



Laura Belin <desmoinesdem@bleedingheartland.com>

RELEASE: Gov. Reynolds signs new proclamation continuing the State Public Health Emergency Declaration

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Reply-To: iowaGovernorsOffice@public.govdelivery.com
To: desmoinesdem@bleedingheartland.com

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OFFICE OF THE GOVERNOR Governor Kim Reynolds ★ Lt. Governor Adam Gregg

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CONTACT: Pat Garrett, (515) 802-0986, Pat.Garrett@iowa.gov

Amy Mccoy (IDPH) (515) 240-0530, Amy.Mccoy@idph.iowa.gov

Gov. Reynolds signs new proclamation continuing the State Public Health Emergency Declaration

DES MOINES - Today, Gov. Reynolds signed a new proclamation continuing the State Public Health Emergency Declaration until May 27, 2020. The proclamation loosens social distancing measures in 77 Iowa counties effective Friday, May 1 and continues other restrictions until 11:50 p.m. on Friday, May 15, 2020. Watch the governor's news conference [here](#).

In the 77 counties, the proclamation permits restaurants, fitness centers, malls, libraries, race tracks, and certain other retail establishments to reopen in a limited fashion with public health measures in place. In addition, the proclamation lifts the restriction on religious and spiritual gatherings so long as churches and other gathering hosts implement reasonable public health measures. All other regulatory relief previously provided to affected Iowans is also extended until Wednesday, May 27, 2020.

The full proclamation is online in its entirety: [Part 1](#), [Part 2](#), and [Part 3](#). Substantive information from the proclamation can be found below:

SECTION ONE. I strongly encourage all vulnerable Iowans, including those with preexisting medical conditions and those older than 65, in all counties of the state to continue to limit their activities outside of their home, including their visits to businesses and other establishments and their participation in gatherings of any size and any purpose.

REOPENING OF BUSINESSES AND ESTABLISHMENTS

(All counties except Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama,

Washington, or Woodbury County)

SECTION TWO. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that effective at 5:00 a.m. on May 1, 2020 and until 11:59 p.m. on May 15, 2020:

A. Restaurants: A restaurant may reopen to serve food and beverages on its premises, but only to the extent that it complies with the following requirements:

- (1) Capacity limited:** The restaurant must limit the number of customers present at indoor or outdoor spaces to 50% of its normal operating capacity to ensure adequate spacing of groups.
- (2) Groups limited:** The restaurant must ensure that no group of customers seated together in the restaurant is larger than six people.
- (3) Social distancing:** The restaurant must ensure at least six feet of physical distance between each group or individual dining alone.
- (4) Self-service prohibited:** The restaurant must not have any self-service of food or beverages, including buffets or salad bars.
- (5) Social distancing, hygiene, and public health measures:** The restaurant shall also implement reasonable measures under the circumstances of each restaurant to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Inspections and Appeals and the Iowa Department of Public Health.

This paragraph does not reopen a bar, which must remain closed to the public except as provided in section 2, paragraph A of this Proclamation.

B. Fitness centers: A fitness center, health club, health spa, or gym may reopen, but only to the extent that it complies with the following requirements:

- (1) Capacity limited:** The establishment must limit the number of customers present to 50% of its maximum legal occupancy capacity.
- (2) Social distancing:** The establishment must ensure that all equipment, such as treadmills, bikes, weight machines, benches, and power racks, are spaced at least six feet apart or take other appropriate measures to ensure that more closely spaced equipment is not used.
- (3) Group activities:** Any group activities or classes must be limited to ten or fewer people and all people participating must maintain a distance of six feet apart at all times.

(4) Social distancing, hygiene, and public health measures: The establishment shall also implement reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

C. Malls: An enclosed mall may reopen, but only to the extent that it complies with the following requirements:

(1) Capacity limited: The mall must limit the number of customers present to 50% of its maximum legal occupancy capacity.

(2) Common seating areas: All common seating areas, such as food courts, shall remain closed. Restaurants in food courts may operate on a carry-out basis.

(3) Play areas: Any play area or playground must remain closed.

