

COVID-19 Related Information

[Health](#) | [Labor FAQ's](#) | [Human Services](#) | [Transportation](#) | [Recovery Navigator](#)

- [Skip to Content](#)
- [Skip to Navigation](#)
- [Skip to Footer](#)

[Hawaii.gov](#)

Text size:

- [Smaller](#) | [Reset](#) | [Larger](#)

[Stay Connected](#)

 [Hawaii Emergency Management Agency logo](#)

State of Hawaii

[Hawaii Emergency Management Agency](#)

Search this site

[Twitter icon](#)[Facebook icon](#)[Youtube icon](#)[Instagram icon](#)[LinkedIn icon](#)

- [Home](#)
- [About Us](#)
- [Get Ready](#)
- [Newsroom](#)
- [Community Programs](#)
- [SERT Resources](#)
- [Emergency Proclamations](#)

[Home](#) » [2020 COVID19](#), [Emergency Proclamations](#), [Information and News Releases](#), [Main](#) » Eighth Supplementary Proclamation — COVID-19

Eighth Supplementary Proclamation — COVID-19

Posted on May 18, 2020 in [2020 COVID19](#), [Emergency Proclamations](#), [Information and News Releases](#), [Main](#)

OFFICE OF THE GOVERNOR STATE OF HAWAI'I

EIGHTH SUPPLEMENTARY PROCLAMATION RELATED TO THE COVID-19 EMERGENCY

By the authority vested in me by the Constitution and laws of the State of Hawai'i, to provide relief for disaster damages, losses, and suffering, and to protect the health, safety, and welfare of the people, I, DAVID Y. IGE,

Governor of the State of Hawai'i, hereby determine, designate and proclaim as follows:

WHEREAS, I issued on March 4, 2020, a Proclamation declaring a state of emergency to support ongoing State and county responses to COVID-19; on March 16, 2020, a Supplementary Proclamation suspending certain laws to enable State and county responses to COVID-19; on March 21, 2020, a Second Supplementary Proclamation and Rules Relating to COVID-19 implementing a mandatory self-quarantine for all persons entering the State; on March 23, 2020, a Third Supplementary Proclamation to mandate and effectuate social distancing measures throughout the State; on March 31, 2020, a Fourth Supplementary Proclamation implementing a mandatory self-quarantine for all persons traveling between any of the islands in the State; and on April 16, 2020, a Fifth Supplementary Proclamation implementing enhanced social distancing requirements and an eviction moratorium; on April 25, 2020, a Sixth Supplementary Proclamation amending and restating all prior

proclamations and executive orders related to the COVID-19 emergency; on May 5, 2020, a Seventh Supplementary Proclamation related to the COVID-19 Emergency;
WHEREAS, as of May 18, 2020, there have been 640 documented cases of COVID-19 in the State and 17 deaths attributed to this disease;
WHEREAS, COVID-19 continues to endanger the health, safety, and welfare of the people of Hawai‘i and a response requires the serious attention, effort, and sacrifice of all people in the State to avert unmanageable strains on our healthcare system and other catastrophic impacts to the State;

NOW, THEREFORE, I, DAVID Y. IGE, Governor of the State of Hawai‘i, hereby amend and restate all prior proclamations and executive orders, and authorize and invoke the following as set forth herein:

- I. Statewide Coordination [3]
- II. Invocation of Laws [3]
- III. Act with Care Order [4]
 - A. Work in Businesses or Operations
 - B. Permitted Activities Outside the Home or Place of Residence
 - C. Prohibited Activities Outside the Home or Place of Residence
 - D. Social Distancing Requirements
 - E. Persons Experiencing Homelessness
 - F. Force and Effect of Law
- IV. All Persons Traveling to the State or Traveling Inter-Island [14]
 - A. Traveling to the State
 - B. Traveling Inter-Island
 - C. Force and Effect of Law
- V. Suspension of Laws [15]
 - A. Session Laws
 - B. Division 1. Government
 - C. Division 2. Business
 - D. Division 3. Property; Family
 - E. Division 4. Courts and Judicial Proceedings
 - F. Division 5. Crimes and Criminal Proceedings
- Exhibit A. Restatement of Executive Order NO. 20-05
- Exhibit B. Federal Critical Infrastructure Sectors [as of April 24, 2020]
- Exhibit C. CDC Cloth Face Covering Recommendation [as of April 24, 2020]
- Exhibit D. Rules Relating to COVID-19 Travel Quarantine
- Exhibit E. Rules Relating to Child Care Services Under Chapter 17-798.2, Hawaii Administrative Rules
- Exhibit F. Rules Relating to Notaries Public
- Exhibit G. State Roadmap to Recovery and Resilience
- Exhibit H. Sunshine Law and UIPA
- Exhibit I. Rules Relating to Safety Guidelines for Barbers and Beauty Operators

I. Statewide Coordination

I hereby invoke section 127A-13(a)(5), Hawaii Revised Statutes (HRS), as it is my opinion that it is necessary to coordinate emergency management functions. Accordingly, I direct all counties to obtain my approval, or the approval of the Director of Hawaii Emergency Management Agency (HIEMA), prior to issuing any emergency order, rule, or proclamation. I further suspend sections 127A-14(b) and 127A-25, HRS, to the limited extent necessary to ensure statewide coordination.

II. Invocation of Laws

The following emergency provisions are expressly invoked, if not already in effect upon declaration of an emergency on March 4, 2020:

Sections 127A-12(a)(5), 127A-13(a)(6), and 127A-13(a)(7), HRS, directing the Director of HIEMA and the administrators of each county emergency management agency to take appropriate actions to direct or control, as may be necessary for emergency management, the following:

- a. Alerts, warnings, notifications, and activations;
- b. Warnings and signals for alerts and any type of warning device, system, or method to be used in connection therewith;
- c. Partial or full mobilization of personnel in advance of or in response to an actual emergency or disaster;

- d. The conduct of civilians and the movement and cessation of movement of pedestrians and vehicular traffic during, before, and after alerts, emergencies, or disasters;
- e. The shutting off of water mains, gas mains, electric power connections, or suspension of other services; and
- f. Mandatory evacuation of the civilian population.

Section 127A-12(b)(13), HRS, requiring each public utility, or any person owning, controlling, or operating a critical infrastructure, to protect and safeguard its or the person's property, or to provide for the protection and safeguarding thereof, and provide for the protection and safeguarding of all critical infrastructure and key resources; provided that without prejudice to the generality of the foregoing two clauses, the protecting or safeguarding may include the regulation or prohibition of public entry thereon, or the permission of the entry upon terms and conditions as I may prescribe.

Section 127A-12(b)(16), HRS, directing all state agencies and officers to cooperate with and extend their services, materials, and facilities as may be required to assist in emergency response efforts.

Section 127A-13(a)(8), HRS, to prevent the hoarding, waste, or destruction of materials, supplies, commodities, accommodations, facilities, and services to effectuate equitable distribution thereof, or to establish priorities therein; to investigate; and notwithstanding any other law to the contrary, to regulate or prohibit, by means of licensing, rationing, or otherwise, the storage, transportation, use, possession, maintenance, furnishing, sale, or distribution thereof, and any business or any transaction related thereto.

Section 127A-16, HRS, activating the Major Disaster Fund.

Section 127A-30, HRS, inasmuch as such section automatically went into effect upon declaration of an emergency on March 4, 2020.

Restatement of Executive Order No. 20-05, as set forth in Exhibit A attached hereto.

