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MEMORANDUM HR03-2021

To: Agency Administrators
From: Carolyn Horwich, Esq., Director of Human Resources
Subject: Continuation of Telehealth Benefits
Date: February 5, 2021

On Dec. 29, 2020, Governor DeSantis issued Executive Order #20-316, extending Executive Order #20-52, thereby extending Executive Order #20-85, which directs the Florida Department of Management Services to amend its state employee health benefits plan documents to allow for telehealth services.

Under Executive Order #20-85, members may access telehealth services through the State's HMO and PPO plans to receive covered healthcare benefits from participating healthcare practitioners acting within the scope of their licenses and Florida law. Telehealth services are available for the duration of the public health emergency period at no cost share to the member.

The extension provided under Executive Order #20-316 is valid for 60 days from the date of Executive Order #20-316 (February 27, 2021, unless extended again). Once the Executive Order expires, the 2020-2021 General Appropriations Act provides that telehealth services for **primary care** benefits will become effective under the State Group Health Insurance Plan, at which time **co-pays may apply**. For more information about telehealth services, see Frequently Asked Questions.

For ease of use, each Executive Order and the FAQ referenced in this memorandum are attached as one document.

Thank you.

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STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-52

(Emergency Management - COVID-19 Public Health Emergency)

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can spread among humans through respiratory transmission and presents with symptoms similar to those of influenza; and

WHEREAS, in late 2019, a new and significant outbreak of COVID-19 emerged in China; and

WHEREAS, the World Health Organization previously declared COVID-19 a Public Health Emergency of International Concern; and

WHEREAS, in response to the recent COVID-19 outbreak in China, Iran, Italy, Japan and South Korea, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, on March 1, 2020, I issued Executive Order number 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 7, 2020, I directed the Director of the Division of Emergency Management to activate the State Emergency Operations Center to Level 2 to provide coordination and response to the COVID-19 emergency; and

WHEREAS, as of March 9, 2020, eight counties in Florida have positive cases for COVID-19, and COVID-19 poses a risk to the entire state of Florida; and

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue and disposal of the tissue immediately thereafter, washing hands often with soap and water for at least 20 seconds, using of alcohol-based hand sanitizers with 60%-95% alcohol if soap and water are not readily available and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, the CDC currently recommends mitigation measures for communities experiencing an outbreak including staying at home when sick, keeping away from others who are sick, limiting face-to-face contact with others as much as possible, consulting with your healthcare provider if individuals or members of a household are at high risk for COVID-19 complications, wearing a facemask if advised to do so by a healthcare provider or by a public health official, staying home when a household member is sick with respiratory disease symptoms if instructed to do so by public health officials or a health care provider; and

WHEREAS, as Governor, I am responsible for meeting the dangers presented to this state and its people by this emergency.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Because of the foregoing conditions, I declare a state of emergency exists in the State of Florida.

Section 2. I designate the Director of the Division of Emergency Management (“Director”) as the State Coordinating Officer for the duration of this emergency and direct him to execute the State’s Comprehensive Emergency Management Plan and other response, recovery, and mitigation plans necessary to cope with the emergency. Additionally, I designate the State Health Officer and Surgeon General as a Deputy State Coordinating Officer and State Incident Commander.

Pursuant to section 252.36(1)(a), Florida Statutes, I delegate to the State Coordinating Officer the authority to exercise those powers delineated in sections 252.36(5)-(10), Florida Statutes, which he shall exercise as needed to meet this emergency, subject to the limitations of section 252.33, Florida Statutes. In exercising the powers delegated by this Order, the State Coordinating Officer shall confer with the Governor to the fullest extent practicable. The State Coordinating Officer shall also have the authority to:

A. Seek direct assistance and enter into agreements with any and all agencies of the United States Government as may be needed to meet the emergency.

