

State of Iowa COVID-19 Response

Below is a summary of Governor Reynolds' twelfth Emergency Disaster Proclamation compiled by attorneys Tim Coonan and Sydney Gangestad.

Her actions are authorized by Iowa Code Chapter 29C, Emergency Management and Security.

	Admin/Code Sections Impacted	Summary
Protection of Vulnerable Iowans		
Section 1		The Governor encourages all vulnerable Iowans, including those with preexisting medical conditions and those older than 65, in all counties to continue to limit their activities outside of the home, including visits to businesses and other establishments and participation in gatherings of any size/purpose
Reopening of Businesses and Establishments Statewide		
Section 2	<p>IA Code Sections 157.1, 158.1, 136D.2(5), 152C.1(3), 135.37</p> <p>653 IA. Admin § 13.8(1)</p>	<p>Reopening of certain businesses in certain counties, effective at 5:00 a.m. on May 8 and until 11:59 p.m. May 27:</p> <p>A. Restaurants A restaurant may open/remain open to serve food and beverages if it complies with:</p> <ol style="list-style-type: none"> 1. Limited capacity: Limit number of customers indoor/outdoor to 50% of normal operating capacity 2. Groups limited: Limit the party size seated together to no more than six people. 3. Social distancing: Ensure six feet of physical distance between each group or individuals 4. Self-service prohibited: No self-service food or beverages (e.g. buffets/salad bars) 5. Social distancing, hygiene, and public health measures: Restaurant should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DIA and DPH <p>**Bars must remain closed to the public, except as provided in section 2(A)</p>

B. Fitness centers

A fitness center, health club, health spa, or gym may reopen/remain open if it complies with the following:

1. Capacity limited: Limit number of customers present to 50% of max legal occupancy
2. Social distancing: All equipment must be spaced at least six feet apart or other appropriate measures taken to ensure that closely spaced equipment is not used
3. Group activities: Must be limited to ten or fewer people, all participating must maintain a distance of six feet apart
4. Social distancing, hygiene, and public health measures: Fitness centers should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

C. Malls

Enclosed malls may reopen if:

1. Capacity limited: Limit number of customers present to 50% of max legal occupancy
2. Common seating areas: All common seating areas (e.g. food courts) must remain closed
3. Play areas: Play areas/playgrounds must remain closed
4. Social distancing, hygiene, and public health measures: Malls should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

D. Other retail establishments

Retail establishments that were previously ordered to be closed statewide may reopen if they limit the number of customers present to 50% of

max legal occupancy and implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

E. Salons

Salons (cosmetology, electrology, esthetics, nail technology, manicuring/pedicuring) may reopen, if they comply with:

1. Capacity limited: Limit number of customers present to 50% of max legal occupancy
2. Appointment only: Operate on an appointment basis to ensure the public is not gathered in the waiting area
3. Social distancing: Must ensure that all customers are at least six feet apart
4. Other social distancing, hygiene, and public health measures: Salons should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

F. Barbershops

Barbershops may reopen, if they comply with:

1. Capacity limited: Limit number of customers present to 50% of max legal occupancy
2. Appointment only: Operate on an appointment basis to ensure the public is not gathered in the waiting area
3. Social distancing: Must ensure that all customers are at least six feet apart
4. Other social distancing, hygiene, and public health measures: Barbershops should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

G. Medical spas

Medical spas may reopen to provide medical aesthetic services, only if the spa complies with the requirements for performing outpatient procedures that utilize PPE in section 8, paragraph A of this proclamation

H. Tanning facilities

Tanning facilities may reopen if the facility ensures reasonable measures to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

I. Massage therapy establishments

Massage therapy establishments may reopen, only if they take reasonable measures to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

J. Tattoo establishments

Tattoo establishments may reopen, only if they take reasonable measures to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

K. Campgrounds

Any public or private campground may reopen, if there are reasonable measures to ensure social distancing, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

L. Racetracks

A speedway or track, other than horse/dog races, may reopen operations provided it does not permit spectators to attend events

M. Libraries

Libraries may reopen if they limit the number of patrons present to 50% of max legal occupancy and implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public

health measures to reduce transmission; guidance to be provided by DPH

N. Drive-in movie theaters

Drive-in movie theaters may reopen, if the theater ensures all cars are parked at least six feet apart and take reasonable measures to ensure social distancing of employees and patrons, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH

O. Social and fraternal clubs

Social and fraternal clubs, including, but not limited to, American Legion/VFW posts, Elks Clubs, country clubs, and golf course clubhouses, may be open to the minimal extent necessary to conduct a regular business meeting of no more than ten people; to facilitate the use of the golf course; and to serve food and beverages on premises, if:

