

This Document can be made available in alternative formats upon request

State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 2640

05/15/2021 Authored by Haley, Robbins, Quam, Daniels, Jurgens and others
The bill was read for the first time and referred to the Committee on Health Finance and Policy

1.1 A bill for an act
1.2 relating to state government; establishing a COVID-19 public health disaster
1.3 response; terminating the peacetime emergency declared in Executive Order No.
1.4 20-01.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. COVID-19 PUBLIC HEALTH DISASTER RESPONSE.

1.7 Subdivision 1. COVID-19 response powers. The state's COVID-19 public health
1.8 response is governed by this act, as of the effective date of this section. The powers granted
1.9 to the governor under Minnesota Statutes, chapter 12, do not apply to the COVID-19
1.10 infectious disease outbreak unless explicitly authorized by this section or subsequent
1.11 legislative enactment.

1.12 Subd. 2. Public health disaster declaration; eligibility for federal assistance. (a) The
1.13 commissioner of human services may declare a public health disaster if the commissioner
1.14 determines that the state must take action to protect the public health, including providing
1.15 public health services or enforcing existing health and human services laws, as part of the
1.16 state's response to the ongoing COVID-19 infectious disease outbreak.

1.17 (b) A public health disaster declared under this section must support the efforts of the
1.18 Department of Human Services to maximize and maintain the following federal benefits:

1.19 (1) emergency allotments under the Supplemental Nutrition Assistance Program;

1.20 (2) blanket waivers enacted by the United States Department of Health and Human
1.21 Services, Centers for Medicare and Medicaid Services;

1.22 (3) waivers under section 1135 of the Social Security Act;

- 2.1 (4) waivers under section 1915(c) of the Social Security Act, including appendix K;
2.2 (5) funding under the Stafford Act related to noncongregate sheltering; and
2.3 (6) federal Medicaid and basic health program funding.

2.4 (c) During a public health disaster declared under this section, the commissioner of
2.5 health may coordinate, allocate, distribute, and manage vaccine doses, therapeutics, and
2.6 testing to respond to COVID-19.

2.7 Subd. 3. **Emergency procurement.** During a public health disaster declared under this
2.8 section, the governor may exercise the powers authorized by Minnesota Statutes, section
2.9 12.36, for procurements related to the distribution or administration of COVID-19 vaccines.

2.10 Subd. 4. **Expiration.** A public health disaster declared under this section expires on the
2.11 earlier of the following dates:

2.12 (1) the date the commissioner of human services determines the public health disaster
2.13 declaration is no longer necessary; or

2.14 (2) the public health emergency issued under section 319 of the Public Health Service
2.15 Act expires, subject to renewal by the United States Secretary of Health and Human Services.

2.16 **EFFECTIVE DATE.** This section is effective on the earlier of July 1, 2021, or the date
2.17 on which the commissioner of health notifies the revisor of statutes that 70 percent of state
2.18 residents age 16 years or older have received one dose of an approved COVID-19 vaccine.

2.19 Sec. 2. **TERMINATION OF PEACETIME EMERGENCY.**

2.20 Consistent with Minnesota Statutes, section 12.31, subdivision 2, paragraph (b), the
2.21 peacetime emergency declared by Executive Order No. 20-01 issued March 13, 2020, is
2.22 terminated, effective on the earlier of July 1, 2021, or the date on which the commissioner
2.23 of health notifies the revisor of statutes that 70 percent of state residents age 16 years or
2.24 older have received one dose of an approved COVID-19 vaccine, regardless of whether
2.25 section 1 is finally enacted.

2.26 **EFFECTIVE DATE.** This section is effective the day following final enactment.