B. Designate additional Deputy State Coordinating Officers, as necessary.

C. Suspend the effect of any statute, rule, or order that would in any way prevent, hinder, or delay any mitigation, response, or recovery action necessary to cope with this emergency.

D. Enter orders as may be needed to implement any of the foregoing powers; however, the requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such orders issued by the State Coordinating Officer; however, no such order shall remain in effect beyond the expiration of this Executive Order, to include any extension.

Section 3. I order the Adjutant General to activate the Florida National Guard, as needed, to deal with this emergency.

Section 4. I find that the special duties and responsibilities resting upon some State, regional, and local agencies and other governmental bodies in responding to the emergency may require them to suspend the application of the statutes, rules, ordinances, and orders they administer. Therefore, I issue the following authorizations:

A. Pursuant to section 252.36(1)(a), Florida Statutes, the Executive Office of the Governor may suspend all statutes and rules affecting budgeting to the extent necessary to provide budget authority for state agencies to cope with this emergency. The requirements of sections 252.46 and 120.54(4), Florida Statutes, do not apply to any such suspension issued by the Executive Office of the Governor; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extension.

B. Each State agency may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders or rules of that agency, if strict compliance with the provisions of any such statute, order, or rule would in any way prevent, hinder, or delay necessary action in coping with the emergency. This includes, but is not limited to, the authority to suspend any and all statutes, rules, ordinances, or orders which affect leasing, printing, purchasing, travel, and the condition of employment and the compensation of employees. For the purposes of this Executive Order, “necessary action in coping with the emergency” means any emergency mitigation, response, or recovery action: (1) prescribed in the State Comprehensive Emergency Management Plan (“CEMP”); or (2) ordered by the State Coordinating Officer. The requirements of sections 252.46 and 120.54, Florida Statutes, shall not apply to any such suspension issued by a State agency; however, no such suspension shall remain in effect beyond the expiration of this Executive Order, to include any extensions.

C. In accordance with section 465.0275, Florida Statutes, pharmacists may dispense up to a 30-day emergency prescription refill of maintenance medication to persons who reside in an area or county covered under this Executive Order and to emergency personnel who have been activated by their state and local agency but who do not reside in an area or county covered by this Executive Order.

D. In accordance with section 252.38, Florida Statutes, each political subdivision within the State of Florida may waive the procedures and formalities otherwise required of the political subdivision by law pertaining to:

1) Performance of public work and taking whatever prudent action is necessary to ensure the health, safety, and welfare of the community;

2) Entering into contracts; however, political subdivisions are cautioned against entering into time and materials contracts without ceiling as defined by 2 CFR 200.318(j) or cost plus percentage contracts as defined by 2 CFR 200.323(d);

3) Incurring obligations;

4) Employment of permanent and temporary workers;

5) Utilization of volunteer workers;

6) Rental of equipment;

7) Acquisition and distribution, with or without compensation, of supplies, materials, and facilities; and,

8) Appropriation and expenditure of public funds.

E. All State agencies responsible for the use of State buildings and facilities may close such buildings and facilities in those portions of the State affected by this emergency, to the extent necessary to meet this emergency. I direct each State agency to report the closure of any State

building or facility to the Secretary of the Department of Management Services. Under the authority contained in section 252.36, Florida Statutes, I direct each County to report the closure of any building or facility operated or maintained by the County or any political subdivision therein to the Secretary of the Department of Management Services. Furthermore, I direct the Secretary of the Department of Management Services to:

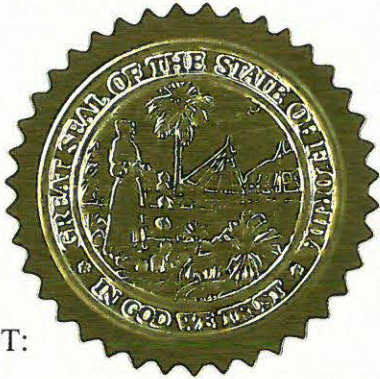
- 1) Maintain an accurate and up-to-date list of all such closures; and,
- 2) Provide that list daily to the State Coordinating Officer.

