



STATE OF TENNESSEE  
**EXECUTIVE ORDER**  
BY THE GOVERNOR

Number 57

**AN EMERGENCY ORDER SUSPENDING PROVISIONS OF CERTAIN LAWS  
AND RULES IN ORDER TO PROVIDE RELIEF TO EVACUEES OF  
HURRICANE GUSTAV**

**WHEREAS**, the forecasted landfall of Hurricane Gustav is expected to result in catastrophic conditions in the Gulf Coast area and many residents of that area have left their homes and are seeking temporary refuge in the State of Tennessee; and

**WHEREAS**, in response to the emergency conditions created by the influx of these evacuees, the Tennessee Emergency Management Plan was enacted on August 29, 2008, thereby declaring a state of emergency in Tennessee; and

**WHEREAS**, Tennessee Code Annotated § 58-2-107(e)(1) provides that during a state of emergency, the Governor is authorized to "[s]uspend the provisions of any law, order, rule or regulation prescribing the procedures for the conduct of state business or the orders or rules or regulations of any state agency, if strict compliance with the provisions of any such law, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency"; and

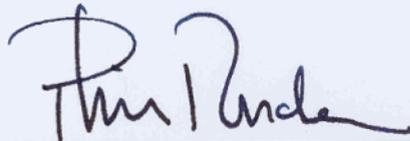
**WHEREAS**, pursuant to this authority and the general emergency management powers of the Governor under Tennessee Code Annotated Title 58, Chapter 2, I have determined that the temporary suspension of several state laws and rules is necessary in order to cope with the current emergency situation.

**NOW THEREFORE**, I, Phil Bredesen, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and law, do hereby order and direct that the following state laws and rules be suspended until 12:00 a.m., Central Daylight Time, on September 30, 2008:

1. The relevant provisions of Title 63 and Title 68 of Tennessee Code Annotated, as well as any related rules, are hereby suspended to give the Commissioner of Health the discretion to allow, based on an individualized determination, a health care professional who is licensed in another state and who would otherwise be subject to licensing requirements under Title 63 or Title 68, to engage in the practice of such individual's profession, if such individual is an evacuee from Hurricane Gustav or is a health care professional who has come into the state to assist evacuees from Hurricane Gustav.
2. The provisions of Tenn. Code Ann. § 63-10-207(a) and (c) are hereby suspended to allow a pharmacist to dispense a thirty-day supply of a prescription drug without proper authorization to evacuees from Hurricane Gustav, subject to all other provisions of § 63-10-207.

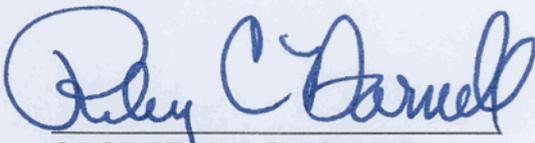
3. The provisions of Tenn. Code Ann. § 63-10-306, as well as any related rules, are hereby suspended to allow any person licensed to practice medicine in the State of Tennessee or authorized to practice medicine in the State of Tennessee pursuant to this Executive Order No. 57 to dispense prescription drugs without charge to evacuees from Hurricane Gustav.
4. The provisions of Tenn. Code Ann., Title 53, Chapter 10, Part 2, are hereby suspended to allow a pharmacist, if appropriate in his or her professional judgment, to dispense prescription drugs as prescribed to evacuees from Hurricane Gustav.
5. Any provision of Tennessee Code Annotated, as well as any related rules, which require Tennessee residency as a condition of eligibility to participate in programs administered by the Department of Health, are hereby suspended to allow otherwise eligible evacuees from Hurricane Gustav to participate in such programs. These programs include but are not limited to the Special Supplemental Nutrition Program for Women, Infants and Children (Tenn. Comp. R. & Regs, Chapter 1200-15-2-.03), Renal Disease Program (Tenn. Comp. R. & Regs Chapter 1200-11-1-.03), Hemophilia Program (Tenn. Comp. R. & Regs Chapter 1200-11-2-.03), Children's Special Services (Tenn. Comp. R. & Regs Chapter 1200-11-3-.03) and the Child Safety Fund (Tenn. Comp. R. & Regs Chapter 1200-11-4-.04).

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 31<sup>st</sup> day of August, 2008.



GOVERNOR

ATTEST:



SECRETARY OF STATE

