

State of Iowa COVID-19 Response

Below is a summary of Governor Reynolds' Eleventh 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
Dental Services		
Section 1		<p>Effective at 5:00 a.m. on May 8 and until 11:59 p.m. May 15:</p> <p>A. Dentists may resume dental services if:</p> <ol style="list-style-type: none"> 1) All services are provided in compliance with the Guidelines for Safe Transition Back to Practice, adopted by the IA Dental Board on 5/5 2) The dentist has adequate inventories of PPE and access to a reliable supply chain outside of state/local govt PPE stockpiles 3) The dentist plans to conserve PPE consistent with guidance from the CDC and DPH <p>B. Performance of any dental procedures not in compliance with paragraph A is prohibited.</p> <p>C. Order should be enforced by the Iowa Dental Board, who has powers and status of peace officers when enforcing orders</p>
Reopening of Businesses and Establishments		
Statewide		
Section 2	Section 136D.2(5) and 653 IA. Admin § 13.8(1)	<p>Reopening of certain businesses in certain counties, effective at 5:00 a.m. on May 8 and until 11:59 p.m. May 15:</p> <p>A. 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</p>

		<p>to reduce transmission; guidance to be provided by DPH</p> <p>B. 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</p> <p>C. 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</p> <p>D. Medical spas Medical spas may reopen to provide medical aesthetic services if the spa complies with the requirements for performing outpatient procedures that utilize PPE in section 10 of the 4/27 proclamation</p>
<p>Social and Fraternal Clubs (Clarification)</p> <p>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</p>		
<p>Section 3</p>		<p>Effective at 5:00 a.m. n May 8 and until 11:59 p.m. May 15:</p> <p>A. 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 facilitate use of the golf course and may reopen to serve food and beverages on premises, if:</p>

		<ol style="list-style-type: none"> 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 take other appropriate measures 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: Clubs 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 5) 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) <p><i>Section shall apply ONLY to businesses and establishments located in any 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</i></p>
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Reopening Additional Businesses 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		
<p>Section 4</p>		<p>Effective at 5:00 a.m. on May 8 and until 11:59 p.m. May 15:</p> <p>A. Fitness Centers All fitness centers, health clubs, health spas, gyms, aquatic centers, must remain closed, except that a facility may open on an appointment basis, provided the facility permits only a single patron at one time and takes 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</p> <p>B. Malls Enclosed malls may reopen if:</p> <ul style="list-style-type: none"> a. Capacity limited: Limit number of customers present to 50% of max legal occupancy b. Common seating areas: All common seating areas (e.g. food courts) must remain closed c. Play areas: Play areas/playgrounds must remain closed d. Social distancing, hygiene, and public health measures: 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 <p>C. Other retail establishments Other nonessential retail establishments (listed in section 5, paragraph I of the 4/27 proclamation)—including: bookstores; clothing stores; shoe stores; jewelry stores; luggage stores; cosmetic, beauty, or perfume stores;</p>

		<p>florists; furniture and home furnishing; tobacco stores; toy, gaming, instrument, movie, or adult entertainment stores—may reopen if it limits the number of customers present to 50% of max legal occupancy and implements 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</p> <p>**Does not affect discount stores, grocery stores, or pharmacies that sell these goods in addition to essential food, medical supplies, and household goods</p> <p><i>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, or Woodbury</i></p>
Suspension of Alcohol License Expiration		
Section 5	Section 123.34(1) 185 IA Admin § 4.26	Suspends provisions that require class “A,” “B,” “C,” and special class “C” liquor licenses, class “B” beer permits, and class “C” wine permits to expire one year from the date of issuance; suspension will continue through duration of the proclamation, ABD is to provide guidance to licensees and permittees
School State Date for 2020-2021 School Calendar		
Section 6	Section 279.10(1)	Suspends provision that prohibits a school district or accredited nonpublic school from beginning its calendar before August 23, 2020, if a school adopts a calendar as a part of its Return to Learn Plan submitted to the Dept. of Ed. that ensures that any instructional time scheduled before August 23 is in excess of minimum instructional time of 180 (1,080 hours); suspension applies to

