

COVID 19 Executive Orders

On March 9, the Governor declared a state of emergency because of dangers posed by COVID-19 and has since issued over three dozen related executive orders. The following report provides a complete chronological inventory of the orders and a summary of each with links to the actual order. This report has been updated from the version released on April 20 to reflect the five orders issued since that date.

Chronological List

March 9, 2020. Executive Order 20-02 declares a state of emergency for Rhode Island due to the dangers posed by COVID-19. It directs the Rhode Island Emergency Management Agency to stand up the emergency operations center and activate necessary response plans. It also authorizes the Adjutant General to order National Guard members to state active duty if necessary. This order also specifies that existing laws against price gouging apply to certain essential commodities and personal protective equipment. This order was extended until May 8, 2020 with Order 20-18.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-02.pdf>

March 13, 2020. Executive Order 20-03 provides that persons arriving in Rhode Island from outside the United States must self-quarantine for 14 days. The order also requires persons who travelled outside the United States and arrived in Rhode Island in the previous 14 days to self-quarantine.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-03.pdf>

March 16, 2020. Executive Order 20-04 prohibits gatherings of 25 people or more. It also prohibits on-premises consumption of food or drink at any restaurant, bar or other establishment, which has been extended until May 8 with Order 20-15.

Executive Order 20-05 authorizes public bodies to conduct meetings by electronic communication, provided provisions are made to ensure public access to the meetings. It also authorizes public bodies to extend the timeline to respond to record requests by 20 business days. It also authorizes timeframes regarding administrative appeals to be extended by 10 business days. The scope of these provisions was amended in Order 20-25, which also extended the effective date to May 8.

Links: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-04.pdf>
<http://www.governor.ri.gov/documents/orders/Executive-Order-20-05.pdf>

March 18, 2020. Executive Order 20-06 authorizes telemedicine services and requires insurance carriers to reimburse the services at rates not lower than services delivered through traditional in-person methods. This order has been extended until May 8, 2020 with Order 20-28.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-06.pdf>

March 20, 2020. Executive Order 20-07 extends the time period within which police must conduct background checks for the purchase of firearms from 7 days to 30 days. This order has been extended until May 8, 2020 with Order 20-28.

Executive Order 20-08 authorizes restaurants to sell beer and wine with take-out food orders, which was extended through May 8 in Order 20-23.

Links: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-07.pdf>
<http://www.governor.ri.gov/documents/orders/Executive-Order-20-08.pdf>

March 22, 2020. Executive Order 20-09 requires the closure of all public recreation and entertainment establishments (including theaters, cinemas, sporting events, bowling alleys, concert venues, museums, and zoos) and all close-contact businesses (including gyms, hair salons, barbershops, nail salons and tattoo parlors). The order also requires all business service personnel that can work from home to do so. The order also prohibits gatherings of more than ten people in any public or private space. This order expired March 30, but was extended until May 8 through Order 20-23.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-09.pdf>

March 23, 2020. Executive Order 20-10 requires any person who returns to Rhode Island after domestic air travel to self-quarantine for 14 days.

Executive Order 20-11 postpones the Presidential Primary from April 28, 2020 to June 2, 2020 and requires the Board of Elections to work with the Secretary of State to determine a plan to hold a predominantly mail-in ballot primary. Order 20-27 issued on April 17 contains the changes needed for the plan.

Links: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-10.pdf>
<http://www.governor.ri.gov/documents/orders/Executive-Order-20-11.pdf>

March 26, 2020. Executive Order 20-12 requires any person coming to Rhode Island from New York State, and any person who has come to Rhode Island from New York within the previous 14 days, to self-quarantine for 14 days. This order was repealed by Executive Order 20-14 issued on March 28, 2020.

