

TEXAS - STATE RESPONSE TO COVID 19

This is a rapidly evolving situation and information will be updated as it becomes available. For the most up-to-date health-related COVID-19 information, please see the <u>Centers For Disease</u> <u>Control and Prevention</u>.

--- Regularly Updated Texas Resource Pages ---

Governor Greg Abbott

The Governor's Office is updating their news section daily regarding the state response to COVID-19. They have also set up an updates and resource page.

Texas Division of Emergency Management (TDEM)

TDEM serves the State of Texas by managing the allhazards emergency management plan for the state. TDEM works closely with local jurisdictions, state agencies, and federal partners.

Texas Department of State Health Services (DSHS)

DSHS will update the state case count each day by noon Central Time. Numbers are current as of 8 p.m. the day before reporting.

State Agency Resources (hyperlinks):

Office of Consumer Credit Commissioner

Texas Alcoholic Beverage Commission

Texas Commission on Environmental Quality

Texas Department of Insurance

Texas Department of Licensing and Regulation

Texas Department of Transportation

Texas Education Agency

Texas Medical Board

<u>Texas Railroad Commission</u> <u>Texas Workforce Commission</u>

Texas State Board of Pharmacy

Supreme Court of Texas

Texas State Board of Nursing

Texas Public Utilities Commission

Comptroller of Public Accounts

MAJOR ANNOUNCEMENTS -

April 13, 2020

- Governor Abbott held a press conference to announce a new small business initiative in Texas, he was joined by Janie Barrera, president and CEO of LiftFund, and John Waldron, president and COO of Goldman Sachs.
 - o Goldman Sachs announced \$50 million in small business loans for Texans.
 - o \$25 million of that is partnership between LiftFund and Goldman Sachs.
 - <u>LiftFund</u> will go live today with applications for PPP program. LINK TO APPLY: liftfund.com
 - These loans, made through the U.S. Small Business Administration's (SBA) Paycheck Protection Program (PPP), will primarily be used for payroll so that employees can continue to receive paychecks and small businesses can retain their employees and will be partially or wholly forgiven.
- **Timeline for reopening economy:** Governor said later this week he'll introduce a "comprehensive team" and executive order on the process for reopening Texas businesses. He said it would not be a "rush the gates" open-all-at-once-situation. He did state that testing is a component for kickstarting the economy.
- **Texas Schools:** When asked, the Governor said there would be an announcement regarding Texas schools and the school year later this week.

Statistics as of Today:

Tests administered: 133,226
Positive Tests: 13,906
Hospitalizations: 1,176
Deaths: 287
Patients Recovered: 2,269

Hospital Capacity:

Total Hospital beds: 47,653
Total beds available: 20,932
ICU Beds available: 2,265
Ventilators available: 6,731

PPE distribution at the end of last week:

- 4M+ masks
- 2.5M+ gloves

- 179K face shields
- 11K gowns and coveralls

April 12, 2020

- Governor Abbott issued <u>a proclamation</u> extending his Disaster Declaration for all Texas counties in response to COVID-19. Originally issued on <u>March 13th</u>, the Disaster Declaration provides the state a number of resources to effectively serve Texans as the Lone Star State continues to mitigate the spread of COVID-19.
 - o Disaster Declarations typically last for 30-days.

April 11, 2020

• Governor Abbott has waived certain regulations related to restrictions on physiciansin-training (PIT) permit holders in order to increase health care capacity through the
state's response to COVID-19. With these waivers, Texas hospitals and facilities associated
with Graduate Medical Education (GME) training programs will be able to utilize PIT
permit holders, with proper physician oversight, in areas outside of their GME training
program. For example, under these temporary waivers, residents in a surgery residency
program can assist in an Emergency Department if a surge of patients is experienced.

April 10, 2020

- Governor Abbott announced that he'll issue an executive order next week relating to
 economic revitalization and reopening businesses. 'Protecting lives while restoring
 livelihoods," he said. Earlier in the week, the Lt. Governor told the media he wants to
 reopen businesses starting the first week of May but would follow the recommendations of
 the Governor and President.
- Governor Abbott held a press conference to provide an update on the state's continued response to COVID-19 at the State Capitol. The Governor was joined by Texas Department of State Health Services (DSHS) Commissioner John Hellerstedt, MD, Texas Division of Emergency Management (TDEM) Chief Nim Kidd, and Executive Vice Chancellor for Health Affairs of the University of Texas (UT) System John Zerwas, MD.

Statistics as of Today:

Tests administered: 115,918
Positive Tests: 11,671
Hospitalizations: 1,532
Deaths: 226

Hospital Capacity:

Total Hospital beds: 53,042 Total beds available: 21,817 ICU Beds available: 2,336 Ventilators available: 6,655

PPE distribution over the last 8 days:

3.7M masks 4M gloves

116K face shields

78K gowns and coveralls

The Governor also <u>presented</u> numbers related to COVID-19 cases, hospitalizations, and fatalities in Texas counties highly impacted by the virus. Governor Abbott also detailed the progress that Texas has made in slowing the spread of COVID-19 and announced that more than 1,300 people have recovered from COVID-19 in Texas.

- Governor Abbott announced a new online Frontline Child Care Website to help essential workers in Texas locate child care and support child care centers who are caring for these children during the outbreak. The new online website, which integrates a mapping portal, was built by the Texas Frontline Child Care Task Force led by Elaine Mendoza of the Supply Chain Strike Force, the Texas Workforce Commission (TWC), the Texas Health and Human Services Commission (HHSC), the Texas Education Agency (TEA), and the Texas Higher Education Coordinating Board (THECB).
 - The Frontline Child Care Portal allows essential workers to search for child care facilities near them, as well as facility operating hours and the number of seats available.
 - o It includes links to HHSC's inspection and compliance records for each operation.
 - The website also helps parents find other basic information about child care including health and safety information and step-by-step instructions for applying for child care financial assistance.
 - The website gives frontline employers guidance to assist their employees in need and provides child care centers and school districts resources to support their child care programs.

April 9, 2020

• Statistics as of Today:

0	Tests administered:	106,134
0	Positive Tests:	10,230
0	Hospitalizations:	1,439
0	Deaths:	199
0	Total Hospital beds:	50,396
0	Total beds available:	20,488
0	ICU Beds available:	2,248

Ventilators available: 6,321

- The Texas Health and Human Services Commission (HHSC) has adopted an emergency rule to temporarily allow more nurse aides to serve residents in long-term care facilities during the COVID-19 response. The emergency rule temporarily allows nursing facilities to hire people to provide nurse aide services without having to complete a full certification program in their first four months of employment. This action will expand the eligible pool of direct care workers and help long-term care providers who may face critical staffing shortages. More info here.
- Governor Abbott has temporarily waived a series of regulations to lift certain telehealth restrictions and expand telehealth options as Texas responds to COVID-19. These waivers will allow a smart phone or any audio-visual, real-time, or two-way interactive communication system to qualify as a telecommunications technology that can be used to provide certain telehealth services. These waivers apply to speech-language pathologists and audiologists, behavior analysts, hearing instrument fitters and dispensers, and dyslexia therapists and practitioners.

April 8, 2020

• Press Conference: Governor Abbott provided an update on the state's response to COVID-19 from the auditorium of the State Capitol. The press conference was primarily an update on the state's increasing testing capacity, the PPE situation, and the sufficient hospital capacity to meet any surge. The Governor did say that the number of cases and hospitalizations in Harris Co. is increasing rapidly and has had discussions with Vice President Mike Pence regarding a coordinated response.

"It's [Covid-19] still spreading," Dr Hellerstedt of DSHS said. But it won't accelerate as fast as it could if we follow the guidelines. Today, it takes twice as long for the number of cases of COVID-19 to double than it did two weeks ago. The Governor and Dr. Hellerstedt were both asked when will Texas hit the peak. Neither would give a definitive date or time frame saying that it was too early to tell based on the available data.

Governor Abbott also announced that he has placed numerous resources on standby across the state in anticipation of severe weather expected to impact Central Texas on Wednesday.

