FLORIDA COVID-19 UPDATE

CONFIRMED CASES / TESTING

Confirmed Case Status for COVID-19:
As of Tuesday, March 31st at 11:00am there were 6,338 cases, 772 hospitalized and 77 deaths in Florida.

Testing Status for COVID-19:
As of Tuesday, March 31st at 11:00am there were 61,802 tests completed in Florida.
The confirmed cases and testing numbers are updated at 11am and 6pm daily. More information can be found on the Florida Department of Health’s COVID-19 dashboard.
The Florida Department of Health (DOH) and the Agency for Health Care Administration (AHCA) are highlighting current guidance related COVID-19 testing for the elderly or individuals with a serious underlying medical condition. Information can be found here.

FLORIDA LEGISLATIVE ACTIONS

March 25, 2020: The Office of Economic and Demographic Research released the General Revenue Collection Report for February 2020. Sales tax collections came in $48.6 million over the monthly estimate. The Legislature will receive the March collection report at the end of April. The General Revenue Collection Reports for March and April will provide consensus estimators with data they will need to formally adjust the state’s revenue estimates. Following release of the February report, Florida Senate President Galvano sent a memorandum to all Senators emphasizing that the GR reports for March and April would provide the state economists with the crucial data needed, but he also stressed that he believes that Florida is well-served by the $4 billion reserve fund set aside during the 2020 Legislative Session.

DEPARTMENT OF HEALTH

March 25, 2020: Florida’s Surgeon General issued a public health advisory urging the following:
- Persons 65 years or older are encouraged to stay home for 14 days;
- Persons with certain underlying medical conditions are encouraged to stay home for 14 days;
- All employers are encouraged to utilize telework; and
- Consistent with CDC guidance, all individuals should avoid social gatherings of 10 or more.

DIVISION OF EMERGENCY MANAGEMENT

The Florida Division of Emergency Management releases a COVID-19 daily report containing information about:
- Persons being monitored, persons under investigation, and COVID-19 cases.
- Cases and laboratory testing over time.
- Characteristics of Florida resident cases including age, hospitalizations and death.
- Characteristics of Florida cases.
- Surveillance information.
- Testing reports by county.
- Testing reports by laboratory.

As of March 31, 2020
The Report for Tuesday, March 31, 2020 can be found here.

**MEDICAID**

AHCA has set up a link to all Medicaid Provider and managed care organization guidance letters. This site is updated as new alerts are posted here.

Prior authorizations and maintenance prescriptions: In order to reduce administrative burdens on key providers, Florida Medicaid is waiving prior authorization requirements for medically necessary hospital services, physician services, advanced practice registered nursing services, physician assistant services, home health services, and durable medical equipment and supplies. In addition to the services listed above, Florida Medicaid is waiving prior authorization requirements for all services (except pharmacy services) necessary to appropriately evaluate and treat Medicaid recipients diagnosed with COVID-19. Florida Medicaid will reimburse for a 90-day supply of maintenance prescriptions when available at the pharmacy. The recipient must request that the pharmacy dispense a 90-day supply. In addition, Florida Medicaid is waiving any limits on mail order delivery of maintenance prescriptions. Florida Medicaid and managed care plans will pay for a 90-day supply of maintenance prescriptions through mail order delivery. To view the Florida Medicaid Health Care Alert click here. To view the Statewide Medicaid Managed Care (SMMC) Policy Transmittal: 2020-15 click here.

**Telemedicine Guidance**: Florida Medicaid has expanded telemedicine/telehealth services in the fee-for-service delivery system for physicians, APRNs, physician assistants, as well as for physical therapy, occupational therapy and speech therapy. This includes evaluation, diagnostic, and treatment services as long as the services can be delivered in a manner that is consistent with the standard of care. In addition, Florida Medicaid has expanded telemedicine coverage to:

- Behavior analysis services
- Specified behavioral health services
- Early intervention services

On March 16, 2020, Florida was the first state to be granted a waiver under Section 1135. We expect that Florida Medicaid will provide further guidance on implementation of the waivers in the next few days. The waivers and modifications take effect on March 15, with a retroactive effective date of March 1, 2020. The waiver deals with certain key areas:

- Provider participation
- Waiver of Service Prior Authorization (PA) Requirements.
- Waiver for Pre-Admission Screening and Annual Resident Review (PASRR) Level I Level II Assessments for 30 Days.
- Waiver to allow evacuating facilities to provide services in alternative settings, such as a temporary shelter when a provider’s facility is inaccessible.
- State fair hearing requests and appeal deadlines.

