



STATE OF ALABAMA
PROCLAMATION
BY THE GOVERNOR

WHEREAS, on October 8, 2018, I proclaimed a State of Emergency within the State of Alabama in anticipation of Hurricane Michael;

WHEREAS the Nation is still responding to the devastation caused by Hurricane Michael in Alabama, Florida, and Georgia;

WHEREAS, numerous homes and businesses have been damaged or destroyed, disruption of utilities has occurred, and recovery efforts and activities must begin and continue; and

WHEREAS health care facilities and personnel in the affected areas are overwhelmed by the number of medical evacuees and are taxed to such an extent that care of patients may now no longer be provided in the traditional, normal, and customary manner, nor is the utilization of traditional, normal, and customary standards of care possible;

NOW, THEREFORE, I, Kay Ivey, Governor of the State of Alabama, pursuant to section 13 of the Alabama Emergency Management Act of 1955, as amended, Ala. Code § 31-9-13, and other applicable law, and upon the recommendation of the State Health Officer, do hereby proclaim the existence of conditions that warrant the implementation of additional extraordinary measures and relief during the State of Emergency now in effect in order to guard public health, prevent human suffering, and protect human life. I therefore proclaim and direct all of the following:

1. Health care facilities that have invoked their emergency operations plans in response to this disaster may implement the "alternative standards of care" plans provided therein, and such are declared to be the state-approved standard of care in health care facilities to be executed by health care professionals and allied professions and occupations providing services in response to this disaster.

2. These "alternative standards of care" shall serve as the "standard of care" as defined in section 6-5-542(2) of the Code of Alabama, for the purposes of section 6-5-540 *et seq.* The "degree of care" owed to patients by licensed, registered or certified health care professionals for the purposes of section 6-5-484 shall be the same degree of care set forth in the "alternative standards of care." To the extent that the provisions of section 6-5-540 *et seq.* are inconsistent with this order, the said provisions are hereby suspended.

3. All health care professionals and assisting personnel executing in good faith under the "alternative standards of care" are hereby declared to be "Emergency Management Workers" of the State of Alabama for the purposes of title 31 of the Code of Alabama.


4. The State Health Officer shall inform members of the public on how to protect themselves and of actions being taken in response to this disaster and shall seek such federal assistance as may be available.

FURTHER, I proclaim that it is fair, reasonable, and appropriate that those State of Alabama employees who are required to perform disaster recovery and response services away from their home base of operation be reimbursed for the actual expenses they incur while performing these services on behalf of the State of Alabama. Therefore, I authorize and direct the reimbursement of actual and necessary expenses, as prescribed by the FPPM, for state employees who have been, are being, or may be called to service away from their home base during this State of Emergency. All such claims for expense reimbursement must be reasonable and must be certified as such by the claiming employee, according to applicable law, and must be approved by the employee's department head or appointing authority. To the extent that this order conflicts with any provision of state law, such law is hereby suspended for the duration of this State of Emergency, and this order shall control.

FURTHER, I declare that this Proclamation is supplemental to my proclamation of October 8, 2018, and the State of Emergency I declared thereby shall remain in full force and effect for 60 days from the date thereof, unless otherwise terminated or extended by proclamation of the Governor.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 11th day of October, 2018.





Kay Ivey
Governor

ATTEST:



John H. Merrill
Secretary of State