

THE GOVERNOR

GOVERNOR'S OFFICE

Proclamation of Disaster Emergency

January 10, 2018

Whereas, the opioid crisis is of such magnitude or severity that emergency action is necessary to protect the health, safety, and welfare of affected citizens in Pennsylvania;

Whereas, the opioid crisis is a public health emergency in Pennsylvania contributing to addiction, overdose emergencies, and deaths; and

Whereas, the opioid crisis includes heroin and prescription pain medications, such as morphine, codeine, methadone, oxycodone, hydrocodone, fentanyl, and hydromorphone; and

Whereas, Pennsylvania's opioid crisis impacts all areas of the state—including urban, suburban, and rural communities and all ages including both young people and older Pennsylvanians—and is unprejudiced in its reach and devastation; and

Whereas, the deaths because of overdose are preventable and the effective treatment of opioid use disorders can reduce the risk of overdose; and

Whereas, the Drug Enforcement Agency reports the total number of fatal drug overdoses in Pennsylvania in 2016 was 4,642, a 37% increase from 2015 and those deaths increasingly are the result of fentanyl and other synthetic opioid compounds; and

Whereas, Pennsylvania's rate of drug overdose is 36.5 per 100,000 which is significantly higher than the national average of 16.3 per 100,000; and

Whereas, the Prescription Drug Monitoring Program reports the number of emergency department visits related to an opioid overdose have increased by 82% from the third quarter of 2016 to the third quarter of 2017;

Whereas, the Governor and the Acting Secretary of Health have reasonable cause to believe that disease, illness, and health conditions, including death, are being caused by the opioid crisis;

Whereas, it is necessary to make Naloxone more widely available to treat narcotic overdose in emergency situations;

Whereas, it is necessary to expand access to treatment facilities, as well as treatment options across the commonwealth; and

Whereas, it is necessary to temporarily reduce regulatory burdens, in accordance with federal and state law, to ensure that individuals receive needed treatment without delay.

Now Therefore, pursuant to the provisions of section 7301(c) of the Emergency Management Services Code, 35 Pa.C.S. § 7101 et seq., I do hereby proclaim the existence of a disaster emergency in the Commonwealth of Pennsylvania.

Further, I direct the establishment of an Opioid Unified Coordination Group that shall utilize the National Incident Management System (NIMS) to provide a consistent framework and approach to enable government to work together to prepare for, prevent, respond to, recover from, and mitigate the effects of the opioid crisis in Pennsylvania. The Opioid Unified Coordination Group shall consist of the heads of the following commonwealth agencies, or their designee, and such other executive branch agencies as the Governor may designate:

- (a) The Department of Health
- (b) The Department of Human Services
- (c) The Department of Drug and Alcohol Programs
- (d) The Pennsylvania Emergency Management Agency

- (e) The Pennsylvania Commission on Crime and Delinquency
- (f) The Pennsylvania State Police

Further, the Opioid Unified Coordination Group shall establish a Public Health Emergency Command Center (Command Center) that will operate within the Commonwealth Response Coordination Center (CRCC) located at the Pennsylvania Emergency Management Agency.

Further, during the period of this emergency, recognizing the need for urgent and expeditious action, pursuant to 35 Pa.C.S. § 7301(f), I do hereby authorize the suspension of relevant regulatory statutes that agencies under my jurisdiction are authorized by law to administer or enforce as may be necessary to respond to the opioid crisis. Any regulatory statute that agencies under my jurisdiction desire to be suspended must be reviewed by the Governor's Office of General Counsel, and filed with the Opioid Unified Coordination Group.

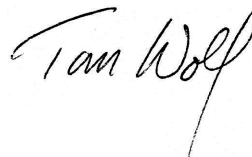
In Addition, if any administrative order, rule or regulation relating to the opioid crisis is inconsistent with the requirements of this Proclamation, or any rule, regulation, plan, or administrative order issued pursuant hereto, or if strict compliance with such provisions would prevent, hinder, or delay necessary action to cope with the emergency, then such provision is hereby rescinded for the duration of this Proclamation.

Still Further, pursuant to 35 Pa.C.S. § 7301(b), all agencies under my jurisdiction are authorized, ordered, and directed to issue, amend, and rescind such rules, regulations, orders, and plans as necessary to carry out their respective responsibilities and functions pursuant to this Proclamation, to issue, amend, and rescind such rules and regulations or orders under their respective statutory authorities as may be reasonably necessary to assist in responding to this opioid crisis.

Further, all commonwealth agencies purchasing supplies or services in response to this emergency are authorized to utilize the emergency procurement procedures set forth in section 516 of the Commonwealth Procurement Code, 62 Pa.C.S. § 516. This Proclamation shall serve as the written determination of the basis for the emergency under section 516.

Still Further, I hereby urge the governing bodies and executive officers of all political subdivisions that may be affected by this emergency event to act as necessary to meet the current exigencies as legally authorized under this proclamation.

Given under my hand and the Seal of the Governor, at the City of Harrisburg, this tenth day of January two thousand eighteen, the year of the commonwealth the two hundred forty-second.



Governor

[Pa.B. Doc. No. 18-90. Filed for public inspection January 19, 2018, 9:00 a.m.]