

## PROCLAMATION BY THE GOVERNOR AMENDING PROCLAMATIONS 20-05 and 20-74

## 20-74.3

## Behavioral Health Association, Children's Long-Term Inpatient Program and Residential Treatment Facilities – Operations and Visitation

**WHEREAS**, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout the state of Washington as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed personto-person spread of COVID-19 in Washington State; and

**WHEREAS**, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, there is an increased risk of rapid spread of COVID-19 among persons who live and work in congregate settings, and many residents, patients and staff are at increased risk for severe COVID-19, including individuals in facilities administered by the Department of Social and Health Services Behavioral Health Administration (BHA), those facilities operated for the Children's Long-Term Inpatient Program (CLIP) as contracted by the Health Care Authority (HCA), and Residential Treatment Facilities (RTF) as licensed by the Department of Health (DOH); and

**WHEREAS**, facility residents, staff, vendors, and visitors can introduce COVID-19 into a BHA, CLIP, or RTF and start an outbreak or spread an existing outbreak into a new population; and

**WHEREAS**, congregate settings have experienced both the earliest and some of the most severe outbreaks of COVID-19 in Washington State; and

**WHEREAS,** I previously issued Proclamations 20-06 and 20-16, waiving and suspending specified statutes and rules, and prohibiting specified activities related to congregate living and care facilities and other subjects; and

**WHEREAS**, the statutory waivers and suspensions in Proclamations 20-06 and 20-16 and other proclamations related to congregate care, such as long term health care facilities, were consolidated into Proclamation 20-52, et seq.; and

**WHEREAS**, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions in the proclamations consolidated into Proclamation 20-52, et seq., have been, with certain

modifications by the leadership of the Washington State Senate and House of Representatives, extended until the termination of the COVID-19 State of Emergency or October 1, 2020, whichever occurs first, and which I acknowledged and similarly extended the prohibitions and the waiver and suspension of rules therein with certain modification in Proclamation 20-52, et seq.; and

WHEREAS, the waivers, suspensions and prohibitions consolidated into Proclamation 20-52, et seq., addressed a variety of topics some of which are also addressed by other proclamations, orders and guidance documents, I issued Proclamations 20-63, 20-65, 20-66, and 20-74 that divided some of the waivers, suspensions and prohibitions consolidated into Proclamation 20-52, et seq., into their topical areas and cross referenced applicable orders and guidance documents to assist in the understanding, administration and implementation of those waivers, suspensions and prohibitions; and

WHEREAS, on January 15, 2021, under the provisions of RCW 43.06.220(4), the statutory waivers and suspensions of Proclamation 20-74, et seq., were extended by Senate Concurrent Resolution 8402 until the termination of the state of emergency pursuant to RCW 43.06.210, or until rescinded, whichever occurs first; and

**WHEREAS**, to fully extend Proclamation 20-74, it is also necessary for me to extend the prohibitions and the waiver and suspension of rules provided therein; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

**WHEREAS**, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people; and

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above-noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05 and all amendments thereto remain in effect as otherwise amended, and that Proclamation 20-74, which incorporates portions or all of the waivers and suspensions contained in Proclamations 20-06, 20-16, and 20-52, et seq., are amended to (1) recognize the prior extensions of statutory waivers and suspensions listed below by the Washington State Legislature until the termination of the COVID-19 State of Emergency or until rescinded, whichever occurs first, and (2) similarly extend the prior prohibitions and waiver and

suspension of rules listed in those orders until the termination of the COVID-19 State of Emergency or until rescinded, whichever occurs first.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

Signed and sealed with the official seal of the state of Washington on this 19th day of January, A.D., Two Thousand and Twenty-One at Olympia, Washington.

|                           | By:                         |  |
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|                           | /s/<br>Jay Inslee, Governor |  |
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| BY THE GOVERNOR:          |                             |  |
| /s/<br>Secretary of State |                             |  |
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