III. Act with Care

Pursuant to sections 127A-12(a)(5), 127A-12(b)(14), 127A-13(a)(1), and 127A-13(a)(7), HRS, all persons within the State of Hawai'i are ordered to stay at home or in their place of residence except as necessary to maintain continuity of operations of the federal critical infrastructure sectors, as set forth in Exhibit B attached hereto, and as further designated below or by the Director of HIEMA. With respect to persons residing in hotels, condominiums, townhomes, apartments, or other multi-unit dwellings, "place of residence" means the person's individual hotel room or unit. To the extent persons use shared or outdoor spaces when outside their residence, they must comply with the social distancing requirements set forth herein to the fullest extent possible. With the exception of persons subject to the traveler self-quarantine set forth below in Section IV, persons may leave their home or place of residence for the businesses or operations identified in Section III.A of the Eighth Supplementary Emergency Proclamation (Proclamation) and/or to engage in permitted activities outside their homes or places of residence described in Section III.B of this Proclamation.

A. Work in Businesses or Operations

Businesses include for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or their corporate or entity structure. All businesses or operations not identified as federal critical infrastructure sectors in Exhibit B attached hereto or designated by the Director of HIEMA or otherwise identified in this Proclamation, may not operate. Persons may travel to and from the following businesses or operations, as well as to and from businesses or operations operating in accordance with guidance outlined in the State Roadmap to Recovery and Resilience, attached hereto in Exhibit G:

1. Healthcare services and facilities. Hospitals, clinics, physician offices, assisted living facilities, and other healthcare facilities and services;
2. Stores that sell groceries and medicine. Grocery stores, pharmacies, licensed medical cannabis dispensaries, farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes establishments that sell groceries, medicine, including medication not requiring a medical prescription, supplies for children under the age of five and also that sell other non-grocery products, and products necessary to maintain the safety, sanitation, health and essential operation of residences and essential businesses and operations;
3. Food, beverage, cannabis production and agriculture. Food and/or beverage manufacturing, production, processing, and cultivation, including farming, livestock, hunting, gathering, fishing, baking, and other agriculture, including marketing, production, cultivation and distribution of animals and goods for consumption;

licensed medical cannabis production centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

4. Educational institutions. Educational institutions – including public and private pre-K-12 schools, colleges, and universities – for purposes of implementing appropriate learning measures, performing critical research, or performing essential functions, provided that the social distancing requirements identified herein are maintained to the greatest extent possible;

5. Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, 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;

6. Media. Newspapers, television, radio, and other media services;

7. Gas stations and businesses needed for transportation. Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;

8. Financial institutions. Financial institutions, currency exchanges, consumer lenders, including but not limited to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, institutions selling financial products, and money service businesses such as money transmitters;

9. Hardware and supply stores. Hardware stores and businesses that sell electrical, plumbing, and heating material;

10. Critical trades. Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, essential activities, and essential businesses and operations;

11. Mail, post, shipping, logistics, delivery, and pick-up services. Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;

12. Laundry services. Laundromats, dry cleaners, industrial laundry services, laundry rooms in hotels, condominiums, townhomes, apartments, and other multi-unit dwelling structures, and laundry service providers;

13. Restaurants for consumption off-premises. Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Entities that typically provide food services to members of the public may continue to do so under this Proclamation on the condition that the food is provided on a pick-up, delivery or takeaway basis only. Entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property;

14. Supplies to work from home. Businesses that sell, manufacture, or supply products needed for people to work from home;

15. Supplies for essential businesses and operations. Businesses that sell, manufacture, or supply other essential businesses and operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

16. Transportation. Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for essential activities and other purposes expressly authorized in this Proclamation. Operations that rent vehicles, as well as individuals participating in peer-to-peer car rental platforms or car sharing services including but not limited to Turo and Zipcar, may not rent to any person who is subject to a 14-day traveler quarantine order unless an exemption is granted;

17. Home-based care and services. Home-based care for adults, seniors, children, and/or people with

developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;

18. Residential facilities and shelters. Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;

19. Professional services. Professional services, including but not limited to legal services (such as attorney and expert services), accounting services, insurance services, and real estate services (such as escrow, appraisal, and title services);

20. Child care services licensed or authorized under the law;

21. Manufacture, distribution, and supply chain for critical products and industries. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by essential businesses and operations;

22. Critical labor union functions. Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in essential businesses and operations – provided that these checks should be done remotely where possible;

23. Hotels and motels. Hotels and motels, to the extent used for lodging and delivery or carry-out food services;

24. Funeral services. Funeral, mortuary, cremation, burial, cemetery, and related services;

25. Government functions. For purposes of this Proclamation, all first responders, emergency management personnel, emergency dispatchers, health workers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, national guard, and other governmental employees working for or to support essential businesses and operations are exempt. Nothing in this Proclamation shall prohibit any person from performing or accessing essential governmental functions. Furthermore, this Proclamation does not apply to the United States government.

B. Permitted Activities Outside the Home or Place of Residence

This order shall not apply to the following activities outside a person's home or place of residence:

1. Travel for health and safety;

2. Travel to engage in, receive or obtain goods or services from the businesses or operations allowed to operate pursuant to this Proclamation;

3. Travel to engage in minimum basic operations of businesses not allowed to operate pursuant to this Proclamation, including the minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, and related functions as well as the minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences;

4. Travel to care for the elderly, minors, dependents, persons with disabilities, or other high-risk persons;

5. Travel required by law enforcement or court order, including transporting children pursuant to a custody agreement;

6. Outdoor exercise activities, including ocean activities such as surfing and swimming, so long as social distancing requirements are maintained;

7. Walking pets on a leash.

C. Prohibited Activities Outside the Home or Place of Residence Pursuant to current guidance from the Centers for Disease Control and

Prevention (CDC), any gathering of more than ten people is prohibited unless exempted by this Proclamation. Members of a single residential or family unit sharing the same address are not prohibited from gathering. All places of public gathering, whether indoors or outdoors, not otherwise identified in this Proclamation shall remain closed to the public. Additionally, pursuant to sections 127A-12(a)(5), 127A-12(b)(14), 127A-13(a)(1), and 127A-13(a)(7), HRS, all

persons must comply with the following limitations on activities outside the home or place of residence:

1. Beach Closures. Beaches in Hawai'i are closed, unless opened in accordance with executed guidelines regarding COVID-19. Absent such guidelines, no person shall sit, stand, lie down, lounge, sunbathe, or loiter on any beach or sand bar, except as allowed in Section III.C.4 below and when:

a. transiting across or through beaches to access the ocean waters for outdoor exercise purposes, such as surfing,

solo paddling, and swimming, so long as social distancing requirements are maintained;

b. running, jogging, or walking on the beach, so long as social distancing requirements are maintained.

2. Boating Restrictions. No more than two persons are allowed in any boat on Hawai'i's waters for recreational purposes unless they are part of a single residential or family unit sharing the same address. Both persons in the boat shall comply as reasonably possible with the social distancing requirements unless they are part of a single residential or family unit sharing the same address. All boats shall maintain a distance of 20 feet from other boats when in use. This restriction does not apply to fishing as allowed in Section III.A.3 of this Proclamation.

3. Hiking Restrictions. No group of more than two persons is allowed to hike on state trails, unless all hikers in the group are part of a single residential or family unit sharing the same address. All persons hiking, who are not part of a single residential or family unit sharing the same address, shall maintain a distance of at least 20 feet from any other hiker.

4. Shore Fishing Limitations. No group of more than two persons may engage in shore fishing, unless all in the group are part of a single residential or family unit sharing the same address. All persons engaging in shore fishing, who are not part of a single residential or family unit sharing the same address, shall comply with social distancing requirements.

