



Executive Department  
State of Idaho

## The Office of the Governor Proclamation

State Capital  
Boise

*WHEREAS, the health and safety of all Idahoans is the greatest priority of our state and its leaders; and*

*WHEREAS, the Centers for Disease Control and Prevention has labeled the 2019 novel coronavirus (COVID-19) a pandemic that poses a serious public health threat; and*

*WHEREAS, the Secretary of Health and Human Services declared a public health emergency for the entire United States to aid the nation in responding to COVID-19; and*

*WHEREAS, on March 13, 2020, when the first case of COVID-19 was confirmed in Idaho, I issued a proclamation declaring a state of emergency in the State of Idaho pursuant to Chapter 10, Title 46, Idaho Code, due to the occurrence and imminent threat to public health and safety arising from the effects of COVID-19; and*

*WHEREAS, President Trump issued a proclamation on March 13, 2020, declaring a national emergency due to the outbreak of COVID-19 in the United States and in order to implement additional measures to successfully contain and combat the virus in the United States; and*

*WHEREAS, on April 9, 2020, President Trump declared that a major disaster exists in the State of Idaho, which allows for additional federal assistance to aid in recovery efforts related to COVID-19; and*

*WHEREAS, on July 18, 2021, I declared an emergency in the state of Idaho due to the ongoing occurrence and imminent threat to public health and safety arising from the effects of COVID-19. I extended the emergency proclamation on August 17, 2021; and*

*WHEREAS, as of September 15, 2021, there have been over 41 million confirmed cases of COVID-19 and approximately 667,000 deaths in the United States and 238,747 confirmed or probable cases of COVID-19 and 2,560 deaths in Idaho due to COVID-19; and*

*WHEREAS, COVID-19 clusters with substantial community spread developed across the United States, including in Idaho and neighboring states. In Idaho, cases of COVID-19 have been reported in all forty-four (44) counties and high or substantial community spread of COVID-19 has been confirmed in all Idaho counties according to the Centers for Disease Control and Prevention. Currently, thirty-three (33) Idaho counties have an average percent positivity of greater than 10 percent; and*

*WHEREAS, Idaho's positivity rate is 16.4 percent, which is the highest it has been since November 2020. Currently, 678 people are hospitalized with COVID-19 and 173 people are in intensive care. Idaho's rural communities are particularly at risk because of limited health care capacity and staff; and*

*WHEREAS, the increased rate of COVID-19 cases in Idaho has put a strain on health care systems and health care workers across the State. On September 6, 2021, crisis standards of care were declared for Public Health Districts 1 and 2, and on September 16, 2021, crisis standards of care were declared statewide due to the massive surge of COVID-19 patients exhausting available resources within Idaho hospitals; and*

*WHEREAS, the Idaho Department of Health and Welfare, other state agencies, and the local public health districts are expending resources to treat and track cases of COVID-19, supporting health care system response, and addressing resource shortages through the use of supplies and equipment from the state medical supply stockpile throughout Idaho to reduce transmission and illness severity. The costs associated with facilitating the COVID-19 preparedness and response effort are expected to be commensurate with the severity of the outbreak; and*

*WHEREAS, the Idaho Office of Emergency Management Emergency Operations Center is coordinating resources across state government to support the Idaho Department of Health and Welfare and local officials in alleviating the impacts to people, property, and infrastructure, and is*

*assessing the magnitude and long-term effects of the incident with the Idaho Department of Health and Welfare; and*

*WHEREAS, the wide-spread administration of a vaccine that is safe and effective against COVID-19 is essential to ending the public health emergency and protecting the health and well-being of Idahoans; and*

*WHEREAS, Section 46-1008(2), Idaho Code, mandates that a disaster emergency shall be declared by executive order or proclamation of the governor if the Governor finds a disaster has occurred or that the occurrence or threat thereof is imminent; and*

*WHEREAS, the existing threat of injury and loss of life posed by the COVID-19 public health emergency requires state and federal emergency assistance to supplement local efforts to save lives, protect public infrastructure, and lessen the threat of a disaster; and*

*WHEREAS, Idaho is committed to being prepared and protecting Idahoans from COVID-19. There continues to be a threat of injury, loss of life, and the continued operation of public infrastructure as a result of cases of COVID-19 throughout the State of Idaho, and the declaration of an emergency pursuant to Section 46-1008, Idaho Code, is necessary to receive and distribute emergency funds from the federal government and the State; and*

*WHEREAS, the Governor is authorized to utilize all resources of the state, including, but not limited to, those sums in the disaster emergency account as he shall deem necessary to pay obligations and expenses incurred during a declared state of disaster emergency, pursuant to Section 46-1008(5)(b), Idaho Code; and*

*NOW, THEREFORE, I, Brad Little, Governor of the State of Idaho, by virtue of the authority vested in me by the Constitution of the United States, the Constitution of the State of Idaho, and by Section 46-1008 of the Idaho Code do hereby find and therefore proclaim and declare:*

- 1. That a state of emergency described in Section 46-1008, Idaho Code, exists in the State of Idaho.
  - a. The nature of the emergency is the occurrence and imminent threat to public health and safety arising from the effects of COVID-19, including but not limited to, the limited health care capacity currently available within the State.*
  - b. The area threatened by the emergency includes the State of Idaho.*
  - c. The area subject to this proclamation shall include the State of Idaho.**
- 2. That the Proclamations dated March 13, 18, 23, 25, 27, April 1, 2, 22, 23, May 12, June 11, July 10, August 7, September 4, October 5, November 4, December 4, 31, 2020, and January 29, February 26, March 26, April 23, May 21, June 18, July 18, 2021, and August 17, 2021 are superseded by this Proclamation.*
- 3. That implementation of the plans and procedures of the State of Idaho Emergency Operations Plan are to continue.*
- 4. That this declaration of emergency is necessary to protect life and property of Idahoans and ensure the state of Idaho continues to have the state and federal resources and funding needed to protect the citizens of Idaho from the dangers and rapid spread of COVID-19.*
- 5. In the interest of further eliminating state regulatory barriers to the timely and efficient administration of the COVID-19 vaccines, any rule that requires a physician order prior to administering the COVID-19 vaccines is hereby suspended for the duration of the declared state of emergency, including extensions.*
- 6. That this proclamation and the state of public health emergency herein described shall continue for a period of thirty days unless terminated, modified, or extended.*
- 7. That this proclamation serves pursuant to Section 46-1008, Idaho Code, as authorization for the resources of state government to continue to assist in efforts to deal with the public health emergency of COVID-19 in Idaho.*
- 8. That this proclamation shall be disseminated promptly by means calculated to bring its contents to the attention of the general public and be promptly filed with the Idaho office of*

*emergency management, the office of the secretary of state and the office of the recorder of each county.*

9. *That this proclamation is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of Idaho, its departments, agencies, or entities, its officers, employees, or agents, or any other person.*



*Lawrence Denney*

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LAWRENCE DENNEY  
SECRETARY OF STATE

*IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho at the Capitol in Boise on this 16<sup>th</sup> day of September in the year of our Lord two thousand and twenty-one.*

*Brad Little*

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BRAD LITTLE  
GOVERNOR