



March 23, 2020

RE: Governor Whitmer Executive Order 2020-21

CMHPSM Network Providers,

The Community Mental Health Partnership of Southeast Michigan has reviewed Governor Whitmer's Executive Order 2020-21 after it was released this morning.

The Executive Order by the Governor enacts broad temporary restrictions on the activities of the general public related to the public health risks identified with coronavirus (COVID-19) which take effect at March 24, 2020 at 12:01 AM and continues through April 13, 2020 at 11:59 PM.

Our summary of the executive order is as follows (please contact your legal representative for advice specific to your own organization.)

1. Most employees of our behavioral health provider network meet the definition of critical infrastructure workers and are exempt from the travel and activity restrictions, as they are identified as health care workers, meet exceptions provided in the executive order or are explicitly identified in the [Director of the U.S. Cybersecurity and Infrastructure Security Agency in his guidance of March 19, 2020 on the COVID-19 response.](#)

Workers identified in March 19, 2020 U.S. CISA Guidance:

- *Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)*
- *Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)*
- *Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)*

2. Most behavioral health providers are not required to implement the designation and oral notification of critical infrastructure workers by March 31, 2020 and subsequently in writing, as these organizations have been exempted from these requirements per Section 5 (a) 1 and Section 5 (a) 3 of Executive Order 2020-21.

[Section 5\(a\)1 and 5\(a\)3](#)

5. *Businesses and operations that employ critical infrastructure workers may continue in-person operations, subject to the following conditions:*

- a. *Businesses and operations need not designate:*
 1. *Workers in health care and public health.*
 3. *Workers and volunteers described in section 9(d)*

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Section 9 (d)

9. For purposes of this order, critical infrastructure workers also include:

d. Workers and volunteers for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

Additional exceptions identified in Sections 7 (a) 2, 8 & 11 of Executive Order 2020-21 allow individuals to leave their home or place of residence and travel as necessary for the prescribed activities.

Section 7. Exceptions

a. *Individuals may leave their home or place of residence, and travel as necessary:*

2. To perform their jobs as critical infrastructure workers after being so designated by their employers. (Critical infrastructure workers who need not be designated under section 5(a) may leave their home for work without a designation.)

8. To care for minors, dependents, the elderly, persons with disabilities, or other vulnerable persons.

11. To work or volunteer for businesses or operations (including both and religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.

A copy of the executive order and the U.S. Cybersecurity and Infrastructure Security Agency guidance have been attached to this mailing.

The CMHPSM has compiled this summary and interpretation of this morning's Executive Order to assist our regional provider network in understanding Executive Order 2020-21, however the CMHPSM is not providing legal advice. Questions and concerns related to the impact of this Executive Order on your individual organization should be directed to your organization's legal representatives.

We again thank all of the providers for your tireless service to those that you serve.

Sincerely,



James Colaianne
CMHPSM CEO