Links: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-12.pdf>
<http://www.governor.ri.gov/documents/orders/Executive-Order-20-14.pdf>

March 28, 2020. Executive Order 20-13, effective through April 13, requires all Rhode Island residents to stay at home unless traveling to work, for medical treatment or obtaining necessities. The order also requires Rhode Island employers to use all means available to enable out-of-state employees to work from home; any person who lives in Rhode Island and works in another state who can work from home is required to do so. The order prohibits gatherings of more than five people in any public or private space and requires all non-critical retail businesses to cease in-person operations. The order also requires any person coming to Rhode Island from another state for a non-work-related purpose to self-quarantine for 14 days. This section was subsequently

amended with Executive Order 20-14 that repealed the 14-day quarantine requirements for incoming New Yorkers. Order 20-23 extends these provisions until May 8, 2020

Links: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-13.pdf>
<http://www.governor.ri.gov/documents/orders/Executive-Order-20-14.pdf>

March 30, 2020. Executive Order 20-15 extended the expiration dates of Executive Orders 20-04, applying to on-sight consumption of food or beverages, 20-08 allowing beer and wine to be sold with take-out orders, and 20-09 applying to public recreation and business closures until April 13. These orders have been extended until May 8, 2020 via Order 20-23.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-15.pdf>

April 6, 2020. Executive Order 20-16, suspends laws requiring Assembly approval of Medicaid program changes and the statutory rate provisions for hospitals, nursing facilities and home care providers. The order authorizes the Executive Office of Health and Human Services to establish new rates and payment methodologies for direct care providers who are facing extraordinary circumstances due to COVID-19, subject to approval of the Director of Office of Management and Budget.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-16.pdf>

April 7, 2020. Executive Order 20-17 requires all licensed hospitals to submit daily reports of bed capacity and necessary supplies to the Department of Health. The order also requires all licensed hospitals to provide regular capacity and need reports to the Centers for Disease Control and Prevention and other federal partners. The order also requires every public and private entity administering COVID-19 diagnostic tests to submit daily test results to the Department of Health.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-17.pdf>

April 8, 2020. Executive Order 20-18 extends the state of emergency in the State of Rhode Island until May 8, 2020.

Link: <http://www.governor.ri.gov/documents/orders/Executive-Order-20-18.pdf>

April 9, 2020. Executive Order 20-19 suspends using unemployment benefits paid as a result of COVID-19 to compute the future unemployment tax charges of an employer. The order also suspends confidentiality provisions in the State Tax Laws to allow the Division of Taxation to share personal income tax information with the Department of Labor and Training and its identified contractors to facilitate verifications and make payments of federal Pandemic Unemployment Assistance. The order suspends current law to allow state pension system retirees with skills necessary to address the public health emergency to return to work for a limited time without a reduction in pension benefits.

Executive Order 20-20 requires persons diagnosed with COVID-19 to self-isolate until they have had no fever for 72 hours, have experienced a resolution of symptoms, and at least 7 days have passed since the onset of symptoms. The order also requires persons informed by the Department of Health that they have been in close contact with a confirmed positive case to self-quarantine for

14 days. The order authorizes the Department of Health to assess civil penalties for violations of orders relating to quarantines, staying at home, and business closures.

Link: <http://governor.ri.gov/documents/orders/Executive-Order-20-19.pdf>
<http://governor.ri.gov/documents/orders/Executive-Order-20-20.pdf>

April 10, 2020. Executive Order 20-21 temporarily relieves hospitals and nursing homes of current licensing, certificate of need and other legal requirements in order to expand capacity in response to the COVID-19 crisis. The order authorizes the creation of surge hospital sites and requires hospitals and health care facilities to cooperate with one another to maximize quality of care. The order also provides immunity from liability for disaster response workers and landlords (and their employees and contractors) of surge hospital locations.

Executive Order 20-22 authorizes corporations to change a shareholder meeting, which was previously scheduled at a physical location by written notice, to a meeting by remote communication without further written notice, provided all other reasonable steps are taken to notify shareholders of the change.