D. Social Distancing Requirements

All persons are encouraged to wear a cloth face covering as described and recommended by the CDC, which guidance is attached hereto as Exhibit C. This section shall not apply to persons who are engaged in permissible outdoor exercise activities so long as social distancing requirements are maintained. All businesses or operations operating in accordance with this Proclamation shall comply with the applicable CDC, industry and regulatory guidance for COVID-19. All businesses or operations operating in accordance with this Proclamation, and persons engaged in permitted activities identified herein, shall exercise the following social distancing requirements to the fullest extent possible:

1. High risk populations. Elderly and others at high risk for COVID-19 are urged to stay in their residences to the extent possible, except as necessary to seek medical care.

2. Persons who are sick. Persons who are sick or have a fever or cough or are exhibiting symptoms such as shortness of breath or difficulty breathing, chills, repeated shaking with chills, muscle pain, headache, sore throat, or new loss of taste or smell, are urged to stay in their residences to the extent possible, except as necessary to seek medical care.

3. Six-foot distances. All persons shall maintain a minimum of six-feet of physical separation from all other persons to the fullest extent possible. Businesses or operations shall designate with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance. Businesses or operations shall monitor and enforce the six-foot distancing requirement set forth in this Proclamation, whether outside waiting lines or as customers move about inside a facility. Checkout operations shall be modified, to the extent reasonably feasible, to provide this separation or to provide a transparent shield or barrier between customers and checkout clerks.

4. Limited Customer Occupancy. Each business facility or operation shall determine the maximum number of customers that may be accommodated while maintaining the specified separation distance and limiting the number of customers in the facility or at the operation to that maximum number at any time.

5. Face covering. All customers shall wear a face covering as described and recommended by the CDC (see Exhibit C), while waiting to enter and while at a business or operation. All employees of businesses or operations who have any contact with customers or goods to be purchased shall wear the cloth face covering recommended by the CDC while at their place of employment.

6. Hand sanitizer and sanitizing products. Businesses or operations shall make hand sanitizer and sanitizing products readily available for employees and customers. Employees handling items from customers, such as cash or credit cards, shall frequently utilize hand sanitizers.

7. Disinfection. Businesses or operations shall regularly disinfect all high-touch surfaces.

8. Safeguards for high risk populations. Businesses or operations are urged to implement processes to safeguard elderly and high risk customers. High risk persons are encouraged to stay in their residence to the extent possible, except as necessary to seek medical care.

9. Online and remote access. Businesses or operations shall post online whether a facility is open and how best to reach the facility and continue services by phone or remotely. Businesses or operations shall encourage their customers to do their business remotely by phone or online to the extent possible.

10. Pickup at store or delivery. Businesses or operations shall provide for, if feasible, online ordering and purchase of goods and customer pickup of orders at a location outside the facility or shall provide for delivery to customer locations.

11. Signage. Businesses or operations shall post a sign at the entrance of the facility informing all employees and customers that they should: wear CDC recommended face coverings while in the business or operation; avoid entering the business or operation if they have a cough or fever or otherwise do not feel well; maintain a six-foot distance from one another; not shake hands or engage in unnecessary physical contact.

E. Persons Experiencing Homelessness

Persons experiencing homelessness are exempt from Section III of this Proclamation but shall comply with the social distancing requirements to the fullest extent possible and are strongly urged to obtain shelter.

Governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use in their operation COVID-19 risk mitigation practices recommended by the CDC.

F. Force and Effect of Law

Pursuant to section 127A-25, HRS, all provisions set forth in Section III of this Proclamation are hereby adopted as rules that shall have the force and effect of law. In the event of any inconsistency, conflict or ambiguity between this Proclamation and any county emergency order, rule, directive or proclamation, the relevant documents shall be read to allow a county maximum flexibility to exercise its respective emergency management authority.

Pursuant to section 127A-29, HRS, any person who intentionally or knowingly violates any provision set forth in this Section III shall be guilty of a misdemeanor, and upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both.

IV. All Persons Traveling to the State or Traveling Inter-Island

A. Traveling to the State

Pursuant to section 127A-13(a)(1), HRS, all persons entering the State of Hawai'i shall be subject to mandatory self-quarantine, except those persons entering the State by recreational boats which have been at sea for at least 14 consecutive days before entering State waters and have no persons on board that are ill or are exhibiting symptoms of COVID-19. Those persons performing critical infrastructure functions as identified in Section III.A of this Proclamation will be subject to self-quarantine but may break quarantine to perform their critical infrastructure functions so long as they wear appropriate protective gear and follow the social distancing requirements identified in Section III.D of this Proclamation. The period of self-quarantine shall begin from the time of entry into the State of Hawai'i and shall last 14 days or the duration of the person's presence in the State of Hawai'i, whichever is shorter. Persons traveling from the State to perform critical infrastructure functions as identified in Section III.A of this Proclamation should self-quarantine while away from their Hawai'i residence but may break quarantine to perform their critical infrastructure functions. Upon return to their Hawai'i residence, such persons will not be subject to the self-quarantine so long as they wear appropriate protective gear and follow the social distancing requirements identified in Section III.D of this Proclamation.

B. Traveling Inter-Island

1. Pursuant to section 127A-13(a)(1), HRS, all persons traveling between any of the islands in the State of Hawai'i shall be subject to mandatory self-quarantine. The period of self-quarantine shall begin from the date of entry onto the island and shall last 14 days or the duration of the person's presence on the island, whichever is shorter.

2. Persons traveling between islands for purposes related to medical or health care will not be subject to the self-quarantine so long as they wear appropriate protective gear and follow the social distancing requirements identified in Section III.D of this Proclamation.

3. Persons traveling between islands to perform critical infrastructure functions as identified in Section III.A of this Proclamation will be subject to self-quarantine while away from their island residence but may break quarantine to perform their critical infrastructure functions. Upon return to their island residence, such persons will not be subject to the self-quarantine so long as they wear appropriate protective gear and follow the social distancing requirements identified in Section III.D of this Proclamation.

C. Force and Effect of Law

Pursuant to section 127A-25, HRS, all provisions set forth in Section IV of this Proclamation and the Rules

Relating to COVID-19 Travel Quarantine, Exhibit D attached hereto, are hereby adopted as rules and shall have the force and effect of law. (These rules are hereinafter referred to as the "Travel Quarantine Rules").

Pursuant to section 127A-29, HRS, any person who intentionally or knowingly violates the Travel Quarantine Rules shall be guilty of a misdemeanor, and upon conviction, the person shall be fined not more than \$5,000, or imprisoned not more than one year, or both.

Unless an exemption is granted, persons subject to self-quarantine pursuant to Section IV of this Proclamation are prohibited from renting vehicles in the State, whether through a rental car company, online service, or through a peer-to-peer car rental platform or car sharing service including but not limited to Turo and Zipcar. Any reservations or confirmation of reservations by a person subject to self-quarantine shall be presumed to be a renting of a vehicle in violation of this order.

V. Suspension of Laws

The following laws are suspended, as allowed by federal law, pursuant to section 127A-13(a)(3), HRS, in order for county and state agencies to engage in emergency management functions as defined in section 127A-2, HRS:

A. Session Laws

Section 9, Act 5, Session Laws of Hawaii 2019, to the extent that the appropriation for debt service payments shall no longer be limited to principal and interest payments on general obligation bonds, such that debt service moneys may be used for bond counsel fees, costs related to tax compliance work on the expenditure of general obligation bond proceeds, and other bond related costs.

B. Division 1. Government

Section 26-33, HRS, performance of duties of vacant office.

Section 37-41, HRS, appropriations to revert to state treasury; exceptions.

Section 37-74(d), HRS, program execution, except for sections 37-74(d)(2) and 37-74(d)(3), HRS, and any such transfers or changes considered to be authorized transfers or changes for purposes of section 34-74(d)(1) for legislative reporting requirements.

Section 40-66, HRS, appropriations lapse when.

