doubt whatsoever in favor of accessibility; <u>and</u> 	<p>GC 11123(b)(1)(F) GC 11123.5(e)</p> <p>GC 11123(b)(1)(C) GC 11123.5(c), (e)</p> <p>GC 11123(b)(1)(C)</p> <p>GC 11123(b)(1)(C) GC 11123(b)(1)(B)</p> <p>GC 11123(b)(1)(C) GC 11123(b)(1)(C) GC 11123(b)(1)(F) n/a</p>
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			<p>(2) advertise that procedure each time notice is given regarding how the public may observe the meeting and offer public comment, pursuant to the Notice Requirements (below).</p> <p><u>Notice Requirements:</u></p> <ul style="list-style-type: none"> • If a meeting is held via teleconference, the board must do <u>both</u> of the following: <ul style="list-style-type: none"> (1) give advance notice of the time of each public meeting and post the agenda according to the timeframes and manner otherwise required by the OMA; <u>and</u> (2) provide notice of the means by which the public may observe the meeting and offer public comment. If there is a change to the means for the public to observe and comment, or this information has not yet been posted, this requirement may be satisfied by advertising the means for public observation and comment using “the most rapid means of communication available at the time” per Gov. Code 54954(e), including but not limited to posting such means on the board’s website. 	
N-28-20	3/16/2020	Protection for Renters and Homeowners		
N-27-20	3/15/2020	Protection for Most Vulnerable Licensed Facilities, Staff and Residents		
N-26-20	3/13/2020	State Funding for Schools		

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N-25-20	3/12/2020	Enhancement of State and Local Government Authority to Respond		
		Bagley-Keene Open Meeting Act (OMA) (Teleconference)	<p><i>Par. 11: (withdrawn and superseded by Par. 3 of N-29-20): Boards authorized to hold public meetings via teleconference and to make public meetings accessible telephonically or otherwise electronically to all public seeking to attend and address the board during social distancing.</i></p> <p><u>OMA requirements waived:</u></p> <ul style="list-style-type: none"> • <i>All requirements that board members be physically present to participate in or count towards a quorum to hold a public meeting are waived.</i> • <i>All requirements that the public be physically present as a condition of participating in a public meeting are waived.</i> <p><u>OMA requirements suspended (conditions required):</u></p> <ul style="list-style-type: none"> • <i>Notice of each teleconference location where a board member will be participating.</i> • <i>Teleconference location be accessible to the public.</i> • <i>Public must be able to address the state body at each teleconference location.</i> • <i>Agenda must be posted each teleconference location.</i> • <i>At least one board member must be physically present at the meeting location identified in the Notice.</i> • <i>During teleconference meetings, at least a quorum of the board must participate from locations within the boundaries of their jurisdiction.</i> 	

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			<p><u>Conditions required for suspension of above requirements:</u></p> <ul style="list-style-type: none"> • <i>Must comply with OMA notice requirement timelines and means of notice; and</i> • <i>Must notice at least one publicly accessible location where the public have the right to observe and offer public comment, including ADA compliance.</i> 	
	3/4/2020	State of Emergency		