



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 21-18

**CONTINUED WAIVERS TO FACILITATE HOSPITAL PLANNING AND ENSURE
ADDITIONAL HEALTHCARE WORKFORCE CAPACITY**

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, Nebraska hospitals, clinics and other health care facilities are facing a shortage of health care professionals;

WHEREAS, this shortage of health care professionals along with an increase in patients with various communicable diseases, injuries and illnesses is resulting in capacity issues at hospitals across the state;

WHEREAS, it is imperative that the State of Nebraska protect hospital capacity, as reduced hospital capacity presents an imminent threat of injury and loss of life to the state's citizens;

WHEREAS, retired and inactive health care professionals or health care professionals from other states may be needed to provide medical services during the public health threat;

WHEREAS, continuing education or examination requirements may hinder patient care or service delivery during the emergency and are a barrier to reinstatement for retired and inactive health care providers and to professionals who are properly licensed in other states;

WHEREAS, the issuance of initial licenses to doctors, nurses, and other health care professionals is often delayed by a requirement that test scores be received and license fees be paid prior to receiving full credentials;

WHEREAS, health care professionals should not be kept from providing health care services because of delays in the federal background check process and should be allowed to begin work pending Federal Bureau of Investigation fingerprint criminal history checks so long as applicants have passed Department-conducted checks of state criminal history which would decrease the time required for critical staff to provide patient care during the emergency;

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; and

WHEREAS, in the interest of protecting the citizens of Nebraska from the public health threat of a hospital capacity and workforce emergency, the Governor is authorized to take such action as is necessary to maintain public health, including suspension of any state statutes where strict compliance with the statute and state regulations will hinder necessary action in coping with this public health threat.

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, do hereby waive the following statutes and regulations to ensure that Nebraskans retain access to needed health care professionals and health information.

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

1. Executive Order Nos. 21-12, 21-15, and 21-17, which currently are scheduled to end on December 31, 2021, shall remain in effect through March 31, 2022; and
2. The identical statutory waivers and conditions contained within Executive Order Nos. 21-12, 21-15, and 21-17 shall continue through March 31, 2022.

IN WITNESS THEREOF, I have hereunto set my hand and caused the Great Seal of the State of Nebraska to be affixed on this 20th day of December, 2021.



Attest:

Pete Ricketts, Governor
State of Nebraska

Robert B. Evnen, Secretary of State
State of Nebraska