Section 5. I find that the demands placed upon the funds appropriated to the agencies of the State of Florida and to local agencies are unreasonably great and the funds currently available may be inadequate to pay the costs of coping with this emergency. In accordance with section 252.37(2), Florida Statutes, I direct that sufficient funds be made available, as needed, by transferring and expending moneys appropriated for other purposes, moneys from unappropriated surplus funds, or from the Budget Stabilization Fund.

Section 6. All State agencies entering emergency final orders or other final actions in response to this emergency shall advise the State Coordinating Officer contemporaneously or as soon as practicable.

Section 7. Medical professionals and workers, social workers, and counselors with good and valid professional licenses issued by states other than the State of Florida may render such services in Florida during this emergency for persons affected by this emergency with the condition that such services be rendered to such persons free of charge, and with the further condition that such services be rendered under the auspices of the American Red Cross or the Florida Department of Health.

Section 8. All activities taken by the Director of the Division of Emergency Management and the State Health Officer and Surgeon General with respect to this emergency before the issuance of this Executive Order are ratified. This Executive Order shall expire sixty days from this date unless extended.



ATTEST:

Laurel McKee
SECRETARY OF STATE

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 9th day of March, 2020.

[Signature]

RON DESANTIS, GOVERNOR

FILED
2020 MAR -9 PM 5:52
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-85

(Emergency Management – COVID-19 – Telehealth and Immunizations for State Group Insurance)

WHEREAS, on March 1, 2020, I issued Executive Order 20-51 directing the Florida Department of Health to issue a Public Health Emergency; and

WHEREAS, on March 1, 2020, the State Surgeon General and State Health Officer declared a Public Health Emergency exists in the State of Florida as a result of COVID-19; and

WHEREAS, on March 9, 2020, I issued Executive Order 20-52 declaring a state of emergency for the entire State of Florida as a result of COVID-19; and

WHEREAS, Novel Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that can be transmitted among humans through respiratory transmission and presents with symptoms similar to those of influenza;

WHEREAS, on March 16, 2020, President Donald J. Trump and the Centers for Disease Control and Prevention (“CDC”) issued the “15 Days to Slow the Spread” guidance advising individuals to adopt far-reaching social distancing measures, such as working from home and avoiding gatherings of more than 10 people; and

WHEREAS, the CDC also recommends consulting your healthcare provider if individuals or members of your household are at high risk for COVID-19 complications, show symptoms of COVID-19, or have otherwise been exposed to the virus; and

WHEREAS, the CDC recommends that everyone over the age of six months receive the influenza (flu) vaccine; and

WHEREAS, the flu can lead to more serious respiratory diseases that can result in hospitalization or death and individuals with certain health conditions are at a higher risk of flu complications, including many of the same high-risk indicators for COVID-19 complications; and

WHEREAS, State Employees across Florida are working tirelessly to support the COVID-19 response effort by providing mission critical support to protect all Floridians; and

WHEREAS, the State Group Insurance Program (SGI) provides coverage to State Employees and their dependents; and

WHEREAS, Current SGI coverage includes preventive and sick visits through in-person physician office visits, therefore limiting patient access to care; and

WHEREAS, the SGI also provides coverage for immunizations administered by a participating provider, including the flu, which are included on the Advisory Committee for Immunization Practices recommendations list based on a member's age and condition; and

WHEREAS, all SGI plan providers have in-network or contracted, Florida-licensed telehealth providers ready to provide health care services effective immediately which would allow state employees to remain in their homes, if sick, and avoid exposure to other sick individuals; or, if not sick, to attend physician appointments without fear of exposure to others; and

WHEREAS, as Governor, I am responsible for protecting our state and the health and safety of its residents;

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section (1)(a) of the Florida Constitution, Chapter 252, Florida Statutes, and all other applicable laws, promulgate the following Executive Order to take immediate effect:

Section 1. Telehealth

A. I suspend the relevant portions of section 110.123, Florida Statutes, and direct the Secretary of the Department of Management Services to amend the state employee health benefits plan documents effective immediately through the expiration of Executive Order 20-52, including any extensions, to include telehealth services at no additional cost to employees.