Chapter 46, HRS, county organization and administration, with respect to any county ordinance, rule, regulation, law or provision which applies to any county permitting, licensing, zoning, variance, processes, procedures, fees, or any other requirements that hinder, delay, or impede the purpose of this proclamation.

Section 78-13, HRS, salary periods, to the extent necessary to allow the State of Hawaii Department of Defense to pay, as expeditiously as possible, members of the Hawaii National Guard ordered into active service and deployed in response to this emergency.

Chapter 89, HRS, collective bargaining in public employment.

Chapter 89C, HRS, public officers and employees excluded from collective bargaining.

Chapter 91, HRS, administrative procedure, to the extent necessary such that, at the sole discretion of the department or agency, any administrative hearing may be conducted by telephone or video conference without the parties, department or agency, being physically present in the same location; any deadlines may be waived or suspended; and any administrative hearing procedures, such as, but not limited to, conferences, filing of documents, or service, may be done via telephone or email. Additionally, to provide agencies with maximum flexibility to respond to the COVID-19 emergency, and to authorize any agency or court to stay or continue administrative hearings, appeals, and related deadlines as necessary.

Administrative hearings not subject to Chapter 91, to the extent necessary such that, at the sole discretion of the department or agency, any such hearing may be conducted by telephone or video conference without the parties, department, or agency, being physically present in the same location; any deadlines may be waived or suspended; and any hearing procedures, such as, but not limited to, conferences, filing of documents, or service, may be done via telephone or email.

Section 91-3(b), HRS, procedure for adoption, amendment, or repeal of rules, and section 325-2, HRS, physicians, laboratory directors, and health care professionals to report to the extent necessary to add coronavirus disease 2019 (COVID-19) (SARS-CoV-2) to Exhibits A and B of Chapter 11-156, Hawaii Administrative Rules (HAR), without adopting emergency rules, and to ensure that physicians, health care professionals, and laboratory directors shall report the incidence or suspected incidence of COVID-19 to the department of health in the manner specified by the department of health and that test results (including positive and negative results) be reported to the department of health via the electronic laboratory reporting system and by telephone on an urgent basis. The addition of (COVID-19) (SARS-CoV-2) to Exhibits A and B of Chapter 11-156, HAR, shall be effective for a period of one hundred eighty (180) days from the date of this Proclamation.

Chapter 92, HRS, public agency meetings and records, to the extent set forth in Exhibit H attached hereto.
Chapter 92F, HRS, uniform information practices act (modified), to the extent set forth in Exhibit H attached hereto.

Section 102-2, HRS, contracts for concessions; bid required, exception.

Section 103-2, HRS, general fund.

Section 103-53, HRS, contracts with the State or counties; tax clearances, assignments.

Section 103-55, HRS, wages, hours, and working conditions of employees of contractors performing services.

Section 103-55.5, HRS, wages and hours of employees on public works construction contracts.

Chapter 103D, HRS, Hawaii public procurement code.

Chapter 103F, HRS, purchases of health and human services.

Chapter 104, HRS, wages and hours of employees on public works, to the extent that this suspension only applies to construction contracts for governmental construction projects related to COVID-19 entered into on or after the date of the Supplementary Proclamation issued on March 16, 2020 through the duration of the emergency.

Chapter 105, HRS, government motor vehicles, except for section 105- 11, HRS, State motor pool revolving fund.

Section 127A-25(c), HRS, rules and orders, to the extent the requirement to publish rules adopted pursuant to chapter 127A, HRS, in a newspaper of general circulation in the State shall be suspended inasmuch as the posting of such rules on the applicable state or county government website or by other means of official announcement as provided by this section brings the rules' content to the attention of the general public.

Section 127A-30(a)(2), HRS, rental or sale of essential commodities during a state of emergency; prohibition against price increases, to the extent that it permits the termination of any tenancy for a residential dwelling unit in the area that is the subject of the proclamation for a breach of a material term of a rental agreement or lease resulting from a failure to pay all or any portion of the rent or lease, maintenance fees, utility charges, taxes or other fees required by the rental agreement or lease. Additionally, section 521-68, HRS, landlord's remedies for failure by tenant to pay rent and section 521-71, HRS, termination of tenancy; landlord's remedies for holdover tenants and Chapter 666, landlord and tenant, to the extent necessary to prohibit the commencement, continuation, or prosecution of an action, to terminate any tenancy for a residential dwelling unit, for failure to pay all or any portion of the rent, maintenance fees, utility charges, taxes or other fees required for the residential dwelling unit.

Sections 134-3(a) and (b), HRS, registration, mandatory, exceptions, to the extent necessary such that the chiefs of police of the counties, in their sole discretion, may suspend the deadline whereby a person must register a firearm within five days after arrival in the State of the person or firearm, whichever arrives later, and the deadline whereby a person acquiring a firearm pursuant to section 134-2, HRS, must register the firearm within five days of acquisition.

Section 183C-6, HRS, permits and site plan approvals, to the extent necessary to enable the Department of Land and Natural Resources to administer the permitting program for conservation district use permits without the application of provisions providing for automatic approval of permit requests that are not acted upon within 180 days.

Chapter 205A, HRS, coastal zone management.

Section 237D-6.5(b), HRS, distribution of the transient accommodations tax.

Chapter 261, HRS, aeronautics

Chapter 281, HRS, intoxicating liquor, and related administrative rules, to the extent as follows:

1. Section 281-1, HRS, definitions, to exclude hand sanitizer and surface disinfectants from the definition of "liquor" and "intoxicating liquor"; and
2. Section 281-31, HRS, licenses, classes to enable the county liquor commissions to allow licensees to sell unopened beer or unopened wine or unopened prepackaged cocktails with food for pick up, delivery, take out, or other means to be consumed off the premises, and to enable county liquor commissions to waive, suspend, or postpone any deadlines or administrative procedures;

and to allow class 1 licensees to purchase fermentable wash from class 1, 3, 14, and 18 licensees.

Provided that liquor licensees shall comply at all times with any and all federal laws and any and all state and county laws not specifically suspended herein, including, but not limited to, Chapter 149A, HRS, Hawaii

Pesticides Law, and the rules, regulations, and requirements of the State of Hawai'i Department of Agriculture, the U.S. Food and Drug Administration, the U.S. Environmental Protection Agency, and the U.S. Alcohol and Tobacco Tax and Trade Bureau.

Section 281-37, HRS, sales of alcohol, and related administrative rules, to the extent to allow hospitals and medical clinics to purchase hand sanitizer and surface disinfectants in any quantity from class 1 licensees without holding a county alcohol purchase permit. Provided that liquor licensees shall comply at all times with any and all federal laws and any and all state and county laws not specifically suspended herein, including, but not limited to, Chapter 149A, HRS, Hawaii Pesticides Law, and the rules, regulations, and requirements of the State of Hawai'i Department of Agriculture, the U.S. Food and Drug Administration, the U.S. Environmental Protection Agency, and the U.S. Alcohol and Tobacco Tax and Trade Bureau.

Section 281-42(a)(6) and (b)(2), HRS, manufacturers and wholesale dealers, special restrictions, and any related administrative rules, to the extent necessary to enable the county liquor commissions to allow liquor manufacturers and wholesale dealers to negotiate credit terms for periods in excess of thirty (30) days with liquor retail licensees during the disaster emergency relief period, subject to the following restrictions:

1. Any credit negotiations under this suspension must be finalized prior to the termination of the disaster emergency relief period;
2. The suspension of Section 281-42(a)(6), HRS, shall terminate upon the termination of the disaster emergency relief period;
3. The suspension of Section 281-42(b)(2), HRS, shall remain in effect until twenty-one (21) days after the termination of the disaster emergency relief period to the extent necessary to allow liquor retail licensees who have outstanding invoice balances more than thirty (30) days due, to continue purchasing liquor by credit.

