



Terry

Mathews:

## *Governmental Affairs*

404-310-4173  
terry.mathews@comcast.net  
Scott Maxwell: 404-216-8075  
maxwell.lobbyist@gmail.com

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## **Weekly Legislative Report # 12**

### **Week Ending April 3, 2020**

#### **Executive Orders Rule the Week**

Battling the Coronavirus continues to be virtually the only story in town. Gov. Brian Kemp released an unprecedented series of [Executive Orders](#) last week, including directives to:

- Close elementary and secondary schools for the remainder of the academic year.
- Impose shelter in place restrictions statewide (accompanied by a list of answers to anticipated frequently asked questions).
- Deputize local sheriffs to enforce the statewide shelter-in-place order.
- Make a delineation between his Executive Orders and the statewide Judicial Emergency Order issued by Chief Judge Harold Melton on March 14th.
- Transferred \$35 million from emergency funds into the battle against COVID-19.

He issued five additional Executive Orders that were either very technical in nature or dealt with very specific situations not impacting most of the general public.

The main event last week was a long press conference live-streamed from Liberty Park across Capitol Avenue from the Gold Dome – the better to allow six feet of space between participants. Gov. Kemp gave a lengthy recap of what his administration had been doing to battle the Coronavirus pandemic. He concluded, however, by announcing he would take the next step and issue a statewide [Executive Order](#) (EO) for Georgians to shelter in place. The EO itself was nine pages of “Whereas” set-ups and “It is Further Ordered” directives. It was accompanied by a list of frequently asked [questions/answers](#) which stretched to 21 pages with the inclusion of referenced “guidance” documents from the U.S. Department of Homeland Security. The EO took effect on Friday at 6:00 p.m. and stretches until 11:59 p.m. on April 13, unless extended.

In short, the EO directs residents to stay at home except for seeking “essential services” such as procuring groceries, medicines or medical care. Of course, people who work at jobs needing “minimum basic operations” or are considered part of the “critical infrastructure” are also excepted.

The most controversial part of this EO is that it supersedes all local orders and regulations dealing with the Coronavirus, some of which were more strict. Among these, the most controversial was that it reopened beaches that had been closed by local authorities on Tybee, Jekyll and St. Simons Islands. Those beaches are now open, but visitors must maintain the six-foot distance required of gatherings everywhere else. A subsequent Georgia Department of [Natural Resources Administrative Order](#), further restricts the use of chairs, tents and/or umbrellas between the highwater mark and the sea. In essence, the beach is for exercise and fresh air only. Local authorities complain that the order will bring people to their towns where COVID-19 will be spread locally by those who buy groceries and other supplies.

### **May 19 Election Remains Controversial**

All registered voters have begun receiving applications for absentee ballots for the upcoming election scheduled for May 19, but many Republican leaders, including House Speaker David Ralston, have called on Republican Secretary of State Brad Raffensperger to postpone that vote. Raffensperger wants to reduce the danger of spreading COVID-19 by increasing the number of absentee ballots, thereby reducing in-person engagement at the polls. He says law prohibits him from extending the scheduled presidential primary beyond the 45 days it has already been delayed without General Assembly action. Ralston has stated that he has concerns about the integrity of a vote that depends on widespread absentee ballots.

### **Unemployment Claims Have Meteoric Rise**

When you thought you saw a meteor last week it actually may have been the state’s unemployment rate rocketing skyward. Department of Labor (DOL) Commissioner Mark Butler participated in a conference call with members of the Georgia Chamber of Commerce and wowed the participants with recent statistics from his office. As of Thursday, the day of the call, Butler said:

- We processed 100,000 claims just last night
- We received 80,000 calls in a single day this week
- We received 25,000 emails in a single day this week

Butler discussed with the business group some of the technical aspects of how Georgia DOL will be responding to the increased demand and that they are waiting for instructions on how to administer some of the federal contributions to unemployment relief. Of interest, workers can still earn as much as \$300 per week without jeopardizing the maximum unemployment check or the \$600 add-on amount to be forthcoming from the feds.

### **Emergency Waivers Approved by CMS**

The Centers for Medicare and Medicaid Services granted Georgia an [1135 waiver](#) request last week allowing the state greater flexibility in administration of federal programs serving the Medicare, Medicaid and PeachCare for Kids population. The state will be allowed to waive some fee-for-service prior authorization requirements and will temporarily have less-strict enrollment procedures among other less strict regulations.

### **Nursing Home Outbreaks**

The Public Health Department announced that COVID-19 has been found in 58 Georgia nursing homes with multi-patient “outbreaks” in 47 such facilities across the state. More than 100 National Guardsmen and women have been deployed in infection-control teams to assist these facilities.

### **Mobile Units and Hospital Expansions**

Different models predict the surge in COVID-19 cases will peak on April 23rd or 24<sup>th</sup> by which time current hospital capacity will be overwhelmed. In a Saturday press release, Kemp said the state will address the need for additional beds by adding four new mobile medical units. Twenty-bed units will be deployed to Albany and Rome and a 24-bed unit will be stationed in Atlanta. The fourth unit will be held in reserve to be deployed where most needed. In addition, Phoebe North Hospital Campus in Albany will open 12 new intensive care beds within a week and 15 general beds by mid-April. They are scheduled to add 15 more ICU beds soon thereafter and another 59 general beds in May. The reopened HCA Eastside Medical Center in Snellville will have 24 ICU beds and 36 general beds within a week and by late April another 30 ICU beds and 17 general beds, bringing the statewide total up by nearly 300. The Governor has committed \$72 million for these expansions including \$12 for staff at Phoebe Putney. State officials and hospital administrators are still searching for ways to increase overall bed availability.

### **Sunday’s Count**

The Department of Public Health’s [Daily Status Report](#) as of Sunday at noon is 6,647 cases in Georgia, with 211 deaths. There are 1,283 COVID-19 positive patients hospitalized.

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