B. I suspend the relevant portions of section 110.12315, Florida Statutes, and direct the Secretary of the Department of Management Services to amend the state employee pharmacy benefits plan documents effective immediately through the expiration of Executive Order 20-52, including any extensions, to include telehealth services, as appropriate, to employees participating in the SGI plan.

C. I hereby direct the Department of Management Services, Division of State Group Insurance, to ensure that all state employees have access to telehealth services through the state's contracted HMO plans and PPO organization plan without cost sharing effective immediately through the expiration of Executive Order 20-52, including any extensions.

Section 2. Immunizations

A. I suspend the relevant portions of section 110.123, Florida Statutes, and direct the Secretary of the Department of Management Services to amend the state employee health plan benefits plan documents effective immediately through the expiration of Executive Order 20-52,

including any extensions, to provide employees participating in the State Employees' Group Insurance Program the option to receive immunizations covered by the employee's plan in either a participating physician's office pursuant to the participant's current PPO Plan Group Health Insurance Plan Booklet or a participant's current HMO contract, or a participating pharmacy in the State Employees' pharmacy benefit manager's network.

B. I hereby direct the Department of Management Services, Division of State Group Insurance, to ensure that all cost sharing that would have been applicable to state employees seeking immunization services under this Executive Order for the influenza vaccination be waived effective immediately through the expiration of Executive Order 20-52, including any extensions.

Section 3. This Executive Order shall expire upon the expiration of Executive Order 20-52, including any extensions.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 26th day of March, 2020.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

FILED
2020 MAR 26 AM 9:50
TALLAHASSEE, FLORIDA

STATE OF FLORIDA

OFFICE OF THE GOVERNOR

EXECUTIVE ORDER NUMBER 20-316

(Emergency Management -Extension of Executive Order 20-52-COVID-19)

WHEREAS, on March 9, 2020, I issued Executive Order 20-52, declaring a state of emergency for the entire state due to COVID-19; and

WHEREAS, no state of emergency declared pursuant to the Florida Emergency Management Act may continue for more than 60 days unless renewed by the Governor; and

WHEREAS, the impact of COVID-19 poses a continuing threat to the health, safety and welfare of the State of Florida and its residents; and

WHEREAS, as Florida recovers and re-launches its economy, I am committed to providing all available resources to assist Floridians and local communities with their efforts.

NOW, THEREFORE, I, RON DESANTIS, as Governor of Florida, by virtue of the authority vested in me by Article IV, Section 1(a) of the Florida Constitution and by the Florida Emergency Management Act, as amended, and all other applicable laws, promulgate the following Executive Order, to take immediate effect:

Section 1. The state of emergency declared in Executive Order 20-52, as extended by Executive Orders 20-114, 20-166, 20-192, 20-213, and 20-276 will be extended for 60 days following the issuance of this order for the entire State of Florida.

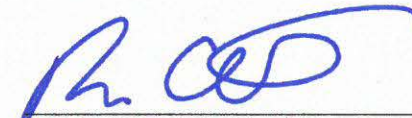
Section 2. All actions taken by the Director of the Division of Emergency Management as the State Coordinating Officer with respect to this emergency before the issuance of this Executive Order are ratified, and he is directed to continue to execute the State's Comprehensive Emergency Management Plan and other response, recovery, and mitigation

plans necessary to cope with the emergency.

Section 3. Except as amended herein, Executive Order 20-52, extended by Executive Orders 20-114, 20-166, 20-192, 20-213, and 20-276 is ratified and reaffirmed.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Florida to be affixed, at Tallahassee, this 29th day of December, 2020.



