



STATE OF TENNESSEE

PROCLAMATION

BY THE GOVERNOR

WHEREAS, during the second regular session of the One Hundred Eleventh General Assembly, legislation granting limited COVID-related liability protection was considered, with each house of the General Assembly passing different versions of Senate Bill No. 2381/House Bill No. 2623 on this subject, but ultimately the Conference Committee Report that attempted to reconcile the differences between the versions passed by each house was not enacted into law; and

WHEREAS, limiting the COVID-19-related liability risk for health care providers, businesses, and other persons who operate in a responsible, safe manner remains imperative to facilitating the provision of the additional medical resources required to combat COVID-19 and supporting the State's economic recovery and employment opportunities; and

WHEREAS, on July 1, 2020, I issued Executive Order No. 53, which utilizes authority under Tennessee Code Annotated, Section 58-2-107(1), to provide limited COVID-related liability protection for health care providers except in cases of gross negligence or willful misconduct, but such protections should be broadened to cover other Tennesseans and made more permanent in duration through legislation; and

WHEREAS, Executive Order No. 15 and Executive Order No. 36, as extended by Executive Order No. 50, have facilitated and encouraged the provision of telehealth and related services during the COVID-19 pandemic, including expanding the health care providers who can provide telehealth services to Tennesseans and encouraging insurers to cover clinically appropriate, medically necessary covered services provided via telehealth, and the General Assembly should consider whether additional legislation to bolster the provision of telehealth services is warranted; and

WHEREAS, I have repeatedly supported the right of Tennesseans to engage in peaceful assembly and protest, and many peaceful protests and demonstrations have occurred across Tennessee in recent weeks, including on and around the State Capitol grounds, but some protests on and around the Capitol grounds have also resulted in vandalism and defacement of public property, overnight camping on public property in violation of state law, and other risks to public safety; and

WHEREAS, the General Assembly should consider whether additional legislation to safeguard the right of all Tennesseans to peacefully demonstrate by protecting the safety of state employees and the public and preventing damage or destruction to public property is appropriate; and

WHEREAS, it is in the best interest of Tennessee that the General Assembly convene to address these matters.

NOW THEREFORE, I, Bill Lee, Governor of the State of Tennessee, by virtue of the power and authority vested in me by Article III, Section 9 of the Tennessee Constitution, do hereby call the One Hundred Eleventh General Assembly of the State of Tennessee to meet and convene in extraordinary session at the Capitol in Nashville on August 10, 2020, at 4:00 p.m., Central Daylight Time, to consider and act upon legislation that: (1) provides COVID-related liability protection for persons and entities; (2) concerns Tennesseans' access to electronic delivery of health and health-related services, including, but not limited to, telehealth, telemedicine, teletherapy, and remote patient monitoring; (3) protects the right of all Tennesseans to peaceful demonstration by ensuring the adequate protection of law enforcement, first responders, state employees and contractors, public officials, members of the public, and public and private property, or use thereof, including the prosecution of offenses committed against law enforcement, first responders, state employees and contractors, public officials, and public and private property,

or the use thereof; and (4) makes appropriations sufficient to provide the first year's funding for any act which receives final passage during the extraordinary session.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Tennessee to be affixed at Nashville on this 3rd day of August, 2020.



GOVERNOR

ATTEST:



SECRETARY OF STATE