Chapter 266, HRS, harbors.

Chapter 286, HRS, highway safety.

Section 291-31.5, HRS, blue lights prohibited for motor vehicles, motorcycles, motor scooters, bicycles, mopeds to the extent necessary to allow Department of the Attorney General vehicles to operate with blue lights when used for law enforcement related emergency management functions.

Section 291-51.6, HRS, issuance of temporary removable windshield placards, to the extent that the Director of the Department of Health may extend the duration of the temporary removable windshield placard beyond six months.

Section 291-52, HRS, issuance of removable windshield placard, with respect only to the statutory six-year expiration.

Sections 302D-12(h)(1) to (5), HRS, charter school governing boards; powers and duties, to the extent necessary to enable the governing board of a charter school to conduct business in person or through remote technology without holding meetings open to the public. The governing boards shall consider reasonable measures to allow public participation consistent with social distancing practices, such as providing notice of meetings, allowing submissions of written testimony on agenda items, live streaming meetings, and posting minutes of meetings online. No governing board deliberation or action shall be invalid, however, if such measures are not taken.

Chapter 325, HRS, infectious and communicable diseases, to the limited extent that any provision conflicts with the Governor's exercise of emergency powers herein under section 127A-13(a)(1), HRS.

Sections 329-32(a), 329-33(a), 329-38.2, HRS, uniform controlled substances act, and related administrative rules, to the extent necessary to allow out-of-state physicians and nurses to dispense (including prescribing and administering) controlled substances without having to register in Hawai'i, as contemplated in the United States Drug Enforcement Administration's (DEA) COVID-19 Policy Concerning Separate Registration Across State Lines dated March 25, 2020. Such physicians or nurses must maintain active registration in at least one state and be authorized under that state's law to dispense controlled substances. Such doctors or nurses must also otherwise comply with state laws, including those related to controlled substances.

Section 329-32(e), HRS, registration requirements, and related administrative rules, for the limited purpose of allowing the offsite dispensing of necessary take-home doses of medication for medication assisted treatment by an opioid treatment program (OTP) authorized under Section 329-40, HRS, without obtaining a separate state registration, as contemplated in the DEA's COVID-19 policy concerning DEA narcotic treatment programs dated April 7, 2020.

Section 329-38(a)(1)(C), HRS, prescriptions, and related administrative rules, only to the extent necessary to

allow a facsimile, photograph, or scan of a written prescription to be delivered to the dispensing pharmacist within 15 days of an emergency oral prescription, as contemplated in the DEA's COVID-19 guidance concerning the issuance of oral schedule II prescriptions dated March 27, 2020.

Section 329-40 (b)(7), HRS, methadone treatment program, and related administrative rules, for the limited purpose of permitting the issuance of up to 28 doses of methadone to qualified patients in an opioid treatment program in accordance with the United States Substance Abuse and Mental Health Services Administration's Opioid Treatment Program Guidance, updated on March 19, 2020.

Section 329-41(a)(8), HRS, prohibited acts B penalties, for the sole and limited purpose of enabling authorized physicians practicing telehealth as provided in section 453-1.3, HRS, to issue prescriptions for controlled substances. Such physicians must otherwise comply with all other requirements of Chapter 329, HRS.

Section 329-101(b), HRS, reporting of dispensation of controlled substances; electronic prescription accountability system; requirements; penalty, to the extent necessary to enable the Department of Public Safety to issue State controlled substance registrations prior to an applicant's registration with the electronic prescription accountability system.

Chapter 329, Part IX, HRS, medical use of cannabis, to the extent necessary to allow the Department of Health to extend the effective period of registration for qualifying patients and primary caregivers with registration cards with expiration dates in March, April, and May for ninety (90) days. This suspension shall not apply to the registration of a qualifying out-of-state patient or a caregiver of a qualifying out-of-state patient.

Chapter 346, Part VIII, HRS, child care, and related administrative rules for child care licensing and subsidies, to the extent necessary such that the Director of the Department of Human Services, in his sole discretion and for the purpose of assisting those in need, may suspend fingerprinting requirements; suspend the requisite staffing configurations and the number of children per adult ratio for a child care establishment facility; suspend eligibility and other requirements for family units impacted by an emergency; disregard emergency related benefits in calculating child care subsidies; suspend application deadlines for child care subsidies; allow for re-determinations of eligibility and monthly payment amounts within the eligibility period; and suspend subsidy payments for longer than one month when a payment amount is determined to be zero. Additionally, pursuant to section 127A-25, HRS, the Rules Relating to Child Care Services Under Chapter 17-798.2, Hawaii Administrative Rules, as set forth on Exhibit E attached hereto are hereby adopted.

Sections 346-59.1, 431:10A-116.3, 432:1-601.5, and 432D-23.5,

HRS, coverage for telehealth, to the extent that the definitions of "telehealth" in each section shall exclude the use of standard telephone contacts.

Section 346-71, HRS, general assistance to households without minor dependents, and related administrative rules, to the extent necessary to allow for a presumptive determination of a disability for the duration of the emergency.

Section 346-97, HRS, criminal history record checks, and related administrative rules, to the extent necessary for the Director of the Department of Human Services, in his sole discretion, to suspend criminal history record check requirements prior to enrolling Medicaid service providers.

Section 346-261, HRS, First-To-Work; establishment; purpose, and related administrative rules, to the extent necessary such that the Director of the Department of Human Services, in his sole discretion and for the purpose of assisting those in need, may suspend eligibility and other requirements for family units impacted by an emergency, and may provide additional rent support for family units impacted by an emergency during the emergency period.

Section 353-62(b)(5), HRS, Hawaii paroling authority; responsibilities and duties; operations; records, reports, staff, and related administrative rules, to allow a hearing before a panel of at least two members of the paroling authority in all cases.

Section 373-3, HRS, fees; biennial renewal, restoration, section 437- 23(a), HRS, term of license, section 439-18(c), HRS, schools, section 443B- 4.58, HRS, biennial renewal requirement, section 440-14, HRS, license, limitations, renewals, section 444-15, HRS, fees; biennial renewals; inactive license, section 448E-8, HRS, fees; renewals, section 448F-9, HRS, biennial renewal; failure to renew, section 448H-8, HRS, fees, section 16-81-10, HAR, renewal of license, section 452-16, HRS, renewal of license; fees, section 453-3(2), HRS, limited and temporary licenses; section 453-3(4), HRS, limited and temporary licenses, section 453-6, HRS, fees; expenses, section 453D- 11, HRS, renewal of license; fees, section 457A-7(e), HRS, medicare or medicaid nurse aide certification, section 457A-8(e), HRS, nurse aide certification for state licensed or state-certified health care settings, section 457B-9(b), HRS, fees, section 457G-6, HRS, biennial renewal; failure to renew; restoration,

inactive license; conversion from registration, section 458-8(a), HRS, expiration and renewal, section 460J-14, HRS, fees; biennial renewal; inactive license, section 461J-10, HRS, biennial renewal; failure to renew, section 462A-6, HRS, duration and renewal of license, section 16-96-27, HAR, renewal of license, section 463-10, HRS, licenses; fees; renewal of licenses; inactive license, section 464-9(c), HRS, applications for and certificates of licensure; renewal; fees; continuing education, section 465-11(a), HRS, renewals; continuing education requirement, section 466D-10, HRS, renewal of license, section 467-11, HRS, fees; original license and biennial renewals, section 471-9(c), HRS, licenses, section 472-2(a)(1), HRS, practice of veterinary technology; qualifications; registration required, section 481E-5(f), HRS, certificate of registration; issuance or denial; renewal, section 481Z-6(f), HRS, certificate of registration; issuance or denial; renewal, section 484-9(a), HRS, annual report, section 514E-10(e), HRS, registration required; developer, acquisition agent, plan manager, and exchange agent; registration renewal, section 514E-10.2(h), HRS, limited permit, to the extent necessary such that the Director of the Department of Commerce and Consumer Affairs may suspend or extend license renewal or certification deadlines.