For more information on the waiver click here.

On March 30, 2020, AHCA and the Florida Department of Children and Families announced that they will maintain Medicaid eligibility for current recipients through the last day of the month of the state of emergency. The intent is that no Medicaid recipient will lose Medicaid eligibility during the state of emergency.

As of March 31, 2020
emergency. AHCA is working on notifying recipients who may have received a termination notice in the month of March that their benefits will continue. For more information click here.

AHCA is providing a daily report on statewide hospital bed capacity. The report provides a breakdown on beds by county as well as ICU bed capacity. Please visit the Agency’s Hospital Bed Capacity Dashboard for more information.

**PHARMACY**

Emergency Refills: The Governor signed Executive Order 20-52 that allows pharmacists/pharmacies to refill prescriptions early.

**FLORIDA DEPARTMENT OF CORRECTIONS**

The Florida Department of Corrections (FDC) has put precautions in place at facilities to protect inmates and staff from COVID-19 based on CDC recommendations. For example, new inmate commitments from county jails have been temporarily restricted. Anyone entering a correctional institution will be screened in accordance with CDC and Department guidelines. FDC has suspended visitation and volunteer programs at all correctional institutions statewide through April 5, 2020. For more information on FDC’s COVID-19 response click here.

As of 3:00pm on March 30th, the FDC reports 11 confirmed cases of COVID-19 in employees/contractors and 0 inmates. Current FDC policy is that if an inmate begins experiencing symptoms indicative of COVID-19, FDC will immediately engage with the county health department and the inmate will be placed in medical isolation, pending DOH testing. Staff members who test positive for COVID-19 will not be able to return to work until a full recovery is documented by a medical professional.

On March 28th Secretary Inch released this message to families.

**FLORIDA OFFICE OF INSURANCE REGULATION**

Florida’s Office of Insurance Regulation has issued four information memoranda. Informational Memorandum OIR-20-03M directs all insurers and other entities regulated by OIR to review and update their business continuity and/or continuity of operations plans. Informational Memorandum OIR-20-01M directs health insurers to: use every channel available to communicate with their policyholders and share official CDC and DOH information; devote resources to inform consumers of available benefits, quickly respond to inquiries, and avoid and dispel misinformation; work with public health officials to do everything possible to prepare and respond; and consider all practicable options to reduce the barriers of cost-sharing for testing and treatment of COVID-19. Informational Memorandum OIR-20-02M reminds all health insurers to allow for early prescription refills following the Governor’s Executive Order 20-52 declaring a state of emergency in Florida.

On March 25, 2020, OIR issued continued guidance in Informational Memorandum OIR-20-04M on the treatment of policyholders relating to response to COVID-19. Guidance within the memorandum includes:
- Encouraging regulated entities to be flexible with premium payments in order to avoid a lapse in coverage and only consider cancellation of policies if all possible efforts to work with consumers to continue coverage have been exhausted;
- Removing exclusions on certain personal auto exclusions;
- Exploring virtual options for underwriting and adjusting claims and for premium audits of employers’ records; and
- Other general considerations, including a 30-day extension for the filing of annual statements for certain regulated entities.

VISIT FLORIDA

March 24, 2020: To better understand and measure the impact of COVID-19 on Florida’s tourism industry, Visit Florida launched a new data dashboard to track key economic indicators and trends, including: hotel demand, vacation rental bookings, airline capacity, and web traffic relating to vacation planning. For more information and to view the data dashboard, click here. Visit Florida is also encouraging tourism-related businesses who have been impacted by COVID-19 to participate in the Department of Economic Opportunity’s business damage assessment survey.

CURFEW/STAY IN PLACE ORDER

- While the governor has been reluctant to issue a statewide shelter in place order, several cities and counties have issued their own local orders. However, yesterday Governor DeSantis issued a shelter in place order for Palm Beach, Broward, Miami-Dade and Monroe Counties. The Florida Chamber of Commerce is encouraging the governor to follow the Department of Homeland Security’s guidelines should he move forward with a statewide shelter order.