Executive Order 20-23 extends until May 8, 2020 the following previous executive orders: 20-03 relating to quarantines, 20-04 relating to restaurants, bars and public gatherings, 20-08 relating to take-out beer and wine, 20-09 relating to public gatherings and business closures, and 20-14 relating to staying at home, public gatherings, quarantine and business closures.

Links: <http://governor.ri.gov/documents/orders/Executive-Order-20-21.pdf>
<http://governor.ri.gov/documents/orders/Executive-Order-20-22.pdf>
<http://governor.ri.gov/documents/orders/Executive-Order-20-23.pdf>

April 14, 2020. Executive Order 20-24 requires employees to wear cloth or other more protective face coverings unless an employee can maintain six feet of distance from other employees throughout the work day. The order requires businesses to provide, at their expense, the face coverings or the materials to make the face coverings. The order also mandates businesses to have customers wear face coverings and post notices of the requirement. This is effective beginning April 18 until May 18, 2020.

Link: <http://governor.ri.gov/documents/orders/Executive-Order-20-24.pdf>

April 15, 2020. Executive Order 20-25 amends the provisions in Order 20-05 relating to conducting public meetings by electronic means as follows: it eliminates the condition that a public meeting be for an essential public purpose in order for the meeting to be conducted by electronic communication; it removes a hardship exception that alternative access must be in real-time; and it provides that alternative access must be provided during the timeframe of the executive order even if the members of a public body convene in person. The order also amends the provisions in Order 20-05 relating to public records extensions to the time to respond; requests must be based on a reasonable belief that additional time is necessary and a public body may assert only one extension at a time.

Executive Order 20-26 permits continuation of support services for young adults exiting Department of Children, Youth and Families care who turn age 21 from January 1, 2020 through

June 30, 2020. The order permits the continued support services for up to 60 days following the termination of the state of emergency.

Links: <https://governor.ri.gov/documents/orders/Executive-Order-20-25.pdf>
<https://governor.ri.gov/documents/orders/Executive-Order-20-26.pdf>

April 17, 2020. Executive Order 20-27 modifies various procedural requirements relating to the Presidential Primary as follows: it suspends timeframes for declaration and certification of delegates to the national conventions; it suspends witness and notary requirements for certifying mail ballots, provided the Board of Elections shall take measures to authenticate the ballots; it extends the time for the Board to open and certify mail ballots; it amends time periods for requesting emergency and regular mail ballots; and it extends the deadline for local boards of canvassers to certify mail ballots.

Executive Order 20-28 extends Order 20-06 (expanding access to telemedicine services) and Order 20-07 (extending time for weapon and firearms checks) until May 8, 2020.

Links: <https://governor.ri.gov/documents/orders/Executive-Order-20-27.pdf>
<https://governor.ri.gov/documents/orders/Executive-Order-20-28.pdf>

April 27, 2020. Executive Order 20-29 suspends various requirements of the Benefit Determination and Utilization Review Act and the Health Care Accessibility and Quality Act. The order suspends requirements of the Benefit Determination and Utilization Review Act, as well related regulatory requirements, as follows: it suspends the minimum recertification frequency of persons who perform health benefit determination reviews, known as “review agents”; it suspends the requirement of the Office of the Health Insurance Commissioner (OHIC) to issue review agent certificates; it suspends advance notice requirements of changes to review agent information on file and allows changes in accordance with OHIC guidance; it suspends the limits on OHIC authority to waive requirements under the Benefit Determination and Utilization Review Act; and it allows OHIC to place reasonable restrictions on review agents’ utilization review practices, including prior authorization requirements. The order suspends requirements of the Health Care Accessibility and Quality Act, as well as related regulatory requirements, as follows: it suspends the requirement for OHIC to act on completed applications for certification of network plans within 90 days; it suspends the requirement for OHIC to recertify network plans at least every three years; it suspends advance notice requirements for changes to network plans and allows changes in accordance with OHIC guidance; it suspends the 30 day maximum for complaint resolution in accordance with OHIC guidance; it suspends the notice requirement for non-adverse formulary changes in accordance with OHIC guidance; it suspends minimum provider directory updates in accordance with OHIC guidance; it suspends credentialing requirements and authorizes temporary changes to provider credentialing policies in accordance with OHIC guidance; and it suspends contract restrictions on providers for temporary contracts entered into during and because of the state of emergency.