(4) Social distancing, hygiene, and public health measures: The mall shall also implement reasonable measures under the circumstances of each mall to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

D. Libraries: A library may reopen provided that it limits the number of patrons present to 50% of its maximum legal occupancy capacity and implements reasonable measures under the circumstances of each library to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

E. Race tracks: A speedway or race track, other than a track conducting horse or dog races, may reopen its operations provided that it does not permit any spectators to attend its events in person.

F. Other retail establishments: A retail establishments that was previously ordered to be closed statewide, and is now ordered to be closed only in certain counties under section 5, paragraph I, may reopen, but only to the extent that it limits the number of customers present to 50% of its maximum legal occupancy capacity and implements reasonable measures under the circumstances of each establishment to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health.

This section shall apply only to businesses and establishments located in an Iowa county other than **Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, or Woodbury** counties.

EXTENSION OF CLOSURES AND ORDERS

(Statewide)

SECTION THREE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby extend the following orders until 11:59 p.m. on May 15, 2020:

- A. Bars:** A bar shall continue to be closed to the general public except that to the extent permitted by applicable law as modified by the suspensions in this Proclamation, and in accordance with any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises. For the purposes of this section, a bar is an establishment where a customer may purchase alcoholic beverages and in which the serving of food is incidental to the consumption of those beverages and is limited to the service of ice, snack foods and the reheating of commercially prepared foods such as frozen pizza, pre-packaged sandwiches, or other prepackaged, ready-to-serve products.
- B. Theaters:** All theaters or other performance venues at which live performances or motion pictures are shown shall continue to be closed.
- C. Casinos and gaming facilities:** All casinos and other facilities conducting pari-mutuel wagering or gaming operations shall continue to be closed.
- D. Social and fraternal clubs:** All social and fraternal clubs, including but not limited to American Legion or VFW posts, Elks Clubs, country clubs, and golf course clubhouses shall be closed, except that food and beverages may be sold if such food or beverages are promptly taken from the premises and a golf course clubhouse may also be open to the minimal extent necessary to facilitate use of the golf course provided appropriate social distancing practices are implemented.
- E. Senior citizen centers and adult daycare facilities:** All facilities that conduct adult day services or other senior citizen centers shall continue to be closed.
- F. Amusements:** All bingo halls, bowling alleys, pool halls, arcades, and amusement parks shall continue to be closed.
- G. Museums, aquariums, and zoos:** All museums, aquariums, and zoos shall continue to be closed.
- H. Skating rinks and skate parks:** All indoor or outdoor roller or ice skating rinks and skate parks shall continue to be closed.
- I. Playgrounds:** All outdoor or indoor playgrounds or children's play centers shall continue to be closed. This order does not apply to playgrounds in private residences or childcare facilities.
- J. Campgrounds:** All public and private campgrounds shall continue to be closed to temporary recreational use. This order shall not prohibit the use of a campground by a long-term or

permanent tenant who resides at the campground. All cabins and yurts in state parks shall also continue to be closed to temporary residents.

K. Swimming pools: All swimming pools and spas, wading pools, water slides, wave pools, spray pads, and bath houses, as defined in Iowa Code § 135I.1, shall continue to be closed.

L. Salons: All salons, including all establishments providing the services of cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring, all as defined in Iowa Code § 157.1, shall continue to be closed.

M. Barbershops: All Barbershops, as defined Iowa Code § 158.1, shall continue to be closed.

N. Medical spas: All medical spas, as defined in Iowa Admin Code § 653-13.8(1), shall continue to be closed.

O. Tattoo establishments: All Tattoo establishments, as regulated by Iowa Code § 135.37, shall continue to be closed.

P. Tanning facilities: All tanning facilities, as defined by Iowa Code § 136D.2(5) shall continue to be closed.

Q. Massage therapy establishments: All establishments where an individual is practicing massage therapy as defined by Iowa Code § 152C.1(3) shall continue to be closed.

R. Door-to-door sales: All unsolicited door-to-door sales and solicitations at all homes and residences shall continue to be prohibited.