Section 377-9, HRS, prevention of unfair labor practices, to the extent necessary such that, at the sole discretion of the Hawaii Labor Relations Board, the requirement to hold a hearing on the complaint not more than 40 days after the filing of the complaint or amendment thereof may be waived.

Chapter 383, HRS, Hawaii employment security law, to the extent necessary and as allowed by federal law, through the duration of the emergency as defined under federal law, to enable the Director of the Department of Labor and Industrial Relations to:

1. waive the one-week waiting period for unemployment insurance claimants, the able and available requirement not already exempted, the work search requirements, and online registration for work requirement on HireNet for claimants who are otherwise eligible for unemployment insurance benefits as a result of COVID-19 for claims beginning March 1, 2020;

2. extend deadlines;

3. allow greater flexibility in determining good cause, employer contributions to the Unemployment Insurance Trust Fund, and employer experience rating; and

4. waive required cash or in-kind contributions at the sole discretion of the Director of the Department of Labor and Industrial Relations.

Section 383-128(b), HRS, employment and training fund established, to the extent necessary to assist workers who have become unemployed as a result of the COVID-19 response, and to address the critical skills shortage resulting from the COVID-19 response, so that the employment and training fund may be used to train newly hired employees so that they may acquire the necessary knowledge, skills and behaviors to become effective and productive employees.

Chapter 386, HRS, workers' compensation law, to the extent necessary such that the Department of Labor and Industrial Relations' failure to act within the specified period shall not be deemed an automatic approval.

Chapter 394B, HRS, dislocated workers, to the extent necessary to waive notice requirements and deadlines; payment of back pay, benefits, or other forms of compensation; payment of dislocated employees or worker allowance; imposition of penalties; and any private right of action for failure to comply with Chapter 394B, HRS, resulting from the COVID-19 response.

Sections 397-6(c) and (d), HRS, safety inspection by qualified inspectors, and related administrative rules, and 76-16(a), civil service and exemptions, to the extent necessary to allow the department of labor and industrial relations to hire elevator mechanics, licensed under Chapter 448H, HRS, to perform safety inspections of elevators and kindred equipment as required under Chapter 397, HRS.

C. Division 2. Business

Chapter 432E, Part IV, HRS, external review of health insurance determinations, to the extent necessary to suspend all proceedings for external review until rescheduled by the Insurance Commissioner; and to extend any deadlines, including but not limited to the 130-day deadline to file a request for external appeal.

Section 438-8.5, HRS, medical clearance, section 439-12.5, HRS, medical clearance, section 16-73-56, HAR, medical clearance, and section 16-78-76, HAR, medical clearance, to the extent necessary to waive the medical clearance requirement. Additionally, pursuant to section 127A-25, HRS, the Rules Relating to Safety Guidelines for Barbers and Beauty Operators, as set forth on Exhibit I attached hereto are hereby adopted.

Section 451J-5, HRS, prohibited acts, and section 451J-7, HRS, application for licensure, to the extent necessary

to waive the licensure and accompanying requirements so as to permit marriage and family therapists licensed in their state, but not licensed in Hawai‘i, who have pre-established relationships with a patient or client currently residing in the State of Hawai‘i, to engage in telehealth practices with these patients. This shall not authorize out-of-state mental health professionals who are not licensed in Hawai‘i to solicit or establish new relationships with clients or patients located in Hawai‘i.

Chapter 453, HRS, medicine and surgery, and Chapters 16-85, HAR, medical examiners, and 16-93, HAR, osteopaths, to the extent necessary to allow out-of-state physicians, osteopathic physicians, and physician assistants with a current and active license, or those previously licensed pursuant to Chapter 453, HRS, but who are no longer current and active, to practice in Hawai‘i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or facility, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, or clinical laboratory, or other health care entity.

Section 453-1.3, HRS, practice of telehealth, to the extent necessary to allow individuals currently and actively licensed pursuant to Chapter 453, HRS, to engage in telehealth without an in-person consultation or a prior existing physician-patient relationship; and to the extent necessary to enable out-of-state physicians, osteopathic physicians, and physician assistants with a current and active license, or those who were previously licensed pursuant to Chapter 453, HRS, but who are no longer current and active, to engage in telehealth in Hawai‘i without a license, in-person consultation, or prior existing physician-patient relationship, provided that they have never had their license revoked or suspended and are hired by a state or county agency or facility or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 453D-5, HRS, prohibited acts, and section 453D-7, HRS, application for licensure as a mental health counselor, to the extent necessary to waive the licensure and accompanying requirements so as to permit mental health counselors licensed in their state, but not licensed in Hawai‘i, who have pre-established relationships with a patient or client currently residing in the State of Hawai‘i, to engage in telehealth practices with these patients. This shall not authorize out-of-state mental health professionals who are not licensed in Hawai‘i to solicit or establish new relationships with clients or patients located in Hawaii.

Chapter 456, HRS, notaries public, and related administrative rules, to the extent necessary to suspend any requirement that would require close physical contact to accomplish notary functions. Additionally, pursuant to section 127A-25, HRS, the Rules Relating to Notaries, as set forth on Exhibit F attached hereto are hereby adopted.

Chapter 457, HRS, nurses, and chapter 16-89, HAR, nurses, to the extent necessary to allow out-of-state licensed practical nurses, registered nurses, advanced practice registered nurses, and advance practice registered nurses with prescriptive authority with a current and active license, or those previously licensed pursuant to Chapter 457, HRS, but who are no longer current and active, to practice in Hawai‘i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or facility, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 457-7, HRS, registered nurses; qualifications; licenses; fees; title; existing licensed nurses; verification of licenses; eligibility, to the extent necessary to waive the licensure and accompanying requirements so as to permit graduates of nursing education programs approved by the State Board of Nursing, within 180 days following graduation, to be employed to practice nursing under the supervision of a registered nurse, with the endorsement of the employing health care entity.

Section 457-8, HRS, licensed practical nurse; qualifications; license; fees; title; existing licensed nurses; verification of licenses; eligibility, to the extent necessary to waive the licensure and accompanying requirements so as to permit graduates of nursing education programs approved by the State Board of Nursing, within 180 days following graduation, to be employed to practice nursing under the supervision of a registered licensed practical nurse, with the endorsement of the employing health care entity.

Section 457-8.5, HRS, advanced practice registered nurse; qualifications; licensure; endorsement; fees; eligibility, to the extent necessary to waive the licensure and accompanying requirements so as to permit graduates of an accredited graduate-level education program preparing the nurse for one of the four recognized advanced practice registered nurse roles licensed by the State Board of Nursing, within 180 days following graduation, to be employed to practice as an advanced practice registered nurse, with the endorsement of the employing health care entity.

Section 457G-1.4, HRS, license required, and section 457G-1.5, HRS, practice of occupational therapy, to the extent necessary to allow out-of- state occupational therapists and occupational therapy assistants with current and active licenses, or those previously license pursuant to Chapter 457G, HRS, but who are no longer current and active, to practice in Hawai'i without a license; provided that they have never had their licenses revoked or suspended and are hired by a state or county agency or entity, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 461-5, HRS, qualifications for license, and Section 461-6, HRS, examination; license, to the extent necessary to waive the licensure and accompanying requirements so as to permit graduates of a pharmacy college accredited by the Accreditation Council for Pharmacy Education, within 180 days following the conferment of the doctor of pharmacy degree, to be employed to practice pharmacy under the supervision of a registered pharmacist, with the endorsement of the employing health care entity.