Statistics as of Today:

Tests administered: 96,258
Positive Tests: 9,107
Hospitalizations: 1,491
Deaths: 175

Hospital Capacity:

Total beds available: 21,066
 ICU Beds available: 2,225
 Ventilators available 7,686

PPE Update

- The Governor announced a new partnership between the Texas Military Department (TMD) and Prestige Ameritech to increase the production of face masks for health care workers. Prestige Ameritech's 24-hour operation at their headquarters near Fort Worth will be staffed in part by members of the Texas National Guard 36th Infantry Division and will produce 2 million masks per week.
- Most supplies are being procured through efforts of new Governor's Supply Chain Task Force
- Governor Abbott announced that his Public Safety Office (PSO) will provide a one-time emergency waiver of the federally required cash or in-kind match contribution required for the Victims of Crime Act (VOCA) and STOP Violence Against Women Act (VAWA) grant funds. This waiver follows an unprecedented match waiver process recently initiated for states by the U.S. Department of Justice's Office for Victims of Crime and Office on Violence Against Women. This waiver will provide financial relief to 600 grant recipient organizations in Texas who are federally required to contribute up to 25% of their own funds or donated services towards a project in order to remain eligible for continued grant funding.
- Texas Health and Human Services (HHS) will provide more than \$168 million in emergency Supplemental Nutrition Assistance Program (SNAP) food benefits to help Texans during the COVID-19 response. HHS received federal approval from the U.S. Department of Agriculture to provide the maximum, allowable amount of SNAP benefits to recipients based on family size. The emergency allotments are currently authorized for the months of April and May and will affect all SNAP recipients in the state of Texas.
- Governor Abbott suspended certain statutes concerning appearance before a notary public to execute a self-proved will, a durable power of attorney, a medical power of attorney, a directive to physician, or an oath of an executor, administrator, or guardian. These suspensions temporarily allow for appearance before a notary public via videoconference when executing such documents, avoiding the need for in-person contact during the COVID-19 pandemic.

The following conditions will apply whenever this suspension is invoked:

- A notary public shall verify the identity of a person signing a document at the time the signature is taken by using two-way video and audio conference technology.
- A notary public may verify identity by personal knowledge of the signing person,
 or by analysis based on the signing person's remote presentation of a government-

- issued identification credential, including a passport or driver's license, that contains the signature and a photograph of the person.
- The signing person shall transmit by fax or electronic means a legible copy of the signed document to the notary public, who may notarize the transmitted copy and then transmit the notarized copy back to the signing person by fax or electronic means, at which point the notarization is valid.

April 7, 2020

- Governor Greg Abbott has temporarily waived certain regulatory requirements to increase the job capacities of pharmacy technicians and pharmacy interns. Under the Governor's waiver, pharmacy technicians can now accept prescription drug orders over the phone a responsibility typically reserved for pharmacists. The Governor's waiver also allows pharmacy technicians to transfer or receive a transfer of original prescription information on behalf of patients. These two waivers can be utilized at the discretion of pharmacists. Additionally, Governor Abbott has waived certain regulations allowing pharmacy interns to assist pharmacists without the designation of preceptor.
- The Texas Health and Human Services Commission (HHSC) has adopted an emergency rule to allow end stage renal disease (ESRD) facilities to treat patients more effectively during the COVID-19 response. This emergency rule provides increased flexibility to providers to serve dialysis patients. This will be helpful in providing appropriate social distancing and/or provide locations for patients that have tested positive for COVID-19 at a location separate from other dialysis patients to reduce the chance of spreading the virus.
- Governor Abbott has directed the Texas Parks and Wildlife Department (TPWD) and the Texas Historical Commission (THC) to **close all state parks and historic sites** as part of the state's efforts to strengthen social distancing practices and prevent gatherings of large groups of people. Historic sites and state parks will close to the public starting at 5:00 PM this evening and will reopen at the direction of the Governor.

April 6, 2020

Press Conference: Governor Abbott provided an update on COVID-19 at the Texas
Department of Public Safety warehouse facility in Austin. The Governor was joined by
Texas Department of State Health Services Commissioner John Hellerstedt, MD, Texas
Division of Emergency Management Chief Nim Kidd, and Executive Vice Chancellor for
Health Affairs of the University of Texas System John Zerwas, MD.

Highlights

- Texas received 2.5 million masks in the past 24 hours and will receive an additional 3 million masks by April 11th.
- The Department of Public Safety has now altered that policy to increase enforcement by establishing checkpoints from all border crossings from Louisiana into the state of Texas.

- Texas City nursing home where about 30 patients have tested positive for COVID-19 and a number of patients are being tested with hydroxychloroquine and are in second day of treatment.
- Prioritizing personal protective equipment (PPE) to include "hospitals or health care professionals in contact with or treating confirmed COVID patients with potential for high loss of life."

Selected Slides from the Presentation

PPE DISTRIBUTION IN TEXAS IN PAST WEEK

MASKS	1,676,510
FACE SHIELDS	209,856
GLOVES	2,721,350
GOWNS	169,231
COVERALLS	7,594

Numbers from: 3/27/20 - 4/5/20



PRIORITY FOR PPE DISTRIBUTION

- Hospitals or health care professionals in contact with or treating confirmed COVID patients with potential for high loss of life.
 - Needed to protect most critical capacity in hospitals
 - o Losing hospital capacity will lead to increased deaths.
- Health care facilities, including long-term care with an emerging or active outbreak (one or more cases)
 - o Transmission within vulnerable/elderly population
 - o High potential for multiple deaths



PRIORITY FOR PPE DISTRIBUTION

- Facilities and EMS personnel that may encounter a suspected case and interface with a vulnerable population.
 - Health care hospitals
 - o EMS based on triage needed for respiratory issues
 - o Hospital staff for in-house testing hospital emergency departments
 - Long-term care facilities with history of COVID
 - Isolated patient step-down locations



PPE DISTRIBUTION PROCESS

- PPE comes to State central warehouse
- Central Warehouse ships to Hospital Preparedness Program (HPP) providers and to local Texas Military Department Armories
- Amount shipped to HPP regions is percentage of total PPE onhand based on number of total hospital beds
- To submit a State of Texas Assistance Request (STAR) form for PPE, work with local emergency management coordinator and HPP providers



- Governor Abbott announced that Care.com is increasing in-home child care access for frontline workers responding to the COVID-19 emergency. As part of this initiative, Care.com is offering 90 days of free, premium access to their services, along with specific portals for frontline workers and caregivers in Texas.
 - Frontline workers looking for child care as well as prospective caregivers can both enroll at https://texasfrontline.care.com/. Potential caregivers are subject to Care.com's extensive background and safety checks. While child care services are not typically free of charge, the Texas portal gives residents the ability to waive their fees and volunteer as caregivers, providing additional support to frontline workers.

April 5, 2020

- Governor Abbott has temporarily waived certain regulations to expand the health care workforce to assist with Texas' COVID-19 response. Under this waiver, Physician Assistants (PA), Medical Physicists, Perfusionists, and Respiratory Care candidates for licensure who have completed all other requirements may enter the workforce under an emergency license working under supervision prior to taking the final licensure examination. The Governor's waiver also provides for emergency licensees to undergo name-based background checks in place of fingerprint checks while fingerprint checks are unavailable due to the crisis.
 - The waiver allows more flexibility between physicians and the PAs and Advance Practice Registered Nurses they supervise including allowing for oral prescriptive delegation agreements to enable rapid deployment of those practitioners during the emergency.

April 3, 2020

• Governor Greg Abbott provided an **update on the state's COVID-19 hospital capacity at 2:30 PM in the State Capitol**. The Governor was joined by Texas Department of State Health Services Commissioner John Hellerstedt, MD, Texas Division of Emergency Management Chief Nim Kidd, and Dr. John Zerwas. During the press conference, the Governor and Dr. Zerwas <u>presented an overview of statewide hospital bed capacity</u>, as well as a detailed analysis of bed availability by region. They also explained the state's preparations to bring additional facilities online to provide supplementary healthcare capacity if needed.