SECTION FOUR. I continue to direct all state agencies to coordinate expeditiously in developing and implementing plans to mitigate the economic effects of the closings necessitated by this disaster, including potential financial support, regulatory relief, and other executive actions.

ADDITIONAL EXTENSION OF BUSINESS CLOSURES

(Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, and Woodbury counties)

SECTION FIVE. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby extend the following orders until 11:59 p.m. on May 15, 2020:

A. Restaurants and bars: All restaurants and bars shall continue to be closed to the general public except that to the extent permitted by applicable law, and in accordance with any recommendations of the Iowa Department of Public Health, food and beverages may be sold if such food or beverages are promptly taken from the premises, such as on a carry-out or drive-through basis, or if the food or beverage is delivered to customers off the premises.

B. Fitness centers: All fitness centers, health clubs, health spas, gyms, aquatic centers shall

continue to be closed.

C. Swimming pools: All swimming pools and spas, wading pools, water slides, wave pools, spray pads, and bath houses, as defined in Iowa Code § 135I.1, shall continue to be closed.

D. Salons: All salons, including all establishments providing the services of cosmetology, electrology, esthetics, nail technology, manicuring, and pedicuring, all as defined in Iowa Code § 157.1, shall continue to be closed.

E. Barbershops: All Barbershops, as defined Iowa Code § 158.1, shall continue to be closed.

F. Malls: All enclosed malls shall be closed, including interior common areas and any retail establishment that only accessible to the public from the interior common areas. A retail establishment that may be directly accessed from outside the mall is not required to close by this paragraph.

G. Libraries: All libraries shall continue to be closed to the public. This prohibition does not limit library employees from being present in a closed library or the provision of curbside service.

H. Race tracks: All race tracks and speedways shall be closed and shall not host any races, events, or other gatherings.

I. Other nonessential retail establishments: All bookstores; clothing stores; shoe stores; jewelry stores; luggage stores; cosmetic, beauty, or perfume stores; florists; furniture and home furnishing stores; tobacco, cigarette, cigar, or vaping stores; and toy, gaming, music, instrument, movie, or adult entertainment stores shall continue to be closed. These establishments may still serve the public through online or telephone sales, delivery, or curbside pick-up. They may also permit a customer to enter the store on an appointment basis provided that no more than ten customers are present at a time. This closure order does not affect other retail establishments, such as discount stores, grocery stores, or pharmacies that sell these goods in addition to other essential food, medical supplies, and household goods.

This section shall apply only to businesses and establishments located in **Allamakee, Benton, Black Hawk, Bremer, Dallas, Des Moines, Dubuque, Fayette, Henry, Iowa, Jasper, Johnson, Linn, Louisa, Marshall, Muscatine, Polk, Poweshiek, Scott, Tama, Washington, and Woodbury** counties.

MASS GATHERINGS

SECTION SIX. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, social, community, recreational, leisure, and sporting gatherings and events of more than 10 people shall continue to be prohibited at all locations and venues, including but not limited to parades, festivals, conventions, and fundraisers effective 12:01 a.m. on May 1, 2020 and until 11:59 p.m. on May 15, 2020.

A. Spiritual and religious gatherings are not prohibited by this section, but a church, synagogue, or other host of a spiritual or religious gathering shall implement reasonable measures under the circumstances of each gathering to ensure social distancing of employees, volunteers, and

other participants, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 consistent with guidance issued by the Iowa Department of Public Health. Although wedding and funeral ceremonies are not covered by this section, wedding receptions of more than 10 people are social gatherings that are prohibited.

B. A gathering of people inside parked cars, trucks, or other enclosed motor vehicles shall not constitute a gathering of more than 10 people if no more than 10 people are inside each vehicle, all people remain inside the vehicle at all times.

C. Planned large gatherings and events must be canceled or postponed until after termination of this disaster.

FARMERS MARKETS

SECTION SEVEN. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to order that until 11:59 p.m. on May 15, 2020, farmers markets, as defined in Iowa Code § 137F shall not be prohibited as a mass gathering under this Proclamation of Disaster Emergency, but only to the extent that the farmers market complies with the following requirements:

A. Farm Products and Food: The farmers market may only permit vendors who sell farm products or food. Vendors selling other goods or services are not permitted.