Below are links to the recent shelter in place local government orders:

- March 27, 2020: Hillsborough County (includes City of Tampa) Safer at Home Emergency Order
- March 26, 2020: Palm Beach County Shelter in Place Emergency Order 2020-002
- March 26, 2020: Osceola County Shelter in Place Emergency Order No. 2
- March 25, 2020: Pinellas County Safer at Home Order Resolution 2020-02
- March 24, 2020: Orange County Stay at Home Emergency Executive Order 2020-04
- March 24, 2020: City of Miami Shelter in Place Order 2020-04
- March 24, 2020: Leon County Stay at Home Order & Curfew Proclamation 2020-03
- March 23, 2020: Alachua County Stay at Home Emergency Order 2020-09
- March 23, 2020: City of Miami Beach “Safer at Home” Emergency Order
- March 22, 2020: Broward County Shelter in Place Emergency Order 2020-01
- March 17, 2020: Miami-Dade County Shelter in Place Emergency Order 07-20

The Governor has authorized travel outside of any curfews when it is necessary to deliver critical medical supplies, pharmaceuticals, and/or health care delivery services to medical facilities. Letter can be found here.

EXECUTIVE ORDERS

As of March 31, 2020
March 30, 2020: The EO creates a stay at home order through mid-April for Miami-Dade, Broward, Palm Beach and Monroe Counties. The EO references Miami-Dade County’s existing shelter order as a floor and allows county administrators to implement provisions above the state EO.

March 30, 2020: The EO directs that retired Florida state employees may be rehired to assist in the COVID-19 response. The mission-critical categories outlined in the EO are law enforcement, first responders, emergency management and public safety personnel, health and medical professionals, and other critical COVID-19 response personnel as determined by a state agency head.

March 27, 2020: The EO orders all parties engaged in rental of vacation rental properties to suspend vacation rental operations. Vacation rentals are prohibited from making new reservations or bookings and shall not accept new guests for check-in for the duration of this order.

March 27, 2020: The EO directs all persons who enter Florida from an area with substantial community spread, to include Louisiana, to isolate or quarantine for a period of 14 days from the time of entry into Florida or the duration of the person’s presence in the State of Florida, whichever is shorter.

March 26, 2020: The EO directs DMS to amend the state employee health benefits plan immediately to include telehealth services at no cost to state employees and to amend the state employee pharmacy benefits plan to include telehealth services, for employees participating in the state group insurance plan. Further, the EO directs the Division of State Group Insurance to ensure that all state employees have access to telehealth through the contracted HMO and PPO plans without cost sharing. Pertaining to immunizations, the EO further directs DMS to amend the SGI plan to provide state employees the option to receive immunizations covered by the employee’s plan in either a physician’s office under the PPO plan, or the current HMO contract, or a participating pharmacy in the State Employees’ pharmacy benefit manager’s network. All cost sharing for a flu vaccination under the SGI plan is waived under the EO.

March 24, 2020: The EO directs the State Surgeon General to issue a public health advisory to persons that have a serious underlying medical condition that places them at a high risk of severe illness from COVID-19. The advisory urges these persons to stay home and to take such other measures as necessary to limit their risk of exposure to COVID-19. Further, the public health advisory advises against all social or recreational gatherings of 10 or more people and urges those persons who can work remotely to do so.

Executive Order 2020-82: Emergency Management – COVID-19 – Isolation of Individuals Travelling to Florida
March 24, 2020: The EO requires individuals who entered Florida from New York, New Jersey, or Connecticut during the last three weeks to isolate or self-quarantine for 14 days from the time of entry into the state or for the duration of the person's stay in Florida, whichever is shorter. The order does not apply to persons employed by the airlines or those performing military, emergency or health response. The EO applies retroactively to all persons who have entered Florida after being in the tri-state area with substantial community spread within the previous 14 days prior to March 24. Further, the EO directs all persons covered under the self-quarantine to inform any individual in Florida with whom they had direct physical contact in the past 21 days that they traveled from the areas with substantial community spread, and failure to comply is punishable as a second-degree misdemeanor.

March 23, 2020: Governor DeSantis sent a letter to President Trump formally requesting that he declare a Major Disaster as Florida responds to COVID-19. The letter requested the inclusion of the following Individual Assistance Programs in the declaration: Disaster Unemployment Assistance, Crisis Counseling, Community Disaster Loans and the Disaster Supplemental Nutrition Program. In addition to the Individual Assistance Programs, the declaration requests additional resources and support from FEMA.

