

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Ron DeSantis
Governor

Joseph A. Ladapo, MD, PhD
State Surgeon General

Vision: To be the Healthiest State in the Nation

**STATE OF FLORIDA
DEPARTMENT OF HEALTH**

In Re:

SUSPENSION OF STATUTES, RULES,
AND ORDERS PURSUANT TO
EXECUTIVE ORDER NUMBER
24-214 MADE NECESSARY BY
HURRICANE MILTON

DOH No. 24-003

RECEIVED
DEPARTMENT OF HEALTH
2024 OCT -8 AM 9:59
OFFICE OF THE CLERK

EMERGENCY ORDER

WHEREAS, on October 5, 2024, Governor Ron DeSantis issued Executive Order 24-214 regarding Tropical Storm Milton and declared a state of emergency in 35 counties; and

WHEREAS, on October 5, 2024, Governor Ron DeSantis issued Executive Order 24-215 declaring a state of emergency in 16 additional counties; and

WHEREAS, Tropical Storm Milton has strengthened into a hurricane and is expected to make landfall as a major hurricane; and

WHEREAS, Section 4 of Executive Order 24-214 authorizes each state agency to suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency, and

WHEREAS, it is necessary for the Department of Health to expeditiously procure commodities, goods, and services to effectively respond to the threat posed by Hurricane Milton; and





WHEREAS, the threat posed by Hurricane Milton requires supplemental deployment of licensed health care professionals from neighboring jurisdictions to prevent interruption in the delivery of critical health care services; and

WHEREAS, the threat posed by Hurricane Milton requires precautions to minimize disruptions in the delivery of health care services in impacted areas; and

WHEREAS, it is necessary to waive certain statutes and rules administered and enforced by the Department of Health, with which strict compliance would prevent, hinder, or delay necessary action in coping with the emergency, including the provision of medical transport, treatment, and care for patients in Florida,

NOW THEREFORE I, JOSEPH A. LADAPO, MD, PhD, pursuant to Section 4.B. of Executive Order 24-214, find that strict compliance with the provisions of certain regulatory statutes and rules prescribing the procedures for the conduct of state business by the Department of Health will prevent, hinder, or delay necessary action in coping with the emergency caused by Hurricane Milton. In order to effectively respond to the threat posed by Hurricane Milton, it is necessary to promulgate the following:

Section 1: Procurement

Sections 287.055(3)(a)-(d), (4)(a)-(d), (5)(a)-(c), and 287.057(3), Florida Statutes, and Florida Administrative Code Rules 60A-1.002(4), 60A-1.021(2), and 60A-1.043(1)-(3), are likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency and are hereby suspended.

Section 2: Waiver of Emergency Medical Licensure Requirements

Sections 401.25(1), 2(d), 401.251(1), (4)(b), Florida Statutes, which require basic life support service providers, advanced life support service providers, and air ambulance services



to obtain Florida licenses and certificates of public convenience from each county in which they operate, are likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. The provisions of sections 401.25(1), 2(d), 401.251(1), (4)(b), Florida Statutes, are hereby suspended for any basic life support service provider, advanced life support service provider, and air ambulance service provider that holds a valid, unrestricted, and unencumbered license in any state, territory, and/or district while providing services necessary to prepare for, respond to, or mitigate the effects of Hurricane Milton.

Section 3: Waiver of Practitioner Licensure Requirements

Sections 456.065(2) and 401.41(1)(b), Florida Statutes, which establish penalties for the unlicensed practice of health care professions in Florida, are likely to impede the Department of Health's ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency. The provisions of sections 456.065(2) and 401.41(1)(b), Florida Statutes, are hereby suspended for any health care professional listed below that holds a valid, unrestricted, and unencumbered license in any state, territory, and/or district while providing services necessary to prepare for, respond to, or mitigate the effects of Hurricane Milton. The permitted provision of health care services under this section is limited to the following licensees:

- a. Paramedics, Emergency Medical Technicians and their Medical Directors as defined by Chapter 401, Florida Statutes.

Section 4: Prescription Drug Monitoring Reporting

Section 893.055(3)(a), Florida Statutes, which requires dispensers to report controlled substance prescription data to the Prescription Drug Monitoring Program within one business day, is likely to impede the Department of Health's ability to take actions needed to effectively



facilitate the mitigation, response, and recovery necessary to respond to this emergency. The Department of Health authorizes a reporting extension in accordance with Section 893.055(3)(a), Florida Statutes, for up to 30 days.

Section 5: Mobile Pharmacies

Section 465.022(11)(c), Florida Statutes, and Florida Administrative Code Rule 64B16-28.113, which limit pharmacies and prescription department managers from operating in multiple or mobile locations, are likely to impede the Department of Health’s ability to take actions needed to effectively facilitate the mitigation, response, and recovery necessary to respond to this emergency and are hereby suspended.

The effective dates of this Emergency Order correspond with the effective dates of Executive Order 24-214, and any extension thereof.

Executed this 8th day of October 2024, in Department of Health Offices, Tallahassee, Leon County, Florida.

A handwritten signature in black ink, appearing to read "Ladapo".

**JOSEPH A. LADAPO, MD, PhD
STATE SURGEON GENERAL**