



EXECUTIVE ORDER NO. 09 – 17

GRANTING STATE PUBLIC HEALTH DIRECTOR ADDITIONAL AUTHORITY TO RESPOND TO PANDEMIC H1N1 INFLUENZA

Pandemic H1N1 influenza (once referred to as “swine flu”), a new flu virus that causes respiratory illness in people, is widespread throughout Oregon.

The Centers for Disease Control and Prevention (CDC) first detected the H1N1 virus in the United States in April 2009. In June 2009, the World Health Organization (WHO) declared that an H1N1 pandemic is underway, which means this infectious disease is spreading among people throughout the world.

On October 24, 2009, President Obama signed a National Emergency Declaration on H1N1. The National Emergency Declaration on H1N1 allows healthcare systems to quickly implement disaster plans should they become overwhelmed, by applying for and obtaining federal waivers under the Social Security Act. To date, within Oregon, Josephine County has declared a state of emergency due to H1N1. Since September 1, 2009, Oregon has experienced 745 hospitalizations and 20 deaths as a result of H1N1 influenza.

In Oregon, the Department of Human Services (DHS) Public Health Division is leading the State’s response to pandemic H1N1 flu. Since September 1, 2009, the Public Health Division has consulted with counties regarding ten presumed H1N1 outbreaks, and responded to approximately thirty other calls from county health departments related to H1N1. The Division has also worked to fill county and tribal orders for medication and personal protective equipment, providing approximately 4,240 courses of antiviral medications, 129,091 N95 face masks, 141,000 surgical masks, 810 gowns, 9,700 gloves, and 1,716 face shields.

As this situation develops, the Public Health Division is working to share information about pandemic H1N1, promote influenza vaccinations, and support Oregon’s healthcare system. This Order provides the Public Health Director with additional authority to respond proactively to pandemic H1N1 influenza, as the disease spreads.

Oregon’s tribal and local governments play crucial public health roles, and have the ability to take swift action at a local level. This Order directs DHS to work with tribal and local governments to fully implement an H1N1 influenza response. Local governments have independent power to initiate quarantines and isolate individuals with communicable pandemic H1N1 influenza as needs require.



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NOW THEREFORE, IT IS HEREBY DIRECTED AND ORDERED:

1. Pursuant to ORS 431.264(1), the Public Health Director has found that a communicable disease, pandemic H1N1 influenza, is reported in Oregon, is an issue of significant regional and national concern, and is an issue for which there is significant involvement from federal authorities requiring state-federal coordination.

2. Accordingly, I hereby authorize the Public Health Director, to take any of the public health actions outlined in ORS 431.264(2), as needed, to proactively implement Oregon's public health response to pandemic H1N1 influenza. These actions include, but are not limited to:

- a. Coordinating the public health response across jurisdictions.
- b. Prescribing measures for the:
 - i. Identification, assessment and control of the communicable disease or reportable disease, disease outbreak, epidemic or other condition of public health importance; and
 - ii. Allocation and distribution of antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and other pharmaceutical agents, medical supplies or personal protective equipment.
- c. After consultation with appropriate medical experts, creating and requiring the use of diagnostic and treatment guidelines and provide notice of those guidelines to health care providers, institutions and facilities.
- d. Directing a person to use appropriate prophylactic measures to prevent the introduction or spread of pandemic H1N1 influenza, with certain exceptions.
- e. Directing a district school board to close a children's facility or school under the jurisdiction of the board.
- f. Issuing guidelines for private businesses regarding appropriate work restrictions.
- g. Organizing public information activities regarding the public health response to pandemic H1N1 influenza.
- h. Adopting reporting requirements for, and providing notice of those reporting requirements to, health care providers, institutions and facilities for the purpose of obtaining information directly related to pandemic H1N1 influenza.



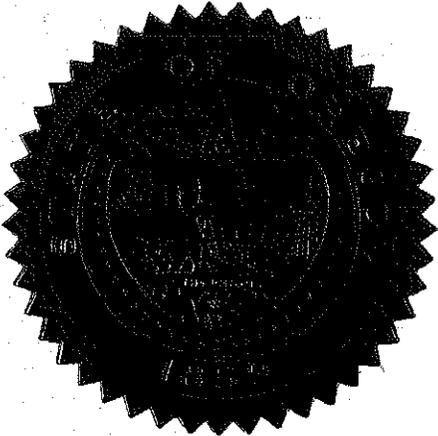
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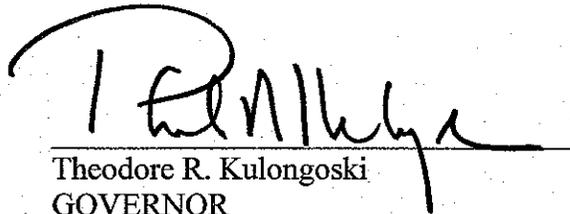
- i. Taking control of antitoxins, serums, vaccines, immunizing agents, antibiotics, antidotes and other pharmaceutical agents, medical supplies or personal protective equipment.

3. DHS Public Health Division shall continue to promptly respond to tribal and local governments' specific requests for additional technical support, staffing, equipment, and medications, with information and support as needed. Specific county and tribal requests may include but are not limited to requests for antiviral medications, N95 face masks, surgical masks, gowns, gloves, and face shields.

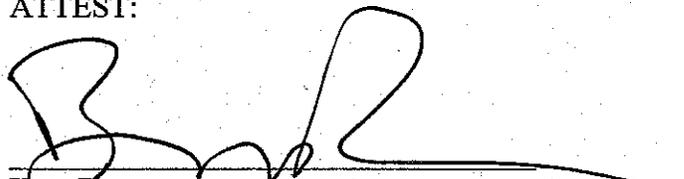
4. This Order expires on July 1, 2010.

Done on this 4th day of November, 2009, in Salem, Oregon




Theodore R. Kulongoski
GOVERNOR

ATTEST:


Kate Brown
SECRETARY OF STATE