Link: <https://governor.ri.gov/documents/orders/Executive-Order-20-29.pdf>

May 5, 2020. Executive Order 20-30 requires all persons to wear masks in public, whether indoors or outdoors. The order provides an exception for persons under two years of age, those whose

health would be damaged, and those who are developmentally unable to comply. The Director of the Department of Health is authorized to assess penalties for violations of the Order.

Link: <https://governor.ri.gov/documents/orders/Executive-Order-20-30.pdf>

May 6, 2020. Executive Order 20-31 extends the following executive orders until June 5, 2020: 20-02 (Declaring a State of Emergency); 20-03 (Imposing quarantine restrictions); 20-06 (Expanding Access to Telemedicine Services); 20-07 (Extending time for weapon background checks); 20-16 (Waivers and Medicaid state plan amendments and adjustments to essential provider rates); 20-17 (Requiring testing, critical supplies and hospital capacity reporting); 20-19 (Increasing access to unemployment insurance); 20-20 (Self-quarantine and self-isolation requirements); and 20-22 (Allowing corporations to hold scheduled meetings by remote communication).

Link: <https://governor.ri.gov/documents/orders/Executive-Order-20-31.pdf>

May 8, 2020. Executive Order 20-32 repeals Executive Order 20-14, the stay at home order. Vulnerable populations are still strongly advised to stay at home and employers must still encourage remote working to the greatest extent possible. Domestic travel restrictions are largely kept in place: persons coming to Rhode Island from another state must self-quarantine for 14 days; and persons who live in Rhode Island and work in another state who can work from home are required to do so. Social gathering remain limited to five persons. The order allows non-critical retail businesses to re-open for in-store pickup and limited browsing only but maintains the closure of recreation and entertainment establishments and close-contact businesses. The order authorizes restaurants to sell mixed beverages with takeout food orders and to have outdoor dining on or after a date set by the Director of the Department of Business Regulation.

The order allows elective medical procedures pursuant to plans submitted by providers and approved by the Department of Health. The order requires the Department of Environmental Management to begin re-opening state parks in a graduated manner. The order authorizes the Department of Health to establish enforcement provisions and establishes a task force to conduct compliance inspections of businesses and issue compliance orders. The Director of the Department of Administration is authorized to transfer any state employee in the executive branch to the task force without regard to union status, union affiliation, seniority, and/or the employee's formal job classification or prior duties. The director also authorized to implement workplace policies that may be necessary to effectuate this order.

Executive Order 20-33 suspends hospital and nursing facility licensing statutes, including the nursing facility bed moratorium and certificate of need statutes. The order requires all hospitals to continue to take whatever steps are necessary to treat everyone who presents for care throughout the progression of the COVID-19 virus. The order provides for the operation of the surge hospitals as follows: the Convention Center site shall be operated by Rhode Island Hospital; the Cranston site shall be operated by Kent Hospital; and the North Kingstown site shall be operated by a Rhode Island hospital or by the state or federal government. The order requires all licensed health care facilities to cooperate with each other to transfer and accept patients to maximize quality of care. The order extends immunity to certain health care related persons and organizations to the extent their practices have been altered in connection with COVID-19. The order also provides immunity to landlords of surge hospital facilities, as well as their employees and contractors. The order

suspends a statutory provision that treats disaster response workers as state employees for purposes of workers' compensation with respect to any person recognized as a disaster response worker under this order.