Other Highlights -

- Hospital bed availability in Texas has increased by more than 140% since March 18th.
- o Gov. Abbott promised that all those who need a coronavirus test "will get one."
- o Texas leads nation in drive thru lanes for testing
- Testing for the Corona Virus continues to increase in Texas at a compounded rate of 10% a day.
- The Supply Chain Strike Force and TDEM have distributed in the past six days:
 1.4M masks, 190k face shields, 2M gloves & 160k gowns.

Selected slides from Hospital Capacity Presentation -



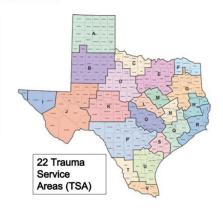
STATEWIDE

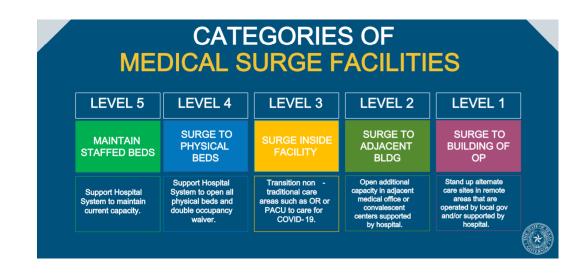


TOTAL REPORTED BEDS: 47,585

TOTAL ICU BEDS AVAILABLE 2,107

TOTAL VENTILATORS 8,741





• The number of Texans applying for unemployment relief continues to climb as more workers are laid off or furloughed due to the coronavirus pandemic. Last week, 275,597 Texans applied — a 1,604% increase over the 16,176 Texans who filed in the week ending March 14. The crush of people filing has overwhelmed the Texas Workforce Commission's capacity, leading to busy phone lines and website outages. More info here.

April 2, 2020

- Texas Comptroller Glenn Hegar announced that his agency is automatically extending the due date for 2020 franchise tax reports to July 15 to be consistent with the Internal Revenue Service (IRS). The due date extension applies to all franchise taxpayers. It is automatic, and taxpayers do not need to file any additional forms. More info here.
 - o Franchise taxpayers who need an extension beyond the July 15 date have these options:
 - Non-electronic funds transfer (non-EFT) taxpayers who cannot file by July 15 may file an extension request on or before July 15 and must pay 90 percent of the tax due for the current year, or 100 percent of the tax reported as due for the prior year with the extension request. Non-EFT taxpayers who request an extension have until Jan. 15 to file their report and pay the remainder of the tax due.
 - On or before July 15, taxpayers who are mandatory EFT payers may request an extension of time to file to Aug. 15 and must pay 90 percent of the tax due for the current year or 100 percent of the tax reported as due for the prior year with the extension request. On or before Aug. 15, EFT taxpayers may request a second extension of time to file their report and must pay the remainder of any tax due with their extension request. The Aug. 15 extension request extends the report due date to Jan. 15. Any payments made after Aug. 15 will be subject to penalty and interest.
- Governor Abbott suspended regulations to increase the amount of Emergency Medical Services (EMS) workers and first responders in Texas during the state's response to COVID-19. Under the Governor's direction, local medical directors for licensed EMS providers can permit individuals who are qualified, though not formally certified, to provide critical emergency response services for patients treated and transported by the EMS provider.
 - The Governor has suspended certain skills testing requirements for EMS personnel in Texas and for out-of-state Advanced Emergency Medical Technicians seeking reciprocity in Texas so that these individuals who are qualified, but currently unable to take the skills test, are able to provide essential EMS services.

- Additionally, he has suspended regulations to allow first responder organizations to delay submission on their renewal application and completion requirements for licensure.
- The Governor's Office of Economic Development has posted updates regarding the Coronavirus Aid, Relief, and Economic Security (CARES) Act and related assistance regarding COVID-19 for small businesses.
 - The CARES Act was passed by Congress on March 27, 2020. The programs and initiatives in the Act are intended to assist business owners and nonprofits with current needs due to the COVID-19 crisis. The U.S. Small Business Administration (SBA) and the U.S. Department of Treasury announced a robust mobilization effort of banks and other lending institutions to provide small businesses with the capital they need.
 - The Treasury and SBA expect to have this program up and running by April 3, 2020, so that businesses can contact a participating SBA 7(a) lender, bank, or credit union, apply for a loan, and be approved on the same day.
 - For a comprehensive guide on most of the small business provisions and programs included in the CARES Act, download the <u>Small Business</u> Owner's Guide to the CARES Act.
 - The CARES Act established a \$349 billion SBA-backed Paycheck Protection Program (PPP) to provide immediate access to capital for small businesses who have been impacted by COVID-19. Loans will be available through more than 135 existing SBA-certified lenders in Texas, including banks, credit unions and other financial institutions.
 - Find a certified lender in your area: SBA's local assistance finder
 - Find out when you can apply: <u>Treasury factsheet</u>
 - Find more information regarding PPP and loan requirements: <u>SBA.gov/Coronavirus</u>
 - Due to the CARES Act, small businesses and non-profits can get up to a \$10,000 advance on an **Economic Injury Disaster Loan** (**EIDL**) even if a previous application was declined or still pending. For more information, visit the <u>SBA's</u> website and apply for the loan advance here.
- Texas Comptroller Glenn Hegar said state sales tax revenue totaled \$2.69 billion in March, 2.9 percent more than in March 2019. "The modest growth in state sales tax revenue was led by collections from the retail trade sector, while collections from oil- and gas-related sectors declined from a year ago," Hegar said. "While some businesses may have begun to experience slowing traffic in late February, formal social distancing measures in response to the coronavirus pandemic were not adopted until well into March, and the impact of those measures would not be reflected in this month's sales tax collections based on February sales." Sales tax is the largest source of state funding for the state budget, accounting for 57 percent of all tax collections.
 - o The majority of March sales tax revenue is based on sales made in February and remitted to the agency in March. Total sales tax revenue in fiscal year 2020 through March 2020 was up 5 percent compared to the same period a year ago.

- The Comptroller expects sales tax revenue will be drastically affected because much of the economy has been shut down to combat the coronavirus pandemic and because of the negative impact of a global oil price war.
- The Texas Railroad Commission (RRC) will hold a <u>public meeting</u> this month to consider using its authority to implement statewide oil production cuts at a time when crude prices are at 20-year lows. The RRC will hold a virtual hearing on the topic at 9:30 a.m. April 14. The meeting will be simulcast on the <u>Railroad Commission</u> website. More info here.
 - o Written comments must be submitted by 5 PM on Wednesday, April 8.
- The **Texas Commission on Environmental Quality (TCEQ) has prepared regulatory guidance** and is taking steps to minimize the impact of COVID-19 on their staff and customers. The agency is staffing a skeleton crew and has instituted teleworking through Monday, May 4, for those functions that can be performed at home. For more info visit TCEQ's COVID-19 webpage.

April 1, 2020

- Governor Abbott released <u>a video</u> with **a statewide to message to all Texans** as his Executive Order goes into effect on April 2 requiring all Texans to stay home unless they are participating in an essential service or activity.
- Governor Abbott issued a **statement regarding the recently passed \$2 trillion federal stimulus package** intended to relieve the economic impact of the COVID-19 pandemic, with a special focus on unemployed workers and the state's hardest-hit businesses. More info here.
 - O A newly created **Pandemic Emergency Unemployment Compensation (PEUC) fund** is the bill's primary vehicle, empowering states to extend federally-funded unemployment benefits by an additional 13 weeks (past the usual 26 weeks). The fund also boosts weekly benefits for those laid off, terminated or furloughed due to COVID-19 by \$600 per week. It also reduces paperwork and speeds the claims process by empowering employers to file one mass claim on behalf of all their employees laid off because of COVID-19, and eliminates any chargeback to Texas employers for claims filed due to COVID-19.
- Governor Abbott and the **Texas Department of Housing and Community Affairs** (**TDHCA**) have taken initial action to provide tenant-based rental assistance for **Texans** experiencing financial hardship due to COVID-19.
 - The Governor has waived statutes relating to the U.S. Department of Housing and Urban Development's (HUD) HOME Investments Partnership program which would allow Texas greater flexibility to use program funds to help certain Texans pay their rent.
 - o TDHCA has sent a letter to HUD requesting federal waivers to allow greater flexibility to Texas to reprogram these funds for that purpose.