B. Entertainment and Activities Prohibited: Musical performances, children's activities, contests, or other entertainment or activities organized by the farmers market or vendors are prohibited.

C. Common Seating Prohibited: Farmers markets must eliminate all common seating areas, picnic tables, or dining areas and shall prohibit vendors from having any seating for the public to congregate or eat food on the premises.

D. Vendor Spacing: Farmers markets shall space all vendor booths or assigned parking areas so that there is six feet or more of empty space from the edge one vendor's assigned areas to the neighboring vendor.

E. Social distancing, hygiene, and public health measures: Farmers markets shall also implement reasonable measures under the circumstances of each market to ensure social distancing of vendors and customers, increased hygiene practices, and other public health measures to reduce the risk of transmission of COVID-19 at farmers markets consistent with guidance issued by the Iowa Department of Public Health, Iowa Department of Agriculture and Land Stewardship, Iowa Department of Inspections and Appeals, and Iowa State University Extension and Outreach.

Any other farmers market, festival, or community gathering of ten or more people that does not comply with these requirements is prohibited. Customers of farmers markets are strongly encouraged to engage in social distancing, wear a mask or other protective face-covering if unable to maintain a distance of six feet from others, practice good hygiene practices, and attend the market alone without other family members.

AUCTIONS

SECTION EIGHT. Pursuant to Iowa Code § 135.144 (3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, all auctions with more than 10 people present in person continue to be prohibited until 11:59 p.m. on May 15, 2020, at all locations and venues, except for livestock auctions that only include food animals and farm product auctions, which may continue to operate so long as there are no more than 25 people present in person. People who remain inside parked cars, trucks, or other enclosed motor vehicles shall not be counted in considering the number of people present, provided all people remain inside the vehicle at all times.

ELECTION ACTIVITIES

SECTION NINE. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I hereby order that:

- A. Voting and Election Training:** The prohibitions on certain mass gatherings in this Proclamation of Disaster Emergency shall not be construed to limit any person from voting or attending training for precinct election officials.
- B. Use of Facilities:** The closures of any school, establishment or other facilities in this Proclamation of Disaster Emergency shall not be construed to prohibit the operation of a polling place or in-person absentee voting location at the school, establishment, or other facility.

NONESSENTIAL OR ELECTIVE SURGERIES AND PROCEDURES

SECTION TEN. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until 11:59 p.m. on May 15, 2020:

A. A hospital, outpatient surgery provider, or outpatient procedure provider may conduct in-patient surgeries and procedures that, if further delayed, will pose a significant risk to quality of life and any outpatient surgeries or procedures if the hospital or provider complies with the following requirements:

(1) A hospital or provider must have:

(a) Adequate inventories of personal protective equipment (PPE) and access to a reliable supply chain without relying on state or local government PPE stockpiles to support continued operations and respond to an unexpected surge in a timely manner; and

(b) A plan to conserve PPE consistent with guidance from the CDC and Iowa Department of Public Health;

(2) A hospital or provider must have a plan for timely COVID-19 testing of symptomatic patients and staff to rapidly mitigate potential clusters of infection and as otherwise clinically indicated. Providers must comply with any relevant guidance related to testing

requirements for patients and staff issued by the Iowa Department of Public Health, the CDC, or a provider's professional specialty society. For scheduled surgeries patients should have a negative COVID-19 test performed within 48 hours of surgery date. If a COVID-19 test is not available, a hospital or provider should consider alternative methods to determine the patient's probability of COVID-19. If the patient has symptoms of fever, cough, or low oxygen saturation, then postponing the surgery is recommended.

(3) A hospital must continue to accept and treat COVID-19 patients and must not transfer COVID-19 patients to create capacity for elective procedures.

(4) A hospital must reserve at least 30% of intensive care unit (ICU) beds and 30% of medical/surgical beds for COVID-19 patients.

(5) A hospital or provider that begins conducting surgeries or procedures as authorized by this paragraph but is no longer able to satisfy all these requirements must cease conducting such surgeries or procedures except as authorized by paragraph B. All hospitals and providers shall have a plan in place to monitor compliance and a transition plan to reduce or suspend procedures and surgeries as necessary.