RON DESANTIS, GOVERNOR

ATTEST:



SECRETARY OF STATE

FILED
2020 DEC 29 PM 3:29
DEPARTMENT OF STATE
TALLAHASSEE, FLORIDA

Telehealth Guidance

1. What is Telehealth?

Telehealth is the provision of healthcare remotely by means of telecommunications technology, including, but not limited to, assessment, diagnosis, consultation, treatment, and monitoring of a patient.

Telehealth services may occur in your own home, from a kiosk in your local pharmacy, or in a hospital or other health care facility. A doctor or other licensed health care practitioner may talk with you or conduct a visit with you via your phone or computer, as long as the device allows the doctor to see and talk with you.

To be covered, an audio conversation must allow for both the telehealth provider and the patient to talk to one another and for the telehealth provider to have a live, real-time visual image of the patient and the patient to have a live, real-time video image of the provider.

2. Is Telehealth available to State Employees?

Effective March 26, 2020, through [Executive Order 20-85](#), members of the State Group Insurance Health Plans (Standard and High Deductible HMO Plans and the PPO Plan) may use telehealth to access covered health care services from health care practitioners acting within the scope of their licenses and Florida law. Telehealth services will be covered the same as an in-office visit.

Expanding telehealth access is vital for both those undergoing treatment of COVID-19, experiencing symptoms, or for those seeking preventative care. Telehealth also complies with the social distancing guidance issued by the Centers for Disease Control and Prevention (CDC).

Early access to and waiver of cost sharing for telehealth services will be effective through the expiration of the state of emergency. Preventive telehealth services will become effective under the State Group Health Insurance Plan on January 1, 2021.

3. Are there additional costs to Health Plan Members who utilize Telehealth?

The employee has no out-of-pocket costs, including no deductible, co-insurance, or co-payment for services regardless of the service type or place of delivery.

4. Does Medicare cover telehealth services?

Yes. Medicare members are also eligible to receive services through telehealth. To see what is covered under Part B (Medical Services) for Medicare and the

conditions for physician participation, visit the [Centers for Medicare and Medicaid Services' Telehealth Information page](#).

5. I need to see a doctor about something other than COVID-19, can I use telehealth?

During the state of emergency, which is specified in the Governor's [Executive Order 20- 52](#), telehealth services for any health care service provided by a licensed health care provider acting within the scope of his or her license is covered.

Immunizations Guidance

1. Do state employee healthcare benefits cover immunizations?

Yes, your State Group Health Insurance Benefits covers all immunizations recommended by the [ACIP \(Advisory Committee on Immunization Practices\)](#).

2. Is there an immunization for COVID-19?

No, there is not currently an immunization or vaccine for COVID-19. However, while a flu vaccination is not a cure for the COVID-19 virus, both are respiratory viruses, and this preventive measure can help lessen your chances, and your family's chances, of illness and exposure. Additional information is available at the [National Foundation for Infectious Diseases](#).

3. Where can health plan members receive immunizations?

Under current health plans, members can receive immunizations at their physician's office.

Additionally, under [Executive Order 20-85](#), Governor DeSantis has authorized the option for members to receive all immunizations at retail pharmacies such as CVS, Wal-Mart, Winn-Dixie, or other local community pharmacies until the COVID-19 public health emergency has ended.

4. Is there a cost to Health Plan Members for immunizations?

For any immunization on the [ACIP schedule](#), there is no cost to the member for the immunization. If the immunization is not on the ACIP schedule, the member may be responsible for up to 100 percent of the cost of the immunization.

If the immunization is provided in a physician's office and it is a non-preventive office visit, the employee may incur an office visit fee. The office fee will vary depending on whether the member is in an HMO or PPO, whether the physician is a primary care provider or specialist, whether the provider is in or out of network, and finally, the setting in which the immunization was given (office, urgent care, hospital, etc.).