



EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 178 JBE 2021

RENEWAL OF STATE OF EMERGENCY – HURRICANE IDA

- WHEREAS,** the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, confers upon the Governor of the State of Louisiana emergency powers to deal with emergencies and disasters, including those caused by fire, flood, earthquake or other natural or manmade causes, in order to ensure that preparations of this State will be adequate to deal with such emergencies or disasters and to preserve the lives and property of the people of the State of Louisiana;
- WHEREAS,** when the Governor determines that a disaster or emergency has occurred, or the threat thereof is imminent, La. R.S. 29:724(B)(1) empowers him to declare a state of emergency by executive order or proclamation, or both;
- WHEREAS,** on August 26, 2021, in preparation for the landfall of then-Tropical Storm Ida, the Governor declared an emergency to exist throughout the State of Louisiana in Proclamation Number 165 JBE 2021; on August 27, 2021, he further supplemented this order in Proclamation Number 166 JBE 2021, he further supplemented this order in Proclamation Number 170 JBE 2021, and he further supplemented this order in Proclamation Number 172 JBE 2021;
- WHEREAS,** on August 27, 2021, President Joseph R. Biden approved an emergency declaration for the State of Louisiana, authorizing appropriate assistance under Title V of the Stafford Act, to be coordinated by the United States Department of Homeland Security and the Federal Emergency Management Agency;
- WHEREAS,** Hurricane Ida made landfall on the Louisiana coast as a major hurricane on Sunday, August 29, 2021, bringing devastating winds, widespread power-outages, and severe damage to Louisiana;
- WHEREAS,** on August 29, President Biden approved a Major Disaster Declaration for the State of Louisiana, authorizing individual and public assistance for all impacted parishes; and
- WHEREAS,** the State of Louisiana experienced severe damage that continues to threaten the safety, health, and security of the citizens of the State of Louisiana, as well as devastating damage to private property and public facilities.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, a state of emergency is hereby declared to continue to exist in the State of Louisiana as a result of the threat to lives and property of the citizens of the State of Louisiana created by the emergency conditions in the aftermath of Hurricane Ida.

SECTION 2: The Director of the Governor's Office of Homeland Security and Emergency

Preparedness (GOHSEP) is hereby authorized to undertake any activity authorized by law that he deems appropriate in response to this declaration.

- SECTION 3:**
- A) Pursuant to the La. R.S. 29:732, during a declared state of emergency, the prices charged or value received for goods and services sold within the designated emergency area may not exceed the prices ordinarily charged for comparable goods and services in the same market area at or immediately before the time of the state of emergency, unless the price by the seller is attributable to fluctuations in applicable commodity markets, fluctuations in applicable regional or national market trends, or to reasonable expenses and charges and attendant business risk incurred in procuring or selling the goods or services during the state of emergency.
 - B) Pursuant to La. R.S. 29:724(D)(1), the Louisiana Procurement Code (La. R.S. 39:1551, *et seq.*) and Louisiana Public Bid Law (La. R.S. 38:2211, *et seq.*) and their corresponding rules and regulations are hereby suspended for the purpose of the procurement of any good or services necessary to respond to this emergency, including emergency contracts, cooperative endeavor agreements, and any other emergency amendments to existing contracts.
 - C) Pursuant to La. R.S. 29:724(D)(1), the provisions of La. R.S. 39:126 regarding prior approval of change orders are hereby suspended.

SECTION 4: UNEMPLOYMENT INSURANCE

- A) For the purpose of this Proclamation, “disaster-related claims” shall mean claims for unemployment compensation filed by persons whose unemployment is directly due to the effects of Hurricane Ida or due to their inability to get to their job or worksite because they live, work or travel through a disaster parish, as determined by the administrator of the state’s unemployment compensation program, *i.e.*, the Secretary of the Louisiana Workforce Commission. Disaster-related claims will not necessarily include all claims in all parishes included in the flooding disaster proclamations, declarations, or orders.
- B) The following statutes relative to unemployment insurance, to the extent and in the manner described below, are hereby suspended:
 - 1) La. R.S. 23:1533, which provides for claimants' benefits to be charged against base period employers for purposes of employers' tax experience rating and the protesting of such charges by employers, shall be suspended for disaster-related claims made during the effective period of this proclamation.
 - 2) La. R.S. 23:1552, which provides for the charging of claimants' benefits to certain employers, shall be suspended for disaster-related claims made during the effective period of this proclamation.
 - 3) La. R.S. 23:1600(2) and (3) shall be suspended while this proclamation is in effect for disaster-related claims to the extent that they require claimants to register and search for work. However, the requirements in La. R.S. 23:1600(2) that claimants continue to report at an employment office in the manner prescribed by the administrator are not suspended. The requirement of La. R.S. 23:1600(3) that claimants be able to work and be available for work are not suspended. The requirement to continue to report at an employment office, which is accomplished through either an automated telephone system or the Internet, is not impractical and avoids overpayments, which claimants would be liable to repay. In the immediate aftermath of Hurricane Ida the suspended requirements are not practical for claimants without fixed temporary or permanent housing and verification of such activities is not