1. Protection of vulnerable lowans: The club must make reasonable efforts to encourage vulnerable lowans, including those with preexisting conditions and those older than 65, to limit their attendance and in-person interactions at the club
2. Capacity limited: Limit number of customers present to 50% of max legal occupancy
3. Groups limited: Limit the party size seated together to no more than six people
4. Social distancing: Ensure six feet of physical distance between each group or individuals
5. Self-service prohibited: No self-service food or beverages (e.g. buffets/salad bars)
6. Social distancing, hygiene, and public health measures: Club should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DIA and DPH
7. Food service required: If the club serves alcoholic beverages and the service of food is incidental to the consumption of beverages, the club shall continue to be closed to the public, except, food and beverages may be

		sold if taken promptly from the premises (e.g. carry out or drive-through)
Extension of Closure and Orders Statewide		
Section 3		<p>Extends the following orders until 11:59 p.m. on 5/27:</p> <ul style="list-style-type: none"> A. Bars Bars must remain closed to the general public except, food and beverages may be sold if taken promptly from the premises (e.g. carry out or drive-through); a bar is an establishment where a customer may purchase alcohol and where serving of food is incidental to the consumption of beverages. B. Theaters C. Casinos and gaming facilities D. Senior citizen centers/adult daycare facilities E. Amusements F. Museums, aquariums, and zoos G. Skating rinks/skate parks H. Playgrounds I. Swimming pools J. Door-to-door sales
Section 4		All state agencies must coordinate to develop and implement plans to mitigate economic effects of closings necessitated by disaster, including financial support and regulatory relief
Mass Gatherings		
Section 5		<p>Continues to suspend mass gatherings; social, community, recreational, leisure, and sporting gatherings and events of more than 10 people; effective until 11:59 p.m. May 27:</p> <ul style="list-style-type: none"> A. Spiritual and religious gatherings are NOT prohibited by this section—church, synagogue, or other spiritual or religious gathering host must implement reasonable measures to ensure social distancing of employees, volunteers, and other participants, increased hygiene practices, and other measures to reduce risk of transmission; wedding and funerals ceremonies are NOT covered by this section-wedding receptions of more than 10 people are social gatherings that are prohibited B. Gatherings of people inside a group of parked cars vehicles are excluded, if people remain in vehicles and windows/doors remain closed and there are no more than 10 in each vehicle

		C. Planned gatherings and events must be canceled or postponed
Farmers Markets		
Section 6	Section 137F	<p>Farmers markets are not prohibited as a mass gathering if the market complies with the following:</p> <ul style="list-style-type: none"> A. Farm products and food ONLY—no other goods or services are permitted B. Entertainment and activities (e.g. music, activities, contests, etc.) are prohibited C. Common seating (e.g. picnic tables) is prohibited D. Vendors must be spaced so there is six feet or more from the edge of one vendor to a neighboring vendor E. Social distancing, hygiene, and public health measures: Farmers markets should implement reasonable measures to ensure social distancing of employees and customers, increased hygiene practices, and other public health measures to reduce transmission; guidance to be provided by DPH, IDALS, DIA, and ISU Extension and Outreach <p>**Any farmers market, festival, or community gathering of ten or more people that does not comply is prohibited; customers of farmers markers are encouraged to engage in social distancing, wear masks or other protective face-covering, practice good hygiene, and attend the market alone without other family members</p>
Auctions		
Section 7		All auctions with more than 10 people present are prohibited at all venues, except: livestock auctions that only include food animals may continue so long as there are no more than 25 people present in person (people in parked vehicles are not considered in the count of people present in person, see section 6); effective until 11:59 p.m. May 27

Nonessential or Elective Surgeries and Procedures		
Section 8		<p>Continues to order that until 11:59 p.m. on 5/27:</p> <ul style="list-style-type: none"> A. Hospitals, outpatient surgery providers, and outpatient procedure providers may conduct in-patient surgeries and procedures that, if delayed, will pose a significant risk to quality of life if the hospital or provider complies with the following: <ul style="list-style-type: none"> 1. Hospital/provider must have: <ul style="list-style-type: none"> a. Adequate inventories of PPE and access to a reliable supply chain outside of state/local govt PPE stockpiles b. Plan to conserve PPE consistent with guidance from the CDC and DPH 2. Hospital/provider must plan for COVID-19 testing of symptomatic patients and staff; must comply with guidance for testing patients and staff issued by DPH; for scheduled surgeries, patient must have a negative test performed within 48-hours of surgery; if patient has symptoms of fever, cough, or low oxygen, postponing surgery is recommended 3. Hospital MUST continue to accept and treat COVID-19 patients and MUST NOT transfer COVID-19 patient to create capacity for elective procedures 4. Hospitals must reserve 30% of ICU beds and 30% of medical/surgery beds for COVID-19 5. IF a hospital begins conducting surgeries/procedures as authorized, but is unable to satisfy all the requirements, it must cease conducting surgeries/procedures except as authorized in paragraph B; hospitals/providers should have a plan in place to monitor compliance 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 (public, private, or nonprofit) C. Nonessential surgery/procedure is one that can be delayed without undue risk to the current/future health of the patient (considering threat to patient,

		<p>threat of permanent dysfunction of extremity or organ, metastasis/progression of staging, risk of rapidly worsening of severe symptoms)</p> <p>D. Must limit nonessential individuals in areas where PPE is required</p> <p>E. Each hospital, outpatient surgery provider, or outpatient procedure provider is required to implement an internal governance structure to ensure these requirements are followed</p>
Implementation and Interpretation		
Section 9		DPS, DPH, DOE, Iowa Homeland Security, and DOT are directed to monitor operation and implementation of the proclamation
Section 10		All peace officers of the state are called upon to assist in the enforcement of the proclamation
Section 11		Nothing shall be construed as an exemption from any other provision of the Iowa Code or Admin Code unless specifically identified
Section 12		Effective immediately and expires 5/27 at 11:59 p.m., unless sooner terminated or extended