- The Office of the Attorney General and the Office of the Governor released joint guidance responding to frequently asked questions by members of the faith community and is the official guidance regarding the effect of Executive Order GA 14 on religious services conducted in churches, congregations, and houses of worship.
 - o under the Governor's Executive Order GA 14, houses of worship should conduct remote audio, video, or teleconference activities whenever possible. However, GA-14 defines essential services to include "religious services conducted in churches, congregations, and houses of worship."
- The Texas Department of Insurance (TDI) announced an <u>emergency rule</u> to make it easier for Texans with **TDI-regulated health insurance to get early refills and to get prescriptions at more locations, including by home delivery**.
 - The emergency rule doesn't apply to self-insured employer plans, Medicare, workers' compensation, or the state's employee or teacher retirement plans.

The temporary emergency rule requires health plans regulated by TDI to:

- Pay for a 90-day refill of covered medications regardless of when the prescription was last refilled, unless specifically prohibited by law as in the case of controlled substances.
- Allow prescriptions to be filled at out-of-network pharmacies at no additional cost to the consumer if the drug isn't available quickly through mail order or at an innetwork pharmacy within 30 miles.
- Allow for substitutions if the plan's preferred drug isn't available due to shortages or distribution issues.
- Waive any requirement for a consumer's signature unless specifically required by law.
- Governor Abbott announced a new round of grants totaling \$14.1 million from the Texas Military Preparedness Commission's (TMPC) Defense Economic Adjustment Assistance Grant (DEAAG) program awarded to various military communities across the state. This program assists defense communities that may be positively or negatively impacted by a future Base Realignment and Closure (BRAC) round. The grant money will be invested in infrastructure projects and other initiatives to increase the military value of military installations in Texas and protect jobs. More info here.

March 31, 2020

• Governor Abbott held a press conference regarding the state's continued response to COVID-19 at 2:00PM at the State Capitol. He issued an Executive Order (GA-14) implementing Essential Services and Activities Protocols for the entire state of Texas. This order follows the decision by President Trump and the Centers for Disease Control and Prevention (CDC) to enhance social distancing guidelines and extend the deadline for these guidelines to April 30th. This executive order shall supersede any conflicting order issued by local officials in response to the COVD-19 disaster, but only to the extent that

such a local order restricts essential services allowed by this executive order or allows gatherings prohibited by this executive order.

- The protocols:
 - direct all Texans to minimize non-essential gatherings and in-person contact with people who are not in the same household;
 - renew and amend the previous order enforcing federal social distancing guidelines for COVID-19, including closing schools (until May 4) and instructing Texans to avoid eating or drinking at bars and restaurants; and
 - allow exceptions for essential activities and services based on the Department of Homeland Security's guidelines on the Essential Critical Infrastructure Workforce. More info on essential services at http://tdem.texas.gov/essentialservices/.

For the purposes of Texas Executive Order GA-14 the following are considered "Essential Services":

ADVISORY MEMORANDUM ON IDENTIFICATION OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS DURING COVID-19 RESPONSE

- CISA Identification of Essential Critical Infrastructure Sectors:
 - HEALTHCARE / PUBLIC HEALTH
 - LAW ENFORCEMENT, PUBLIC SAFETY, AND OTHER FIRST RESPONDERS
 - FOOD AND AGRICULTURE
 - ENERGY
 - WATER AND WASTEWATER
 - TRANSPORTATION AND LOGISTICS
 - PUBLIC WORKS AND INFRASTRUCTURE SUPPORT SERVICES
 - COMMUNICATIONS AND INFORMATION TECHNOLOGY
 - OTHER COMMUNITY- OR GOVERNMENT-BASED OPERATIONS AND ESSENTIAL FUNCTIONS
 - CRITICAL MANUFACTURING
 - HAZARDOUS MATERIALS
 - FINANCIAL SERVICES
 - CHEMICAL
 - DEFENSE INDUSTRIAL BASE
 - COMMERCIAL FACILITIES
 - RESIDENTIAL/SHELTER FACILITIES AND SERVICES
 - HYGIENE PRODUCTS AND SERVICES

- Religious services conducted in churches, congregations, and houses of worship.
- Other services as approved by the Texas Division of Emergency Management (TDEM).
- Governor Abbott announced the **Comfort Food Care Package (CFCP) program to provide meals for at-risk youth and families in communities across Texas** as the state responds to COVID-19. As part of the program, participating restaurants offer CFCPs for patrons to purchase on behalf of families and youth in need. Each care package contains enough food to feed a family of 5 to 6 and will be delivered to recipients' homes.
 - The program is a partnership between the Governor's Public Safety Office, the Texas network of Family and Youth Success Programs (formerly called Services to At-Risk Youth), Favor Delivery, and the Texas Restaurant Association.

March 30, 2020

- The Center for Medicaid and Medicare (CMS) has approved the Section 1135 Medicaid Waiver submitted by the Texas Health and Human Services Commission (HHSC) on March 25, 2020. Flexibilities granted under this waiver include:
 - Extension of prior authorizations: For enrollees who have an existing prior authorization, CMS approves the state extending a prior authorization approved on or after March 1.
 - Suspension of Level 1 and Level II PASRR assessments: All new nursing facility admissions may be treated as an exempted hospital discharge for 30 days. After 30 days, new admissions with a mental illness or intellectual disability should be reviewed as soon as resources are available.
 - o Fair hearing and appeals: CMS approves the extension of fair hearings up to 120 days (from 90 days) and Texas may choose to allow up 90 days for an enrollee to file an appeal.
 - o Provider enrollment:
 - Texas may reimburse an out-of-state provider if: the service is provided out-of-state, the provider has an NPI on the claim, and the provider is enrolled in Medicare or another state's Medicaid program.
 - Texas may provisionally/temporarily enroll an out-of-state provider not enrolled in Medicare or another state's Medicaid program and waive the application fee, fingerprint criminal background check, site visit, and instate license requirement.
 - Texas must collect information necessary to process claims, screen for state licensure in other states and screen against the OIG exclusion list. Texas must not issue temporary enrollments after the end of the public health emergency, not allow retroactive effective dates earlier than March 1, and Texas must cease payments to

temporarily enrolled providers within 6 months of the end of the public health emergency (unless the provider competes a Texas Medicaid enrollment).

- Texas is granted a waiver to temporarily cease provider revalidation.
- CMS grants the above flexibilities for CHIP.
- o Public notice: CMS grants Texas a waiver of public notice requirements
- Governor Abbott has waived certain statutory provisions to ensure public safety employees who contract COVID-19 during the course of their employment will be reimbursed for reasonable medical expenses related to their treatment of COVID-19. Because the nature of their duties has caused them to increase their risk of contracting COVID-19, the Governor has waived these statutory provisions so that public safety employees who contract COVID-19 are not also financially penalized. More info here.