B. Except as provided in paragraph A, all nonessential or elective surgeries and procedures that utilize PPE must not be conducted by any hospital, outpatient surgery provider, or outpatient procedure provider, whether public, private, or nonprofit.

C. A nonessential surgery or procedure is one that can be delayed without undue risk to the current or future health of a patient, considering all appropriate factors including, but not limited to any: (1) threat to the patient's life if the surgery or procedure is not performed; (2) threat of permanent dysfunction of an extremity or organ system; (3) risk of metastasis or progression of staging; and (4) risk of rapidly worsening to severe symptoms.

D. Each hospital, outpatient surgery provider, and outpatient procedure provider shall limit all nonessential individuals in surgery and procedure suites and patient care areas where PPE is required. Only individuals essential to conducting the surgery or procedure shall be present in such areas.

E. Each hospital, outpatient surgery provider, and outpatient procedure provider shall establish an internal governance structure to ensure that the principles outlined above are followed.

NONESSENTIAL DENTAL SERVICES

SECTION ELEVEN. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, unless otherwise modified by subsequent proclamation or order of the Iowa Department of Public Health, I continue to order that until 11:59 p.m. May 15, 2020:

A. All dentists and their staff shall refrain from performing elective dental procedures, including: any cosmetic or aesthetic procedures; all routine hygiene; any orthodontic procedures other than those necessary to relieve pain or infection or to restore normal oral functioning; initiation of crowns, bridges, or dentures that do not address or prevent pain or restore normal

oral functioning; any periodontal plastic surgery; extraction of asymptomatic non-carious teeth; recall visits for periodontally-healthy patients; and all appointments for high-risk patients, including ASA 2 and 3 patients, unless emergent.

B. This order does not prohibit the provision of emergency dental services. This order also does not prohibit the provision of dental surgeries conducted at a hospital that complies with the requirements of section 10, paragraph A.

C. This order shall be enforced by Iowa Dental Board investigators or their designees who, pursuant to Iowa Code § 153.33(1)(b), shall have the powers and status of peace officers when enforcing this order.

D. The Iowa Dental Board shall provide additional guidance to its licensees pursuant to Iowa Code § 29C.19 regarding the nature and scope of this restriction, to the extent necessary to protect the public health and ensure continuity of services to Iowans.

MANDATORY SCREENING OF HEALTH FACILITY STAFF

SECTION TWELVE. Pursuant to Iowa Code § 135.144(3), and in conjunction with the Iowa Department of Public Health, I continue to order all hospitals, nursing facilities, intermediate care facilities, residential care facilities, hospice programs, and assisted living programs to screen all staff at the beginning of their shift for fever or respiratory symptoms, absence or shortness of breath, new or change in cough, or sore throat, take the employee's temperature, and take any preventative measures based on that screening to prevent the spread of COVID-19 within the hospitals, nursing facilities, intermediate care facilities, hospice programs, residential care facilities, and assisted living programs.

SCHOOL CLOSURES

SECTION THIRTEEN. Pursuant to Iowa Code § 135.144 (13), and in conjunction with the Iowa Department of Public Health and the Iowa Department of Education, unless otherwise modified by subsequent proclamation, I hereby order that all public schools and nonpublic schools, as defined in Iowa Code § 280.2, shall remain closed for the remainder of the regularly scheduled school year, to prevent and control the transmission of COVID-19.

SECTION FOURTEEN. Pursuant to S.F. 2408, section 13, subsection 2, I hereby waive the instructional time requirements of section 279.10, subsection 1, and the minimum school day requirements of section 256.7, subsection 19, from April 13, 2020, until the end of the school year, for those school districts and accredited nonpublic schools that adopted a plan for offering continuous learning and submit it to the Iowa Department of Education by April 10, 2020 and continue to implement such a plan. Consistent with any continuing learning guidance from the Department, such a plan may offer Voluntary Educational Enrichment Opportunities or provide Required Educational Services and must be submitted through the Consolidated Accountability and Support Application (CASA) system.

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