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PUBLICATIONS

STATE OF TENNESSEE

EXECUTIVE ORDER

BY THE GOVERNOR

No. 61

AN EMERGENCY ORDER SUSPENDING PROVISIONS OF CERTAIN LAWS AND RULES IN ORDER TO PROVIDE RELIEF TO VICTIMS OF WILDFIRES AND SEVERE WEATHER IN TENNESSEE

WHEREAS, wildfires have recently affected a significant portion of the State, and beginning November 28, 2016, an escalation of the wildfire situation in Sevier County and the surrounding area has caused substantial damage and destruction, resulted in loss of life, and threatened public safety; and

WHEREAS, severe weather occurring on November 29, 2016, in Southeast Tennessee has exacerbated the emergency conditions within the State, causing additional property damage and loss of life; and

WHEREAS, many residents of, and visitors to, the affected areas have evacuated their homes or places of lodging and are seeking temporary refuge in other locations within the State; and

WHEREAS, multiple local, state, and federal agencies and other organizations are engaged in relief efforts throughout the affected region; and

WHEREAS, Tennessee Code Annotated, Section 58-2-107(e)(1), provides that during a state of emergency, the Governor is authorized to "[s]uspend 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 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 law, the temporary suspension of selected state laws and rules is necessary to cope with the current emergency situation.

NOW THEREFORE, I, Bill Haslam, Governor of the State of Tennessee, by virtue of the power and authority vested in me by the Tennessee Constitution and other applicable law, do hereby declare a state of emergency and order the following:

1. The state of emergency shall be in effect as of November 28, 2016.

2. The relevant provisions of Tennessee Code Annotated, Titles 63 and 68, and related rules are hereby suspended to give the Commissioner of Health the discretion to allow 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 the individual is a health care professional who is assisting victims of or evacuees from the wildfires in Sevier County and the surrounding area or severe weather in Southeast Tennessee.

3. The provisions of Tennessee Code Annotated, Section 63-10-207(a) and (c), are hereby suspended *nunc pro tunc* to November 28, 2016, to allow a pharmacist to dispense a fourteen day supply of a prescription drug without proper authorization to victims of and evacuees from the Sevier County wildfires or Southeast Tennessee severe weather in the following counties: Bedford, Bledsoe, Blount, Bradley, Cannon, Cocke, Coffee, Franklin, Grundy, Hamilton, Jefferson, Knox, Lincoln, Loudon, Marion, Marshall, McMinn, Meigs, Monroe, Moore, Polk, Rhea, Roane, Rutherford, Sequatchie, Sevier, Van Buren, and Warren.

4. Any provision of the Tennessee Code Annotated and related rules that 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 the wildfires or severe weather 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).

5. The relevant provisions of Tennessee Code Annotated, Title 56, and related rules are hereby suspended to give the Commissioner of Commerce and Insurance the discretion to direct Tennessee-licensed insurance companies to make reasonable efforts to assist policyholders who have experienced losses as a result of the wildfires in Sevier County or severe weather in Southeast Tennessee. Specifically, where a delay in premium payment appears to be the result of a disruption to the mail delivery system or the policyholder's displacement due to the severe wildfires in Sevier County or storm damage in Southeast Tennessee, the Department of Commerce and Insurance requests that insurers work with policyholders and take those circumstances into account before cancelling a policy and that insurers suspend cancellations or non-renewals of policies for non-payment of premiums for a period of at least sixty (60) days from the effective date of this Order for those policyholders who have suffered property damage, injuries or loss of life as a result of these catastrophic events. The Commissioner of Commerce and Insurance has the discretion to allow an insurance professional who is licensed in another state and who would otherwise be

subject to licensing requirements under Title 56 to engage in the practice of such individual's profession, if the individual is assisting victims of or evacuees from the wildfires in Sevier County or severe weather in Southeast Tennessee.

6. The relevant provisions of Tennessee Code Annotated, Title 62, Chapter 6, Part 1, and related rules are hereby suspended to allow the Board for Licensing Contractors to temporarily license a person otherwise qualified to be licensed as a contractor without examination if the person provides sufficient proof, in the discretion of the Board or the Board's designee, that the issuance of the license is to assist victims of or evacuees from the wildfires in Sevier County or severe weather in Southeast Tennessee and that the person to be licensed has sufficient experience and knowledge in the field of contracting in which the license will be issued to provide for the protection of the health, safety, and welfare of the public. Any applicable fees shall be prorated. Any such license shall not be eligible for renewal and shall expire six (6) months from the date of issuance.

7. The Department of Safety and Homeland Security has the authority to waive any applicable fees under Tennessee Code Annotated, Section 55-50-323, and related rules for duplicate driver licenses or photo identification licenses issued to persons affected by the wildfires in Sevier County or severe weather in Southeast Tennessee.

8. All state agencies are encouraged to work with persons adversely affected by a disruption to the mail delivery system or displacement due to the severe wildfires in Sevier County and the surrounding areas or storm damage in Southeast Tennessee and take those circumstances into account with respect to giving notice and providing state services.

9. This Order shall remain in effect until 12:00 a.m., Central Standard Time, on January 30, 2017, at which time the suspension of any state laws and rules shall cease and be of no further force or effect.

IN WITNESS WHEREOF, I have subscribed my signature and caused the Great Seal of the State of Tennessee to be affixed this 1st day of December, 2016.

GOVERNOR

ATTEST:

SECRETARY OF STATE