March 29, 2020

- Governor Abbott provided an update on the COVID-19 response on Sunday, March 29th at the State Capitol. He provided new information on the state's health care capacity and issued additional Executive Orders.
 - New Executive Orders
 - Executive Order (GA-12), the Governor mandated a 14-day quarantine for road travelers arriving in Texas from any location in Louisiana. The self-quarantine procedure will mirror the process outlined in the Governor's previous Executive Order requiring mandatory self-quarantine for air travelers from the New York Tri-State Area and New Orleans, Louisiana.
 - The Governor also issued a proclamation regarding his <u>prior</u>
 <u>Executive Order</u> mandating a self-quarantine for individuals
 arriving from the New York Tri-State Area and New Orleans,
 <u>Louisiana</u>. The <u>Executive Order now</u> includes air travelers arriving
 from the following states and cities:
 - o California
 - o Louisiana
 - Washington
 - o Atlanta, Georgia
 - o Chicago, Illinois
 - o Detroit, Michigan
 - o Miami, Florida
 - This mandated quarantine will not apply to travel related to commercial activity, military service, emergency response, health response, or critical infrastructure functions.
 - Executive Order (GA-13), the Governor prohibited the release of individuals in custody for or with a history of offenses involving physical

- violence or the threat of physical violence. This Executive Order comes in response to concerns of the release or anticipated release of individuals because of COVID-19 who are deemed a danger to society.
- Texas, the Texas Military Department (TMD), and the U.S. Army Corps of Engineers (USACE) are conducting a joint effort to identify and equip additional locations to serve as health care facilities in the event that hospital capacity is exhausted. The first of these sites will be the Kay Bailey Hutchison Convention Center in Dallas.
 - The Governor announced that hospital beds available for COVID-19 patients have doubled over the past week.
- The Texas Health and Human Services Commission (HHSC) has submitted a Section 1135 waiver to the Centers for Medicare and Medicaid Services (CMS) requesting flexibility in administering Medicaid to mitigate potential health care workforce shortages during the COVID-19 outbreak. More info here.
 - HHSC confirmed that it is taking steps to qualify for the 6.2 percentage point increase in the Federal Medical Assistance Percentage that is offered to eligible states from the second COVID-19 stimulus package. See FMAP increase <u>FAQ</u>. See HHSC's <u>presentation</u>.

March 28, 2020

- Governor Abbott waived certain licensing renewal regulations for Texas pharmacists, pharmacy technicians, and pharmacy technician trainees. With these waivers, the Governor is temporarily extending expiration dates for licenses and temporarily suspending continuing education requirements for pharmacists. More info here.
- Governor Abbott waived certain regulations allowing for an expedited licensing reactivation process for Advanced Practice Registered Nurses (APRN) in Texas. Under these waivers, an APRN with a license that has been inactive for more than two years, but less than four years, will not have to pay a reactivation fee, complete continuing education credits, or complete the current practice requirements. For APRNs with a license that has been inactive for more than four years, the reactivation fee and continuing education requirements will be waived. More info here.

March 27, 2020

- Governor Abbott announced the **deployment of three National Guard Joint Task Force Brigades**. The 72nd Infantry Brigade Combat Team, the 56th Infantry Brigade Combat Team, and the 176th Engineer Brigade will operate ten general support units located throughout the state.
 - The Governor has ordered an initial focus on two critical missions: assisting drive through testing sites and bolstering the state's healthcare infrastructure.

- Governor Abbott waived certain Texas Workforce Commission (TWC) regulations to preserve and extend child care capacity for front line workers. These waivers will allow TWC the flexibility to respond to child care needs, and are part of the Governor's work through the Supply Chain Strike Force to strengthen child care infrastructure for critical workers during the COVID-19 response. The waivers ensure that families using child care subsidized through TWC will not lose their slots during this interim period while the state battles COVID-19, and it secures payment to child care providers throughout this time. More info here.
 - Children within TWC's child care services program will be able to accrue absences due to COVID-19 without impacting ongoing eligibility or provider reimbursements.
 - TWC will be able to waive parent share of cost requirements and direct local workforce development boards to make supplemental emergency payments to child care programs to offset payments lost due to COVID-19.
 - These waivers will allow TWC to temporarily broaden the definition of "protective services" to include children of workers on the front lines of the battle against COVID-19.
- The Texas Public Utility Commission (PUC) approved an order Thursday that would ban disconnections of water and power service for Texans financially impacted by COVID-19 and put them on deferred payment plans. More info here.
- The **Texas Department of Insurance (TDI)** issued a bulletin reminding health plans and health providers that **state law allows providers to toll claims submission deadlines when they can't meet the deadline due to a catastrophic event**, such as the COVID-19 pandemic. See <u>TDI's bulletin</u> for instructions on how to notify TDI when tolling the deadline.
- Attorney General Ken Paxton released an AG Opinion stating that municipal or county officials from cannot restrict the sale of firearms through an emergency declaration. The summary section of the Opinion states, "Subsections 229.001(a) and 236.002(a) of the Local Government Code prohibit a municipality or county from adopting regulations related to the transfer, possession, or ownership of firearms, or commerce in firearms. These provisions apply to municipal and county regulation "notwithstanding any other law." Thus, while municipal and county officials possess general emergency authority to control the movement of persons and the occupancy of premises in a local disaster area under Government Code section 418.108, such orders may not regulate or restrict the sale of firearms."

March 26, 2020

Governor Abbott issued a new <u>executive order</u> mandating air travelers from the NY-NJ-CT area and New Orleans to self-quarantine (no visitors) for 14-days upon arriving

in Texas (or for entire stay, if it's less than 14 days). The Department of Public Safety (DPS) will oversee enforcement of the executive order.

- o This does not apply to those that travel by roadways.
- This order to self-quarantine shall not apply to people traveling in connection with military service, emergency response, health response, or critical-infrastructure functions, as may be determined by the Texas Division of Emergency Management (TDEM).
- Those entering Texas via air travel from those places will fill out form designating their quarantine location. DPS troopers will visit the quarantine location to verify compliance. Failure to comply is criminal offense, facing fines or jail time.
- O Governor Abbott discussed extending the same requirements to other states, like CA or WA, but declined to do so at this time. He said that the executive order does include language allowing him to extend the applicability of this order to additional states or cities as necessary.
- The Texas Health and Human Services Commission (HHSC) has submitted a Section 1135 Medicaid Waiver to the Center for Medicare and Medicaid (CMS). If approved, this would grant Texas flexibility in administering Medicaid while the state continues to respond to COVID-19. If approved, the federal flexibilities would include:
 - Temporarily extending existing prior authorizations for services so that Texans can get the care they need without delay.
 - o Extending deadlines for state fair hearings and appeals.
 - Allowing services to be performed by telehealth, telemedicine, or telephonic contact.
 - Extending current medical necessity, service authorizations, and level of care authorizations for Medicaid programs.
 - Allowing the state to waive any requirements that require the signature of a physician, durable medical equipment provider, or Medicaid recipient.
 - O Streamlining provider enrollment for out-of-state and new providers to increase the number of providers in Texas, which will ensure continued access to care.
 - Waiving requirements that health care professionals be licensed in the state in which they are providing services, so long as they have equivalent licensing in another state.
- Governor Abbott announced his request for access to interest-free federal loans (known as Title XII funds) to pay unemployment claims and the accelerated release of funds from the Texas account of the federal Unemployment Trust Fund. Title XII is a federal process that allows states to receive advances (loans) from the federal government to continue to cover Unemployment Benefit payments without disruption. In a request letter to Secretary of Labor Eugene Scalia, Governor Abbott authorized the Texas Workforce Commission (TWC) to officially request access to these additional funds.

 Department of Labor approval would allow Texas to apply for federal loans that would be interest-free through the end of the current calendar year. In the past, TWC has taken such loans then issued bonds to pay them off.

March 25, 2020

- Governor Greg Abbott will provide an update on Texas' efforts to combat COVID-19 on Thursday, March 26th at **2:00PM at the State Capitol**.
- President Trump issued <u>a Major Disaster Declaration for the State of Texas</u>. This announcement comes after Governor Abbott requested the declaration—citing the need for additional federal assistance to save lives, to protect property, public health, and safety, and to lessen or avert the threat of COVID-19.
- Comptroller Glenn Hegar announced a hotline (1-800-252-8880) for business owners to call with questions about state & local sales tax payments. The Comptroller's Office is offering short-term payment agreements, & interest/penalty waivers, for business owners struggling to pay February sales taxes. More info here.
- Governor Greg Abbott today has temporarily waived certain hospital licensing rules and
 the Texas Health and Human Services Commission (HHSC) has adopted an emergency
 rule to meet Texas' need for additional hospital capacity while the state responds to
 COVID-19. These actions allow for certain facilities that have pending licenses or facilities
 that have been closed for no more than 36 months to come online under existing hospital
 building licenses. These facilities will be administered and operated by hospitals with
 existing licenses.
- Health and Human Services Commission (HHSC) was directed to waive certain regulatory
 requirements regarding facility license renewals. These waivers will allow general, special,
 and psychiatric hospitals, free-standing emergency medical facilities, and end-stage renal
 facilities to renew their license without submitting a fire marshal's report.
 - o The facilities will still be required to update their records at a later date.
- Governor Greg Abbott and the Texas Health and Human Services Commission sent a letter yesterday to the United States Department of Agriculture seeking permission to allow Texas Supplemental Nutritional Assistance Program (SNAP) recipients to use their benefits at take out and drive-thru restaurants throughout the state as Texas continues to combat COVID-19. More info here.
- Governor Greg Abbott announced that **Texas has received a \$16.2 million grant** from the Department of Health and Human Services' (HHS) Administration for Community Living (ACL) **to help communities provide meals for older adults**.
 - Texas will receive its proportional grant, \$16,205,796, second only to California (\$25 million) and Florida (\$18 million) this week for further distribution to local meal providers.

