



STATE *of* NEBRASKA
OFFICE OF THE GOVERNOR
LINCOLN

EXECUTIVE ORDER NO. 22-02

**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 beginning to experience relief from a shortage of health care professionals that has lasted for months;

WHEREAS, just when hospitals, clinics, and other health care facilities began experiencing staffing relief, the Biden Administration implemented a vaccine mandate for all hospitals, clinics and other health care facilities that receive funding from the Center for Medicare & Medicaid Services (CMS);

WHEREAS, this mandate requires hospitals, clinics and other health care facilities to terminate staff members who have not received a COVID-19 vaccination;

WHEREAS, hospitals, clinics and other health care facilities in Nebraska have seen a wide range of staff willing to receive the COVID-19 vaccines with some long-term care facilities having 50% of their staff vaccinated;

WHEREAS, the Biden Administration's forced termination of non-vaccinated employees at hospitals, clinics and other health care facilities will likely lead to staffing emergencies at many hospitals, clinics and other health care facilities in Nebraska;

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 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; 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.

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

1. Executive Order No. 21-12, which is currently scheduled to expire on March 31, 2022, per Executive Order 21-18, shall remain in effect through September 30, 2022; except that line 18, as it pertains to Medication Aides, is not hereby extended and shall expire on March 31, 2022; and
2. Executive Order No. 21-15, which is currently scheduled to expire on March 31, 2022, per executive order 21-18, shall remain in effect through September 30, 2022; and
3. The identical statutory waivers and conditions contained within Executive Order Nos. 21-12 and 21-15 shall continue through September 30, 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 15th day of March, 2022.



Pete Ricketts, Governor
State of Nebraska

Attest:

Colleen Byelick, Acting Secretary of State
State of Nebraska