

Executive Order No. 2018-28

Mandatory Medical Evacuation of Healthcare Facilities

WHEREAS, the National Hurricane Center advises that Hurricane Florence, anticipated to be a category 4 hurricane, will likely affect or strike the coast of South Carolina; and

WHEREAS, the force of Hurricane Florence represents an imminent threat to the safety, security, and welfare of the residents and patients of coastal healthcare facilities; and

WHEREAS, I am authorized pursuant to section 25-1-440 of the South Carolina Code of Laws, as amended, as the elected Chief Executive of the State, to direct and compel evacuation of all or part of the populace from any stricken or threatened area if this action is considered necessary for the preservation of life or other emergency mitigation, response, or recovery; and

WHEREAS, I have declared a State of Emergency in South Carolina pursuant to Executive Order 2018-26; and

WHEREAS, I have determined that evacuation of healthcare facilities is necessary for the preservation of life in and surrounding the threatened area; and

WHEREAS, I, with consultation of the South Carolina Emergency Management Division and the South Carolina Department of Health and Environmental Control (DHEC), have determined that due to time and logistical concerns, evacuation of healthcare facilities should begin prior to a general population evacuation.

NOW THEREFORE, by virtue of the power and authority vested in me as the Governor of the State of South Carolina and pursuant to the Constitution and Laws of this State and the powers conferred upon me therein, effective at the time of one o'clock PM, September 10, 2018, I do hereby order a mandatory medical evacuation of all healthcare facilities licensed by DHEC and located in the following Evacuation Zones in Jasper (Zones A, B), Beaufort (Zone A), Colleton (Zones A, B), Charleston (Zones A, B and C), Dorchester (Zones D, E and F), Berkeley (Zones B, G, H and I), Georgetown (Zones A, B and C), and Horry (Zones A, B and C). Specific details of the areas for the evacuation follow this Order in Attachment 1., Evacuation Zones.

For purposes of this Order, healthcare facilities include acute care hospitals, psychiatric hospitals, alcohol and substance abuse hospitals, rehabilitation hospitals, nursing homes, community residential care facilities (also called assisted living facilities), ambulatory surgical facilities, hospice facilities, radiation therapy facilities, abortion facilities, day care facilities for adults, residential treatment facilities for children and adolescents, intermediate care facilities for persons with intellectual disability (ICFPID), narcotic treatment programs, inpatient facilities that treat individuals for psychoactive substance abuse or dependence, and birthing centers.

Upon the effective date and time of this Order, all healthcare facilities in the evacuation zones are hereby ordered to initiate evacuation procedures and to stop admission of any non-emergent patients. All inpatient facilities in the evacuating zones shall immediately begin to reduce their census of patients, limit services to emergent or essential patient needs (for example, non-elective procedures, dialysis, giving birth, medications, and chemotherapy), and take other measures as necessary to ensure evacuation is completed pursuant to this Order.

It is important to begin evacuating healthcare facilities in advance of the approaching hurricane and prior to further general population to ensure the safety of patients. Each healthcare facility is unique with different needs and should begin implementing its plan now. Recognizing that fully evacuating takes time and the needs of each healthcare facility are different, each healthcare facility must notify DHEC upon completion of its evacuation so that the State has a census of healthcare facilities. Such notification to DHEC may be made by e-mail or by telephone: acc-healthreg@dhec.sc.gov or 1-800-833-0099.

OBTAINING EXEMPTION FROM THE MANDATORY MEDICAL EVACUATION

In accordance with applicable law and regulations, a hospital seeking an exemption from this Order must request the exemption from DHEC. DHEC will base its exemption decisions on the hospital's Critical Data Sheet (CDS) on file with DHEC. Based upon the CDSs and other relevant criteria, DHEC may grant exemptions from a full mandatory evacuation to those hospitals which qualify. Nursing homes, ICFIDs, and hospice facilities are generally NOT allowed an exemption. Under limited circumstances, DHEC may exempt nursing facilities (nursing homes), ICFIDs, and hospice facilities pursuant to SC Regs. 61-17, 61-13, and 61-78, respectively. Attached to this Order are DHEC's Mandatory Medical Evacuation Protocols that shall be enforced while this Order is in place.

DHEC will maintain the list of hospitals that are granted exemptions from the requirement to evacuate. DHEC may revoke an exemption as needed, such as due to deteriorating conditions. Those requesting exemptions should be aware that assistance may not be available due to the severe weather or the effects of the severe weather.

APPROVING SHELTER-IN-PLACE FOR MEDICALLY-FRAGILE PATIENTS

Under limited circumstances, a physician may determine that it is medically advisable for a medically-fragile patient to shelter-in-place in a hospital that has otherwise evacuated. In this scenario, such hospital should work through this issue according to DHEC's protocols. Attached to this Order are DHEC's Mandatory Medical Evacuation Protocols that shall be enforced while this Order is in place.

RE-ENTRY

After a county is evacuated, re-entry decisions into the county will be made at a local level based on local conditions. Thus, if a hospital requests to re-establish emergency services, including those services necessary to support emergency services, within a part of the hospital after the hurricane has subsided but before the expiration of this Order, or after the expiration of this Order but before a county is allowing re-entry, the hospital must work with DHEC and the **local emergency management authority** to gain re-entry into the county and hospital. The hospital, in consultation with DHEC, must conduct an inspection of the facility to determine if that section can function safely and meet regulatory requirements. The inspection must be certified by the facility manager and the CEO or their designees. Upon approval from DHEC, the hospital must obtain approval of the local emergency management authority in the county prior to re-establishing services. The local emergency management authority is appropriate to assist in re-entry decisions as they will have intimate knowledge of the local conditions, such as road conditions and risks to patients' lives and safety.

Further Proclamations and Orders deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued verbally by me, and thereafter published for dissemination within the succeeding twenty-four-hour period.

**GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF SOUTH**

**CAROLINA, THIS 10th DAY OF
SEPTEMBER, 2018.
HENRY MCMASTER
Governor**