- Older adults who need assistance can contact the Eldercare Locator to find services available in their community. The Eldercare Locator can be reached at 1-800-677-1116 or https://eldercare.acl.gov/
- Governor Greg Abbott has waived certain regulations from the Texas Board of Nursing regarding licensing renewal and subsequent fees for nurses in Texas. The Governor's waiver authorizes a six-month grace period for nurses with expired licenses. More info here.
 - This grace period applies to nurses who are otherwise in good standing to continue practicing and will give them additional time to renew their license without added fees and penalties.

March 24, 2020

- Following Governor Greg Abbott's issuance of <u>Executive Order GA-09</u>, the **Texas Medical Board adopted rules late yesterday on an emergency basis** to enforce the Executive Order's prohibition against performing surgeries and medical procedures that are not immediately medically necessary through April 21, 2020.
 - The Board's Executive Committee adopted to amend the following under 22 TAC Chapters 187, Procedural Rules, Subchapter F, <u>Temporary Suspension and Restriction Proceedings</u> and 178, Complaints:
 - 22 TAC §187.57(c), "Continuing Threat to the Public Welfare"
 - <u>22 TAC §178.4(d)</u>, Complaint Initiation Peer Review Reporting
 - The Board also amended the rule relating to peer review and hospital reporting in order to require immediate reporting rather than after the peer review process. Such amendments will minimize delays in reporting and allow for the Board to more immediately utilize the disciplinary authority granted by Texas Occupations Code, §164.059.
 - o Guidance Materials
 - COVID-19 Elective Surgery Guidance
 - COVID-19 Elective Surgery FAQs
- Governor Greg Abbott held a press conference at the Department of Public Safety (DPS) warehouse in East Austin where he said 65 Texas counties have been impacted by the new coronavirus. There have been 11 deaths and 715 positive tests. The governor announced the following related to accelerating the purchasing and delivery of essential personal protection equipment (PPE) and other supplies:
 - A new <u>executive order</u> that requires hospitals to submit daily reports on bed capacity and COVID-19 tests.
 - The newly established Supply Chain Strike Force has already secured more than \$83 million of purchase orders for essential supplies. Additionally, the Governor announced that the Texas Division of Emergency Management (TDEM) will begin receiving 100,000 masks per day by the end of this week and the Supply Chain

- Strike Force will begin receiving an additional 100,000 masks per day by the end of next week—meaning the State of Texas will soon be receiving more than one million masks per week.
- The Governor also announced the launch of an online portal run by the Supply Chain Strike Force to streamline the process and validation of leads for more supplies. The portal, accessible through www.texas.gov, will serve as an intake process for those wanting to provide valid leads on PPE and donations. The portal also serves as a portal for those wanting to donate supplies, services, or your time—including medical professionals and nurses looking to volunteer.
- Governor Greg Abbott has directed the Texas Department of State Health Services (DSHS) to issue guidance allowing restaurants to sell bulk retail products from restaurant supply chain distributors directly to consumers provided that such foods are in their original condition, packaging, or presented as received by the restaurant. Under this guidance, restaurants will be able to sell items like packaged meat, fruit and vegetables, and dry goods directly to the public to prepare and consume at home. More info here.
 - This guidance will allow distributors and restaurants to provide Texans another source of food outside of grocery stores and prepared food from restaurants. These bulk food items would be available for purchase through restaurants offering drivethru, delivery, pick-up, and curbside service.
- Governor Greg Abbott approved waiving certain licensing requirements for insurance agents and adjusters at the request of the **Texas Department of Insurance (TDI)**. These measures will ensure services remain available during the state's response to coronavirus COVID-19. More info and TDI's FAQ document here.

March 23, 2020

- Governor Greg Abbott sent a letter to President Trump requesting a presidential declaration of a major disaster in Texas. The request was filed in accordance with the Stafford Disaster Relief and Emergency Assistance Act. In his letter, the Governor specifically requested Individual Assistance Crisis Counseling and Public Assistance Category B (Emergency Protective Measures) including Direct Federal Assistance for all 254 counties in Texas.
 - To date, more than 466 Texas jurisdictions have submitted local disaster declarations, a number that is expected to rise.
 - The requested federal aid would be used to overcome the current shortage of personal protective equipment (PPE), needed medical equipment and testing supplies as well as looming shortages of hospital beds, medical equipment, and a healthy and adequate cadre of medical personnel.
 - The letter also designated Chief Nim Kidd as the Governor's Authorized Representative and State Coordinating Officer, tasked with continuing his coordination with FEMA on all matters related to COVID-19.

• Texas has received \$36.9 million from the Centers for Disease Control and Prevention (CDC) as part of the state's initial allotment of funding from the first emergency coronavirus bill passed by Congress. The Texas Department of State Health Services (DSHS) will distribute \$19.5 million to 43 local health departments to aid in their COVID-19 response. This includes \$1.75 million for Dallas County, Tarrant County, and the San Antonio Metro Health District where operations have been impacted by federal activities. The remaining funds will be used by DSHS to support operations in areas of the state not covered by local health departments and for statewide response activities. More info here.

Below is an overview of the first allotment of funding:

Texas Federal Funding Overview						
CDC Distribution to DSHS	\$36.9 M					
Portion Retained by DSHS	\$17.6 M (48%)					
Local Distribution	\$19.4 M (52%)					
Amount Dedicated to Local Fed	leral Activity	\$1.75 Million				
Reimbursement		\$1.75 WIIIIOII				
Number Recipients Statewide		43				
\$1.75 Million Overview						
Jurisdiction	Federal Activity		Allocation			
Julistiction	within Jurisdiction		Amount			
Dallas	Funneling Airport		\$184,225			
San Antonio	Repatriation		\$996,725			
Tarrant Funneling		Airport	\$559,225			

- The **Texas Department of Insurance (TDI)** <u>issued a bulletin</u> to help consumers and the insurance industry during the COVID-19 outbreak.
- The City of Waco issued a shelter in place order. It is first city in Texas to do so.
- <u>Hidalgo County</u> has ordered an <u>emergency stay-at-home curfew</u> between 10 p.m. and 5 a.m. The curfew does not apply to essential employees. The order will continue until 11:59 p.m. April 5, with the possibility of being extended.

