



STATE OF ALABAMA  
**PROCLAMATION**  
BY THE GOVERNOR

**WHEREAS** the State Health Officer has reported that an outbreak of the influenza virus has occurred in the State of Alabama; and

**WHEREAS** this outbreak poses a high probability of widespread exposure to an infectious agent that poses significant risk of substantial harm to a large number of people in the affected population; and

**WHEREAS** the health care facilities and personnel of the State are overwhelmed by the number of ill patients and taxed to such an extent that care of patients may now no longer be provided in the traditional, normal, and customary manner nor is the utilization of traditional, normal, and customary standards of care possible.

**NOW, THEREFORE**, I, Kay Ivey, Governor of the State of Alabama, pursuant to relevant provisions of the Alabama Emergency Management Act of 1955, section 31-9-1 *et seq.*, Code of Alabama (1975), on the recommendation of the State Health Officer, do hereby declare that a State Public Health Emergency exists in the State of Alabama. I direct the appropriate state agencies to exercise their statutory and regulatory authority to assist the communities and entities affected. I also direct the Alabama Department of Public Health and Alabama Emergency Management Agency to seek federal assistance as may be available.

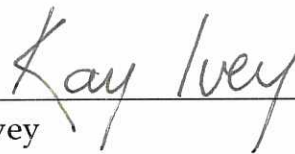
**FURTHER**, I direct the following:

1. Health care facilities that have invoked their emergency operation plans in response to this public health emergency may implement the "alternative standards of care" plans provided therein, and such are declared to be the state approved standard of care in health care facilities to be executed by health care professionals and allied professions and occupations providing services in response to this outbreak.
2. These "alternative standards of care" shall serve as the "standard of care" as defined in section 6-5-542(2), Code of Alabama for the purposes of section 6-5-540 *et seq.* The "degree of care" owed to patients by licensed, registered or certified health care professionals for the purposes of section 6-5-484 shall be the same degree of care set forth in the "alternative standards of care." To the extent that the provisions of section 6-5-540 *et seq.* are inconsistent with this order, the said provisions are hereby suspended.
3. All health care professionals and assisting personnel executing in good faith under the "alternative standards of care" are hereby declared to be "Emergency Management Workers" of the State of Alabama for the purposes of title 31 of the Code of Alabama.
4. The State Health Officer shall inform members of the public on how to protect themselves and actions being taken in response to this public health emergency.

FURTHER, I declare that this Proclamation and all subsequent orders, laws, rules or regulations issued pursuant hereto shall remain in full force and effect for the duration of the State Public Health Emergency unless rescinded or extended by Proclamation.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal to be affixed by the Secretary of State at the State Capitol in the City of Montgomery on this 11<sup>th</sup> day of January, 2018.



  
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Kay Ivey  
Governor

ATTEST:

  
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John H. Merrill  
Secretary of State