



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

Executive Order No. 21-17
Disclosure of Health Information to Facilitate Hospital Planning

WHEREAS, a hospital capacity emergency was declared in Nebraska on August 26, 2021, to address the availability of hospital beds and health care professionals statewide;

WHEREAS, hospitals must be able to accurately project the number of beds and health care professionals they will need to treat patients at any given time in order to plan for services in individual facilities and balance loads among hospitals;

WHEREAS, reliable real-time COVID-19 information, including, but not limited to, the infection rate in the community will assist in projecting the number of beds and staff that will be needed to treat patients; and

WHEREAS, Nebraska law is more restrictive than the federal Health Insurance Portability and Accountability Act in prohibiting the disclosure of information about reports of communicable diseases and notification of positive laboratory findings.

NOW THEREFORE, I, Pete Ricketts, Governor of the State of Nebraska, by virtue of the authority vested in me by the Constitution and laws of Nebraska, hereby issue this waiver of specific state statutes and their implementing regulations to ensure that hospitals can plan for the treatment of all Nebraskans.

Pursuant to this declaration, I hereby order and direct the following:

- 1.) The provisions of Neb. Rev. Stat. § 71-503.01 and its implementing regulations which prohibit the disclosure of reports or information about cases of communicable diseases in such a way that an individual's identity could be ascertained are temporarily suspended.
- 2.) This Executive Order shall become effective immediately and shall remain in effect until December 31, 2021.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 8th day of November, 2021.



A handwritten signature in blue ink, appearing to read "Pete Ricketts", is written over a horizontal line.

Pete Ricketts, Governor
State of Nebraska

Attest:

A handwritten signature in blue ink, appearing to read "Robert Evnen", is written over a horizontal line.

Robert Evnen, Secretary of State
State of Nebraska