March 22, 2020

- The Governor did <u>not</u> issue a statewide shelter in place order. What may suit one area of Texas may not be needed elsewhere, he said. Local officials are free to adopt more aggressive measures and he welcomes their doing it, he said.
- Dallas County Judge Clay Jenkins issued a countywide shelter in place order for Dallas County, marking the most expansive action from a Texas official. The order, which

- Judge Jenkins describes as a "stay home, stay safe" order takes effect at 11:59 p.m. March 23 and continues until 11:59 p.m. April 3, with the likelihood of being extended.
- Governor Greg Abbott signed an <u>Executive Order</u> to expand hospital bed capacity as the state responds to the COVID-19 virus. Under this order, the Governor directed all licensed health care professionals and facilities to postpone all surgeries and procedures that are not immediately, medically necessary to correct a serious medical condition or to preserve the life of a patient who without immediate performance of the surgery or procedure would be at risk for serious adverse medical consequences or death, as determined by the patient's physician.
 - It does not apply to any procedure that, if performed in accordance with the commonly accepted standard of clinical practice, would not deplete the hospital capacity or the personal protective equipment needed to cope with the COVID-19 disaster.
 - The Governor's Executive Order took effect immediately, and remains in effect and in full force until 11:59 p.m. on April 21, 2020, unless it is modified, amended, rescinded, or superseded by the Governor.
- The Governor suspended certain regulations as requested by the Texas Health and Human Services Commission (HHSC) to allow for increased occupancy of hospital rooms meaning hospitals will be able to treat more than one patient in a patient room, thus increasing their ability to care for the growing number of COVID-19 patients.
- The Governor announced the creation of a temporary **Supply Chain Strike Force** immediately naming **Keith Miears**, Senior Vice President of Worldwide Procurement at Dell Technologies, to serve as Supply Chain Director for the state of Texas. Miears will be supported by **former State Representative John Zerwas**, **MD**, who will assist with hospital relations and preparedness, **Clint Harp**, Vice President of Transmission Strategic Services for the Lower Colorado River Authority, who will assist with asset research and procurement, and **Elaine Mendoza**, Chair of the A&M Board of Regents, who will assist with statewide child care infrastructure for critical workers.
 - They are tasked with guiding collaboration between the public and private sectors to ensure health care facilities have the supplies and resources they need to respond to COVID-19. In addition to working with the federal government and businesses to secure necessary personal protective equipment, the team will work to ensure day-to-day resources (including food) are available for Texas' medical personnel, first responders and those who have contracted COVID-19.

March 21, 2020

• Governor Greg Abbott <u>waived several regulations</u> to help meet Texas' growing need for nurses as the state responds to the COVID-19 virus. The Governor's **actions will expand Texas' active nursing workforce** by doing the following:

- Allowing temporary permit extensions to practice for graduate nurses and graduate vocational nurses who have yet to take the licensing exam.
- Allowing students in their final year of nursing school to meet their clinical objectives by exceeding the 50% limit on simulated experiences.
- Allowing nurses with inactive licenses or retired nurses to reactivate their licenses.

March 20, 2020

- Governor Greg Abbott issued a proclamation postponing the runoff primary election until July 14, 2020 the same date as the special election for <u>Texas State Senate District 14</u>. The runoff election was originally scheduled for May 26th, but has been postponed in conjunction with the state's ongoing efforts to mitigate the spread of COVID-19. Early voting for the postponed runoff primary election will begin Monday, July 6, 2020. More info here.
- Governor Greg Abbott announced the temporarily suspension of certain regulations to
 ensure that Texans will have continued access to their pharmacists as the state responds
 to COVID-19. The Governor's actions will allow pharmacists to conduct telephonic
 consultations, and remove regulatory barriers so that pharmacies can operate at full
 strength.
 - Emergency Dispensing of Prescription Medications (refills only) Specifically, in an emergency, a pharmacist may use his/her professional judgment in refilling a prescription drug order for a drug (other than a Schedule II controlled substance) provided failure to refill the prescription might result in an interruption of a therapeutic regimen or create patient suffering.
- Governor Greg Abbott announced that he is **temporarily suspending certain provisions of the Texas Alcoholic Beverage Code to help businesses whose events were cancelled** due to COVID-19. Suspending these provisions will allow for refunds of application fees paid to obtain a temporary event permit for an event that was later cancelled. More info from TABC here.
- The U.S. Small Business Administration (SBA) has included the entire state of Texas in its Economic Injury Disaster Declaration and granted access to its Economic Injury Disaster Loan (EIDL) program, which will provide long-term, low-interest loans to qualifying businesses across the state. More info here.
 - Texas small businesses who believe they may be eligible for an SBA EIDL should visit www.sba.gov/disaster where they can directly apply for assistance. The online application is the fastest method to receive a decision about loan eligibility.
- The **Texas Supreme Court issued an emergency order suspending residential eviction proceedings** through April 19, 2020, unless there is a threat of physical harm or criminal activity. More info here.
- Governor Abbott, Matthew McConaughey, Roy Spence Release PSA On Importance Of Social Distancing. You can view it here.

 Governor Greg Abbott directed the Texas Department of Criminal Justice (TDCJ) to temporarily suspend inmate fees for health care services related to COVID-19. While incarcerated Texans housed within TDCJ facilities are never denied access to health care due to an inability to pay, this temporary waiver will encourage timely reporting of COVID-19 symptoms so that offenders are given the treatment they need. More info here.

March 19, 2020

- Governor Abbott issued an executive order (EO) that will temporarily close schools and gyms, limit social gatherings to 10 or less, closes bars and restaurants for everything except take-out/delivery, and restricts visitors to nursing homes to only those called to provide critical assistance. This EO conforms to the current CDC guidance, takes effect at midnight Friday, March 20, and ends at midnight Friday, April 3. More info here.
- Department of State Health Services (DSHS) Commissioner John Hellerstedt issues a **public health disaster declaration in Texas**. This is the first time this type of declaration has been issued in Texas since 1901. More info here.
 - Under Chapter 81 of the Health and Safety Code, Commissioner Hellerstedt's Public Health Disaster Declaration triggers a number of important tools for state and local officials to respond to COVID-19:
 - Texas and local health authorities can more easily require property owners to disinfect, decontaminate, and seal off property that might be contaminated.
 - It authorizes health authorities to take additional control measures that they see fit to control and eradicate the threat to public health.
 - It streamlines the process for state and local health authorities to invoke the courts to enforce quarantines of individuals.
 - Activates enhanced tools for DSHS to collect disease and health information and to share that information with law enforcement personnel and first responders as appropriate.
- Governor Abbott's virtual Town Hall meeting at 7:00 p.m. CT. The Governor will discuss the statewide response to the current coronavirus outbreak and will be joined by top officials from the Department of State Health Services, the Texas Division of Emergency Management and the Texas Education Agency. Viewers will be invited to submit questions to the Governor and the other state officials via the internet using the hashtag #AskAbbott.
- The **Texas Alcoholic Beverage Commission** (**TABC**) published an <u>industry notice</u> on exceptions to state laws and TABC Rules in order to protect public safety, ensure fair competition among the alcoholic beverage industry, and allow industry to navigate the changing circumstances. Manufacturers, Distributors, Wholesalers, & Package Stores with

Local Distributor Permits (BB, BC, W, X, & LP) are hereby authorized to repurchase unused/unopened alcoholic beverage products from retailers under the limited conditions.

March 18, 2020

- Governor Greg Abbott issued a waiver that will allow restaurants to deliver alcoholic beverages with food purchases to patrons, including beer, wine, and mixed drinks.
 The Governor also directed the Texas Alcoholic Beverage Commission (TABC) to waive certain provisions to allow manufacturers, wholesalers, and retailers of alcoholic beverages to repurchase or sell back unopened product. More info here.
- Governor Greg Abbott announced that Texas Department of Public Safety (DPS) Driver
 License Offices across the state are closing immediately. This temporary closure will
 not apply to those seeking an initial Commercial Driver License (CDL). DPS offices that
 provide CDL testing will remain open solely for the purpose of providing initial CDLs.
 More info here.
 - O Governor Greg Abbott has also directed the **Department of Public Safety (DPS)** to temporarily waive expiration dates for Driver Licenses, Commercial Driver Licenses, and other identification forms. This suspension will be in effect until 60 days after the DPS provides further public notice that normal Driver License operations have resumed. More info here.
- Governor Greg Abbott and the Texas Education Agency (TEA) announced a collaboration with local education agencies (LEA) on the Texas Students MealFinder Map which will allow Texas parents to locate LEA facilities serving meals in their communities. This searchable online map will officially launch on Friday, March 20, and will include the address of each facility, as well as days and times meals will be served. The map will be available on the TEA website. More info here.
- Governor Greg Abbott issued a proclamation suspending provisions of the Texas Election Code to **allow political subdivisions to postpone their 2020 local elections**. This means local governments now have the ability to postpone their May 2, 2020 elections until November 3, 2020. More info here.
- The State Preservation Board fully **closed public access to the Texas State Capitol**. Elected officials and staff will be able to enter the building to continue work. State agency personnel with state IDs also will be allowed in the building.