practical in many areas affected by Hurricane Ida.

- 4) La. R.S. 23:1600(4) shall be suspended while this proclamation is in effect for claims to the extent that claimants are required to wait a period of one week before receiving benefits. The state is experiencing emergency needs throughout the state for critical resources. This need is not in only the declared disaster areas.
- 5) La. R.S. 23:1601(1), (2) and (7)(a), (b) and (d), which provide certain disqualifications for otherwise eligible claimants, shall be suspended for disaster-related claims beginning while this proclamation is in effect. Regardless of the waiver of La. R.S. 23:1601(7), the requirement in La. R.S. 23:1600, that a claimant be "unemployed" as defined in La. R.S. 23:1472(19), is not waived. Persons who are paid by their employers, but who performed no services for the week(s) paid, are not unemployed and therefore are not eligible to receive unemployment benefits for any such week. Also, this suspension shall not affect the offset of wages from a claimant's weekly benefit amount pursuant to La. R.S. 23:1593.

SECTION 5: The provisions of La. R.S. 40:2116(D)(2) are hereby suspended for the purpose of allowing the Secretary of the Department of Health, at her discretion, to establish such protocols, policies, and procedures as to allow a licensed nursing facility which accepts or receives evacuated residents to temporarily exceed its licensed bed capacity in the event of a declared emergency. The Secretary of the Department of Health may establish such protocols, policies, and procedures without strict compliance with the requirements and provisions of the Administrative Procedure Act.

- SECTION 6:**
- A) Louisiana state licensure laws, rules, and regulations for medical professionals and personnel are hereby suspended for those medical professionals and personnel from other states or other countries offering medical services in Louisiana to those needing medical services as a result of this disaster provided that said out-of-state or out-of-country medical professionals and personnel possess a current medical license in good standing in their respective state or country of licensure and that they practice in good faith and within the reasonable scope of his or her skills, training, or ability.
 - B) All out-of-state or out-of-country medical professionals and personnel offering services in the State of Louisiana by authority of this Order shall continue to submit to the State Health Officer, or his designee at the Office of Public Health within the Louisiana Department of Health a copy of their respective professional license and photo identification, together with any other forms or documents the State Health Officer may require, by contacting the Office of Public Health.

SECTION 7: IDA ESSENTIAL WORKER LODGING

Hotels, motels, and other places of lodging shall, to the extent practical, accommodate and prioritize lodging for the following workers responding to this emergency: (a) first responders as defined in La. R.S. 29:739(C); (b) health care workers; and (3) individuals performing disaster or emergency-related work to critical infrastructure as defined in La. R.S. 47:53.5(B). Hotels, motels, and other places of lodging are hereby authorized to cancel any reservations which would result in the displacement or eviction of any such workers.

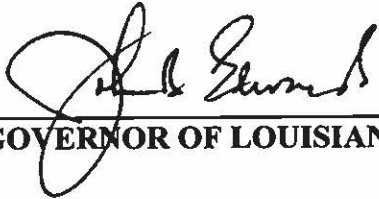
SECTION 8: All departments, commissions, boards, agencies and officers of the State, or any political subdivision thereof, are authorized and directed to cooperate in actions the State may take in response to the effects of this severe weather event.

SECTIONS 9: This order is effective upon signature and shall remain in effect from Saturday,

September 25, 2021 to Sunday, October 24, 2021, unless terminated sooner.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 24th day of September, 2021.


GOVERNOR OF LOUISIANA

ATTEST BY THE SECRETARY
OF STATE


SECRETARY OF STATE