Executive Order 2020-80: Emergency Management – COVID-19 – Airport Screening and Isolation
March 23, 2020: Governor DeSantis issued an executive order mandating a 14-day self-quarantine or isolation period for travelers coming to Florida from airports in New York, New Jersey and Connecticut amid the coronavirus pandemic.

March 20, 2020: In an effort to preserve essential resources, this executive order prohibits hospitals, surgical centers, dental, orthodontic officers and other health care practitioners’ offices from providing any medically unnecessary, non-urgent or non-emergency procedure.

Executive Order 2020-71: Emergency Management – Alcohol Sales, Restaurants and Gyms
March 20, 2020: This executive order provides flexibility on alcohol sales by allowing sale for off-premise consumption by those previously prohibited by law. The order suspends on-premise food consumption but allows establishments to operate their kitchens for delivery or take out services. Additionally, the executive order closes gyms and fitness centers.

Executive Order 2020-70: Emergency Management – Broward and Palm Beach County Closures
March 20, 2020: This executive order closes on-premise service of customers in restaurants, bars, night clubs, banquet halls in Broward and Palm Beach Counties. Establishments can continue to operate kitchens for delivery services, employees, janitorial personnel, contractors and delivery personnel. Additionally, this executive order closes movie theatres, concert houses, auditoriums, playhouses and beaches in Broward County and Palm Beach County.

March 20, 2020: Following a consultation with Attorney General Ashley Moody, this EO gives further insight to local governments regarding teleconferencing and other technological support in order to comply with the CDC guidance regarding social distancing.

March 9, 2020: With eight counties’ confirmed cases, the Governor issues a State of Emergency for Florida. The emergency declaration allows for a unified command structure to limit the spread of the virus and helps the state more effectively mobilize resources. The order activates the Division of Emergency Management and the State Emergency Operations Center to provide coordination and
response. Additionally, this EO provides flexibility and autonomy to local municipalities, prescription drug refills, and medical licensing.

**Executive Order 2020-51**: Establishes Coronavirus Response Protocol – Directs Public Health Emergency

**March 1, 2020**: In response to the first two identified cases of COVID-19, Governor DeSantis issued EO 2020-51 which establishes a unified command, including the State Health Officer and Surgeon General, Dr. Scott Rivkees and the Department of Health as the lead state agency to coordinate response.

**FLORIDA SMALL BUSINESS EMERGENCY BRIDGE LOAN PROGRAM**

Governor DeSantis activated the Florida Small Business Emergency Bridge Loan Program which is administered by Florida’s Department of Economic Opportunity (DEO) in partnership with the Florida SBDC Network and Florida First Capital Finance Corporation. Up to $50 million has been allocated for the program to provide cash flow to businesses economically impacted by COVID-19. The short-term, interest-free loans help bridge the gap between the time the economic impact occurred and when a business secures other financial resources, including payment of insurance claims or longer-term Small Business Administration (SBA) loans. Small business owners with two to 100 employees located in Florida affected by COVID-19 can apply for short-term loans up to $50,000. To be eligible, a business must have been established prior to March 9, 2020, and demonstrate economic impacts as a result of COVID-19. The application period ends May 8, 2020. Businesses can apply [here](#).

**TAXES**

Governor DeSantis directed the Department of Revenue (DOR) to provide flexibility on the deadlines of taxes due such as corporate income tax and sales tax to assist businesses that are adversely impacted from COVID-19 mitigation measures.

**March 26, 2020**: Executive Director Jim Zingale issued two emergency orders:

- **Emergency Order 20-52-DOE-001** extends the final due date for property tax payments.
- **Emergency Order 20-52-DOE-002** extends certain filing deadlines for Florida businesses.

DOR’s General Tax Administration (GTA) program is closely monitoring any future guidance issued by the Internal Revenue Service for potential corporate income tax due date extensions. Further guidance can be found at [DOR’s website](#).

**ATTORNEY GENERAL’S ACTIONS**

Florida Attorney General Ashley Moody activated Florida’s Price Gouging hotline for all consumers in the state. Violators of the price gouging statute are subject to civil penalties of $1,000 per violation and up to a total of $25,000 for multiple violations committed in a single 24-hour period. Click here for a list of commodities covered under the state’s price gouging laws. Consumers may call the hotline at (866) 9NO-SCAM if they suspect prices on goods have been artificially escalated to exploit the scare. Scams can also be reported at [www.MyFloridaLegal.com](https://www.MyFloridaLegal.com). For more information on price gouging, please click [here](#).