		the 2020-2021 calendar as a result of school closures ordered during public health disaster
Private Instruction Requirements		
Section 7	281 IA Admin. § 31.3(3)(a)	Suspends provisions requiring face-to-face contact between children receiving competent private instruction from privately retained licensed practitioners and those practitioners (persons who are directly retained by the parent, guardian, or custodian of a child to provide instruction instructional supervision on behalf of a public school in for the form of a home school assistance program)
Section 8	Sections 299A.3 and .4 281 IA Admin. § 31.8 and 31.9	Suspends provisions which require an annual assessment of children receiving competent private instruction and setting deadlines for reporting assessment results
Section 9	281 IA Admin. § 31.4(3)(a)	Suspends provisions requiring face-to-face contact between children receiving competent private instruction from home school assistance program teachers and those teachers (person who provides competent private instruction or instructional supervision for one or more children who receive competent private instruction on behalf of a school district in the form of a home school assistance program)
Section 10	Sections 299A.1(2)(b) 281 IA Admin. § 31.1(2)(b) and 31.11	Suspends provisions governing the provision of independent private instruction
Interscholastic Athletics Requirements		
Section 11	281 IA Admin. § 36.15(2)	Suspends the scholarship rule for interscholastic athletics; when school and athletic competition resumes, all student athletes will be deemed academically eligible
Section 12	281 IA Admin. § 36.15(3) and (4)	Suspends the transfer rule for interscholastic athletics (requirement of number of school days of ineligibility); any day that a school is closed pursuant to a proclamation of the Governor shall be counted towards the days required

Extension of Tax Levy Resolution Filing Deadline		
Section 13	Section 76.2(1)(b)	Suspends provisions that would have required a county or a city to file with its county or city auditor a resolution prior to 4/15 in order to assess and collect on an annual tax levy for collection commencing 7/1 of that fiscal year; only if a resolution is filed with the auditor prior to May 27
Veterans Staff Certification Training		
Section 14	Section 35.B6(1)(c) 801 IA Admin. § 7.2(2) and (3)(c)	Suspends provisions that require an executive director or administrator to complete a course of certification training within one year of employment
Additional Professional Licensure Relief		
Section 15	Section 544A.8 193B IA Admin. Code 2.3	Suspend examination deadlines as a condition for initial licensure for architects; Architectural Exam Board to provide additional guidance
Section 16	Section 543.15(7) and (8)	Suspends education requirements prior to examination for initial license for real estate salesperson and brokers; Real Estate Commission to provide additional guidance
Section 17	Sections 536.11(2), 536A.14(1) and 537.2304(2) 187 IA Admin. Code § 15.12, 16.2(1), 17.12, 19.7	Suspends provisions requiring the licensee of a regulated loan to file an annual report
Section 18	Sections 533A.2(7), 533D.3(7), 535B.4(2)(b), 535D.4, 536.30, 536A.32, and 543E.20(5) 187 IA Admin. Code § 15.3(2), 16.3(2), 17.3(2), 18.2(2), 19.2(5), 20.3(2), and 25.2(3)	Suspends provisions that require the completion of background checks for initial applicants as a condition of obtaining professional licensure; extends through the duration of proclamation, upon expiration all regulatory agencies must conduct background checks
Implementation and Interpretation		
Section 19		DPS, DPH, DOE, Iowa Homeland Security, and DOT are directed to monitor operation and implementation of the proclamation

Section 20		All peace officers of the state are called upon to assist in the enforcement of the proclamation
Section 21		Nothing shall be construed as an exemption from any other provision of the Iowa Code or Admin Code unless specifically identified
Section 22		Effective immediately and expires 5/27 at 11:59 p.m., unless sooner terminated or extended