

EMERGENCY ORDER 20-02

Ron DeSantis
Governor

■ ■
Barbara Palmer
Director

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WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission;

WHEREAS, as of April 8, 2020, numerous counties in Florida have positive cases for COVID-19;

WHEREAS, Department of Emergency Management Emergency Order DEM-20-006 prohibits visitation to specific facilities to decrease the exposure of the vulnerable residents within the Agency’s facilities and the community to COVID-19; and

WHEREAS, on March 9, 2020, the Governor of the State of Florida, Ron DeSantis signed Executive Order 20-52 declaring that a state of emergency exists in Florida and providing that “[e]ach state agency may suspend the provision of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provision of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency.”

NOW, THEREFORE, I, BARBARA PALMER, Director of Florida’s Agency for Persons with Disabilities, pursuant to the authority granted by Executive Order No. 20-52, and upon Order of the State Coordinating Officer, find the timely execution of the necessary actions, mitigation, response, and recovery aspects of the State’s emergency management plan, as it relates to COVID-19, is prevented, hindered, or delayed by the application of certain regulatory statutes, rules and orders related to the Agency for Persons with Disabilities (APD). Wherefore, I ORDER the following:

1. APD developmental disabilities centers and forensic facilities shall not accept new admissions or commitments for a period of thirty days from the date of this Order, unless extended.

2. The Agency shall not conduct in-person community-based competency training for thirty days from the date of this Order, unless extended. If remote access utilizing telephonic or other electronic means is available to all parties and serves as an appropriate option, such remote competency training may continue.

Because section 252.36(5)(a) allows the Governor to suspend the provisions of “any regulatory statute prescribing the procedures for [the] conduct of state business,” and because Section 4. B. of Executive Order No. 20-52 provides the Director of the Agency for Persons with Disabilities with 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.

Executed this 8th day of April 2020, at Tallahassee, Leon County, Florida

A handwritten signature in cursive script that reads "Barbara Palmer".

Barbara Palmer, Director
Agency for Persons with Disabilities