March 17, 2020

- The Texas Department of State Health Services confirmed the **first death of a Texas resident** who tested positive for COVID-19, the illness caused by the new coronavirus. The patient was a man in his 90s.
- Governor Greg Abbott instructed the Texas Workforce Commission (TWC) to waive the <u>waiting week</u>, for Unemployment Benefits. In addition to waiving the waiting week, TWC is exercising its authority under the Governor's declaration of a Statewide Disaster to

- waive Unemployment Insurance work search requirements effective immediately. These measures support the State's efforts to address the impact the COVID-19 virus is having on the state's economy and its workforce. More info here.
- Governor Greg Abbott waived certain regulations and directed that the **Texas Department of Insurance** (**TDI**) **issue an emergency rule, all relating to telemedicine care** for patients with state-regulated insurance plans to help doctors across Texas continue to treat their patients while mitigating the spread of COVID-19. The suspensions and emergency rule will work together to allow telemedicine visits for patients with state-regulated plans to be paid the same as in-office visits for insurance purposes. These actions build upon waivers the Governor issued last week of portions in the Occupations Code to expand provider flexibility in providing medical services over the phone. More info here.
 - TDI emergency rule (3/18/2020)
 - FAQs on TDI rule (3/18/2020)
- Governor Greg Abbott requested designation from the Small Business Administration (SBA) Economic Injury Disaster Declaration in order to access the Economic Injury Disaster Loan (EIDL) program for the entire state of Texas. If granted, the SBA would provide long-term, low-interest loans to qualifying businesses across the state. More info here.
 - The Small Business Administration (SBA) has designated COVID-19 as a qualifying event for the provision of Economic Injury Disaster Loans (EIDL) for businesses and private non-profits in affected communities. Texas is currently working with SBA to qualify for this declaration.
 - ESTIMATED DISASTER ECONOMIC INJURY WORKSHEET FOR BUSINESSES (TDEM)
- The Governor announced a **temporary waiver for hospitals to increase unused bed capacity** without submitting an application or associated fees. This precautionary measure will help ensure Texas hospitals across the state have adequate care capacity for patients. More info here.
- Governor Greg Abbott activated the Texas National Guard to be prepared to assist with response efforts for COVID-19. This preparative measure will ensure that the Texas National Guard can assist in various forms throughout the state when needed. More info here.
 - Healthcare workers and first responders who are members of the Texas National Guard are excluded from this activation so that they can continue serving the people of Texas in their respective fields.
- Governor Greg Abbott issued a proclamation setting the special election for Texas State Senate District 14 on Tuesday, July 14, 2020. The special election will fill the seat being vacated by Senator Kirk Watson. The special election would ordinarily be held on Saturday, May 2, 2020, but the Governor utilized his powers under Chapter 418 of the

- Texas Government Code to suspend provisions of the Texas Election Code and allow the election to be held at the later date. More info here.
- Office of Consumer Credit Commissioner issues Coronavirus Emergency Measures to credit access businesses, property tax lenders, and motor vehicle sales finance. More info here.

March 16, 2020

- Governor Greg Abbott has announced that Texas is waiving certain rules relating to vehicle registration, parking placards for persons with disabilities, and titling to aid the state's efforts to combat COVID-19. These suspensions will allow Texans to avoid penalties for failure to timely title or register a vehicle, or renew a parking placard. More info here.
- Governor Greg Abbott granted the **Office of the Attorney General's request for suspension of certain open-meeting statutes**. This temporary suspension will allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in-person meetings that assemble large groups of people. More info here.
- Governor Greg Abbott announced that he has waived the State of Texas Assessments of Academic Readiness (STAAR) testing requirements for the 2019-2020 school year. Additionally, Governor Abbott is requesting that the Department of Education (DOE) waive federal testing requirements for the 2019-2020 school year. More info here.

March 15, 2020

- Governor Greg Abbott has waived regulations to ensure students who are enrolled in work-study programs will continue to receive critical funding while campuses close due to their response to COVID-19. As campuses across the state move instruction online, critical work-study programs that ensure students receive the financial assistance they need to pay their bills would have been put at risk without this waiver. More info here.
- Governor Greg Abbott waived state laws that prohibit trucks from the alcohol industry
 from delivering supplies to grocery stores. This will provide grocers with another
 private-sector option to keep their shelves stocked. By waiving these regulations, we are
 streamlining the process to replenish the shelves in grocery stores across the state. More
 info here.

March 14, 2020

• Governor Greg Abbott directed the Texas Medical Board (TMB) and the Texas Board of Nursing (TBN) to fast-track the temporary licensing of out-of-state physicians, physician assistants, certain retired physicians, nurses, and other license types to assist in Texas' response to COVID-19. Today's announcement is among the actions Governor Abbott is taking under the State of Disaster declaration. More info here.

• Governor Greg Abbott announced that he is waiving certain regulations related to commercial trucking in the state of Texas. The suspensions will expedite commercial vehicle delivery of more supplies in each truckload as Texas works to mitigate the impact of the coronavirus (COVID-19) across the state. These waivers were requested by and will be coordinated through the Texas Department of Motor Vehicles (DMV), and are part of the actions Governor Abbott is taking under the State of Disaster he declared yesterday. More info here.

March 13, 2020

- Governor Abbott Declares State of Disaster in Texas Due To COVID-19. More info here. Governor Abbot also directed state agencies to provide flexible work and telecommuting policies for agency employees.
- Office of Consumer Credit Commissioner issues Coronavirus Emergency Measures to pawnshops and regulated lenders. More info here.

Small Business Administration Economic Injury Disaster Loans (EIDL) & Other Business Resources

The Small Business Administration (SBA) COVID-19 Page

Interim Guidance for Businesses and Employers (CDC)

SBA's Local Assistance Directory

Economic Injury Disaster Loan Program

The Cybersecurity and Infrastructure Security Agency (CISA) Guidance

Texas Small Businesses

The U.S. Small Business Administration (SBA) granted Texas' Economic Injury Disaster Loan (EIDL) assistance declaration, making loans available statewide to small businesses and private, non-profit organizations to help alleviate economic injury caused by the Coronavirus (COVID-19).

Small businesses who believe they may be eligible for an SBA EIDL, should visit the <u>SBA's</u> website where they can directly apply for assistance. The online application is the *fastest method* to receive a decision about loan eligibility.

The SBA also recommends prospective applicants assemble their documents required for the loan application, thus getting a head start on "step two" in the loan review process. Below is the list of ten documents prospect applicants should assemble and scan to prepare for uploading them into the EIDL website, in addition to forms required by SBA.

- 1. Corporate governance documents; e.g., Articles of Incorporation, Articles of Organization (for LLC), or Registration of Sole Proprietorship
- 2. Written statement justifying the nature and scope of economic injury and how/why nature of business was adversely impacted by the Coronavirus (one page/no more than two), such as loss of revenues, cancelled contracts, interrupted supply chain, etc., that resulted in economic injury
- 3. Current Accounts Payable and Accounts Receivable Aging as of date of filing for the loan
- 4. Three (3) years' 1040 Federal Income Tax Returns for the business & owners
- 5. Three (3) years' company FYE Income Statement and Balance Sheet and latest YTD Financial Statements (Company prepared is acceptable)
- 6. Company and Owners' Debt Schedule Tables [e.g., Lender, original loan amt., date, current balance, interest rate, collateral, purpose of loan, guarantors, status (e.g., current or past due with explanation) per row in table]
- 7. Monthly two (2) years' cash flow projections
- 8. Three (3) years' Monthly Sales History up to date of filing for loan
- 9. Current copies of owners' credit reports from the three (3) credit bureaus with explanations for any negative reports
- 10. Required SBA Forms:
 - o IRS Form 4506-T
 - o Personal Financial Statement (SBA Form 413)
 - o Schedule of Liabilities & Fixed Assets (SBA Form 2202)
 - o Monthly Sales (SBA Form 1368)
 - o Home Loan (SBA Form 5c), if applicable

All forms and further details are available on the SBA Disaster Loan website: www.sba.gov/disaster. Click on the Coronavirus link at the top of the page.