Section 461-9(a), HRS, pharmacist in charge; pharmacy personnel, and Sections 16-95-79(a), HAR, supervision by a registered pharmacist, and 16-95-80(a), HAR, physical presence of a registered pharmacist, to the extent necessary to allow a registered pharmacist currently and actively licensed pursuant to Chapter 461, HRS, or pharmacy intern currently and actively permitted by the board, to fill, compound, or receive prescriptions by remote data entry.

Section 461J-2, HRS, practice of physical therapy; qualifications, section 461J-6, HRS, permanent licenses, and section 16-110- 20, HAR, requirements for a permanent physical therapist license or physical therapist assistant license, to the extent necessary to allow an out-of- state physical therapist or physical therapy assistant with a current and active license, or those previously licensed pursuant to Chapter 461J, HRS, but who are no longer current and active, to practice in Hawai'i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or entity, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 464-4, HRS, public works.

Section 465-2, HRS, license required, and section 465-15, HRS, prohibited acts; penalties, to the extent necessary to waive the licensure and accompanying requirements so as to permit psychologists licensed in their state, but not licensed in Hawai'i, who have pre-established relationships with a patient or client currently residing in the State of Hawai'i, to engage in telehealth practices with these patients.

Section 466D-3, HRS, license required, and section 466D-9, HRS, licensure by endorsement, to the extent necessary to allow an out-of- state respiratory therapist with a current and active license, or those previously licensed pursuant to Chapter 466D, HRS, but who are no longer current and active, to practice in Hawai'i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or entity, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 466J-4, HRS, licenses required, section 466J-5, HRS, radiographers, radiation therapists, and nuclear medicine technologists, qualifications and licenses, section 11-44-3, HAR, licenses required, section 11-44-4, HAR, application for license, and section 11-44-5, HAR, minimum eligibility requirements for license, to the extent necessary to allow an out-of- state radiographer, radiation therapist, or nuclear medicine technologist, with a current and active registration or certification in good standing with the American Registry of Radiologic Technologists (ARRT) in radiography, radiation therapy technology, or nuclear medicine technology or with the Nuclear Medicine Technology Certification Board (NMTCB) in nuclear medicine technology; or those previously licensed pursuant to Chapter 466J, HRS, but who are no longer current and active, to practice in Hawai'i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or other health care entity that possesses a current and valid radiation facility license. Facilities are required to submit to the Radiologic Technology Board the following information for individuals performing radiologic technology under this exemption: full name; ARRT, NMTCB or previous license number; and a photocopy of the current ARRT or NMTCB credential card or defunct license (if available).

Section 467E-5, HRS, licensed required, and section 467E-13, HRS, prohibited acts; penalties, to the extent necessary to waive the licensure and accompanying requirements so as to permit social workers licensed in their state, but not licensed in Hawai'i, who have pre-established relationships with a patient or client currently residing in the State of Hawai'i, to engage in telehealth practices with these patients. This shall not authorize out-of-state mental health professionals who are not licensed in Hawai'i to solicit or establish new relationships with clients or patients located in Hawai'i.

Section 468E-3, HRS, practice as speech pathologist or audiologist; title or description of services, section 468E-4, HRS, persons and practices not affected, section 468E-8, HRS, license, section 16-100-12, HAR, registration required, and section 16-100-16, HAR, general requirements, to the extent necessary to allow an out-of-state speech pathologist or audiologist with a current and active license, or those previously licensed pursuant to Chapter 468E, HRS, but who are no longer current and active, to practice in Hawai'i without a license; provided that they have never had their license revoked or suspended and are hired by a state or county agency or entity, or by a hospital, including related clinics and rehabilitation hospitals, nursing home, hospice, pharmacy, clinical laboratory, or other health care entity.

Section 471-10, HRS, refusal to grant and revocation or suspension of license, to the extent necessary to enable veterinarians to engage in telehealth without a previously existing Veterinarian-Client-Patient-Relationship or physical examination of the patient.

Chapter 481I, HRS, motor vehicle express warranty enforcement (lemon law), to the extent necessary such that, at the sole discretion of the Department of Commerce and Consumer Affairs, any arbitration hearing may be conducted by telephone or video conference without the parties, arbitrator, or department being physically present in the same location; any deadlines, including but not limited to, the lemon law rights period under section 481I-2, HRS, may be extended, waived, or suspended; and any hearing procedures, including but not limited to, submission of documents or service, may be done via telephone or email.

D. Division 3. Property; Family

Chapter 501, HRS, land court registration, and related court or administrative rules, to the extent necessary such that the Registrar of the Bureau of Conveyances, in his sole discretion and for the purpose of facilitating the recording functions of the Bureau of Conveyances, may suspend recording requirements calling for certified copies of court records, or any other recording requirements that cannot be satisfied under the current emergency conditions, including but not limited to recording requirements which may require close physical contact.

Chapter 502, HRS, bureau of conveyances; recording, and related court or administrative rules, to the extent necessary such that the Registrar of the Bureau of Conveyances, in his sole discretion and for the purpose of facilitating the recording functions of the Bureau of Conveyances, may suspend recording requirements calling for certified copies of court records, or any other recording requirements that cannot be satisfied under the current emergency conditions, including but not limited to recording requirements which may require close physical contact.

Section 572-1(7), HRS, requisites of valid marriage contract, to the extent necessary to suspend the requirement that the parties to be married and the person performing the marriage ceremony be physically present at the same place and time for the marriage ceremony. During the time that this emergency order is effective, marriage ceremonies may be performed by synchronous, real-time, interactive audio and video telecommunications, so long as the parties to be married and the person performing the marriage ceremony shall all be physically present in Hawai'i and all of the other requisites for a valid marriage contract are met. This suspension shall apply retroactively to March 4, 2020, the beginning of the disaster emergency relief period.

Section 572-6, HRS, application; license; limitations, to the extent necessary to suspend the requirement that persons applying for a marriage license shall appear personally before an agent authorized to grant marriage licenses. During the time that this emergency order is effective, persons applying for a marriage license may appear by synchronous, real-time, interactive audio and video telecommunications before an agent authorized to grant marriage licenses.

Chapter 576E, HRS, administrative process for child support enforcement, and related administrative rules, to the extent necessary such that, at the sole discretion of the Department of the Attorney General or the Child Support Enforcement Agency, the agency may sign an order temporarily suspending or modifying child support obligations without the need to commence administrative proceedings when all parties are in mutual agreement. Section 11-219-7.5(e), HAR, renewal of parking permits, to the extent that the six-year recertification for special license plates shall be suspended if such recertification becomes due during the emergency period.

E. Division 4. Courts and Judicial Proceedings Nothing suspended or invoked by this Proclamation.

F. Division 5. Crimes and Criminal Proceedings

Sections 706-669, 706-670, and 706-670.5, HRS, disposition of convicted defendants, to the extent that these sections and related administrative rules prescribe time limits for matters before the Hawaii Paroling Authority.

Chapter 712A, HRS, forfeiture, to the extent necessary to provide petitioners, owners, law enforcement agencies, prosecutor, or the Attorney General, relief from any statutory deadlines.

Chapter 846E, HRS, registration of sex offenders and other covered offenders and public access to registration

information, to the extent necessary to suspend any requirement that a covered offender must come into close physical contact with an agency with jurisdiction, the attorney general, or chief of police, or their designees to satisfy any element of this section.

I FURTHER DECLARE that the disaster emergency relief period shall continue through June 30, 2020, unless terminated or extended by a separate proclamation, whichever shall occur first.

Done at the State Capitol, this 18th day of May, 2020.

APPROVED:

DAVID Y. IGE,
Governor of Hawai‘i

Clare E. Connors
Attorney General State of Hawai‘i

EXHIBIT A
Restatement of Executive Order No. 20-05

EXHIBIT B
Federal Critical Infrastructure Sectors

EXHIBIT C
CDC Cloth Face Covering Recommendation

EXHIBIT D
Rules Relating to COVID-19 Travel Quarantine

EXHIBIT E
Rules Relating to Child Care Services Under Chapter 17-798.2, Hawaii Administrative Rules

EXHIBIT F
Rules Relating to Notaries Public

EXHIBIT G
State Roadmap to Recovery and Resilience

EXHIBIT H
Sunshine Law and UIPA

EXHIBIT I
Rules Relating to Safety Guidelines for Barbers and Beauty Operators

EXECUTIVE ORDER NO. 20-05

By the authority vested in me by the Constitution and the laws of the State of Hawai‘i, I, David Y. Ige, Governor of the State of Hawai‘i, hereby order the following, effective on the date of this Executive Order to and including the date that the emergency ceases:

1. For the purposes of this Executive Order, the following terms are defined as set forth below:

a. “Health care facility” means any program, institution, place, building, or agency, or portion thereof, private or public, other than federal facilities or services, whether organized for profit or not, used, operated, or designed to provide medical diagnosis, treatment, nursing, rehabilitative, or preventive care to any person or persons. The term includes but is not limited to facilities licensed or certified by DOH pursuant to section 321-11(10), Hawaii Revised Statutes (HRS), and others providing similarly organized services regardless of nomenclature, and any state government-operated site providing health care services established for the purpose of responding to the COVID-19 outbreak.

b. “Health care professional” means physicians and surgeons and others licensed pursuant to chapter 453,

podiatrists licensed pursuant to chapter 463E, dentists licensed pursuant to chapter 448, psychologists licensed pursuant to chapter 465, nurses licensed pursuant to chapter 457, veterinarians licensed pursuant to chapter 471, acupuncturists licensed pursuant to chapter 436E, massage therapists licensed pursuant to chapter 452, naturopathic physicians licensed pursuant to chapter 455, chiropractors licensed pursuant to chapter 442, occupational therapists licensed pursuant to chapter 457G, physical therapists licensed pursuant to chapter 461J, respiratory therapists licensed pursuant to chapter 466D, speech pathologists or audiologists licensed pursuant to chapter 468E, and pharmacists licensed pursuant to chapter 461 who (i)

are providing health care services at a health care facility in response to the COVID-19 outbreak and are authorized to do so; or

(ii) are working under the direction of the Hawai'i Emergency Management Agency (HIEMA) or Hawai'i Department of Health (HDOH) pursuant to my Proclamation issued on March 4, 2020, Supplementary Proclamation issued on March 16, 2020, Second Supplementary Proclamation issued on March 21, 2020, Third Supplementary Proclamation issued on March 23, 2020, or any Executive Order or Supplementary Proclamations related to the COVID-19 outbreak (hereinafter collectively referred to as Emergency Proclamations).

c. "Health care volunteer" means all volunteers or medical, nursing, social work, pharmacy, occupational, physical, or respiratory therapist students who do not have licensure who (i) are providing services, assistance, or support at a health care facility in response to the COVID-19 outbreak and are authorized to do so; or (ii) are working under the direction of HIEMA or HDOH pursuant to my Emergency Proclamations.

2. Pursuant to sections 127A-12(a)(5) and 663-1.5, HRS, I direct all health care facilities, health care professionals, and health care volunteers, as defined in section 1 of this Executive Order, to render assistance in support of the State's response to the disaster recognized by the Emergency Proclamations. For health care facilities, "rendering assistance" in support of the State's response includes cancelling or postponing elective surgeries and procedures as each facility determines to be appropriate under the circumstances presented by the COVID-19 emergency if elective surgeries or procedures are performed at the health care facility. In addition, for health care facilities, "rendering assistance" in support of the State's response must include measures such as increasing the number of beds, preserving personal protective equipment, or

taking necessary steps to prepare to treat patients with COVID-19. For health care professionals, "rendering assistance" in support of the State's response means providing health care services at a health care facility in response to the COVID-19 outbreak, or working under the direction of HIEMA or HDOH pursuant to the Emergency Proclamations. For health care volunteers, "rendering assistance" in support of the State's response means providing services, assistance, or support at a health care facility in response to the COVID-19 outbreak, or working under the direction of HIEMA or HDOH pursuant to the Emergency Proclamations.

3. Pursuant to sections 127A-9 and 127A-12(a)(5), HRS, I direct that during the pendency of the Emergency Proclamations, health care facilities, as defined in section 1 of this Executive Order, that in good faith comply completely with all state and federal orders regarding the disaster emergency, shall be immune from civil liability for any death or injury to persons, or property damage alleged to have been caused by any act or omission by the health care facility, which death of or injury to persons, or property damage occurred at a time when the health care facility was engaged in the course of rendering assistance to the State by providing health care services in response to the COVID-19 outbreak, unless it is established that such death or injury to persons, or property damage was caused by willful misconduct, gross negligence, or recklessness of the health care facility.

4. Pursuant to sections 127A-9 and 127A-12(a)(5), HRS, I direct that during the pendency of the Emergency Proclamations, health care professionals, as defined in section 1 of this Executive Order, who in good faith comply completely with all state and federal orders regarding the disaster emergency, shall be immune from civil liability for any death or injury to persons, or property damage alleged to have been caused by any act or omission by the health

care professional, which death of or injury to persons, or property damage occurred at a time when the health care professional was engaged in the course of rendering assistance to the State by providing health care services in response to the COVID-19 outbreak, unless it is established that such death or injury to persons, or property damage was caused by willful misconduct, gross negligence, or recklessness of the health care professional.

5. Pursuant to sections 127A-9 and 127A-12(a)(5), Hawaii Revised Statutes, I direct that during the pendency of

the Emergency Proclamations, any health care volunteer, as defined in section 1 of this Executive Order, who in good faith comply completely with all state and federal orders regarding the disaster emergency, shall be immune from civil liability for any death of or injury to persons, or property damage alleged to have been caused by any act or omission by the health care volunteer at a time when the health care volunteer was engaged in the course of rendering assistance to the State by providing services, assistance, or support in response to the COVID-19 outbreak, unless it is established that such death of or injury to persons, or property damage was caused by the wilful misconduct, gross negligence, or recklessness of the health care volunteer.

6. Nothing in this Executive Order shall be construed to preempt or limit any applicable immunity from civil liability available to any health care facility, health care professional, or health care volunteer.

7. If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this

purpose, the provisions of this Executive order are declared to be severable.

This order is in accordance with and incorporates by reference my Proclamation issued on March 4, 2020; Supplementary Proclamation issued on March 16, 2020; Second Supplementary Proclamation issued on March 21, 2020, Third Supplementary Proclamation issued on March 23, 2020, Fourth Supplementary Proclamation issued on March 31, 2020, and Fifth Supplementary Proclamation issued on April 16, 2020.

The provisions of this order shall remain in effect for the emergency period, unless terminated by separate proclamation, whichever shall occur first.

Done at the State Capitol this 16th day of April, 2020

Governor of Hawai‘i

APPROVED:

CLARE E. CONNORS

Attorney General State of Hawai‘i

Policies

- [Terms of Use](#)
- [Accessibility](#)
- [Privacy Policy](#)

[Powered by eHawaii.gov](#)

Copyright © 2020, State of Hawaii. All rights reserved.