

**STATE OF SOUTH DAKOTA
OFFICE OF THE GOVERNOR
EXECUTIVE ORDER 2020-20**

Whereas, An outbreak of the severe respiratory disease, COVID-19, which is caused by and is transmitted by the person-to-person spread of the novel coronavirus, started in late 2019 and has currently been detected across the world, including the United States; and,

Whereas, The World Health Organization has designated COVID-19 a pandemic, and the U.S. Centers for Disease Control and Prevention (CDC) has declared a public health emergency; and,

Whereas, The CDC has issued guidance to state and local governments and all citizens recommending steps to prevent community spread and guard against the COVID-19 outbreak; and,

Whereas, South Dakota has confirmed cases of COVID-19, making this a public health emergency posing a danger to public health and safety in all of South Dakota and causing a state of emergency to be declared by Executive Order 2020-04 on March 13, 2020, which has been extended by Executive Order 2020-15, and continues to currently exist within the State of South Dakota until its expiration on May 31, 2020, unless sooner terminated or extended; and,

Whereas, The CDC continues to issue updated guidance to all citizens to take precautions every day to guard against contracting the disease, and specifically to the population of older adults and people with serious underlying medical conditions to stay home; and,

Whereas, Current projections released by the state Department of Health, endorsed by the state's major health systems, and informed by scientific data and expertise, indicate that due to the citizens of South Dakota following the guidelines and directions stating in Executive Order 2020-12, 2020-13, and 2020-18, the potential demand of hospitals due to the novel coronavirus has been reduced, South Dakota has flattened its curve slowing the spread of COVID-19, and beginning to resume normal activity is possible with a well-followed and deliberate plan; and,

Whereas, As members of our communities, South Dakotans have joined together in these times of crisis to confront difficult times and have helped their neighbors and shown that they are dedicated to following the directions and guidance to respond to this pandemic:

NOW, THEREFORE, I, KRISTI NOEM, Governor of the State of South Dakota, by the authority vested in me by the Constitution and the Laws of this State, including but not limited to SDCL 34-48A, do hereby Order and Direct the following:

Section 1 Back to Normal Plan. Every South Dakotan shall implement and follow South Dakota's "Back to Normal Plan," or the "Plan," dated April 28, 2020 and attached to this Executive Order, or a later updated version of the Plan. The Plan details the expectations for individuals, businesses, schools, health care providers, and local governments to return to normal business and social interactions while accounting for the inherent uncertainties of this pandemic. The Plan may be amended to respond to changing circumstances after consultation with the

Medical Review Task Force and a thorough understanding of the data, facts, and science that inform this Plan. The most current version shall be followed and can be found at covid.sd.gov.

Section 2 Personal Responsibility. The success of this Plan will depend in large part on the ability of individuals, employers, businesses, schools, health care providers, and local governments to exercise personal responsibility and common sense to help reduce future business and social disruption.

Section 3 Local Governments Within the State of South Dakota. Local governments shall follow the Plan for their respective jurisdictions.

Section 4 Executive Order 2020-12. Executive Order 2020-12 is hereby rescinded.

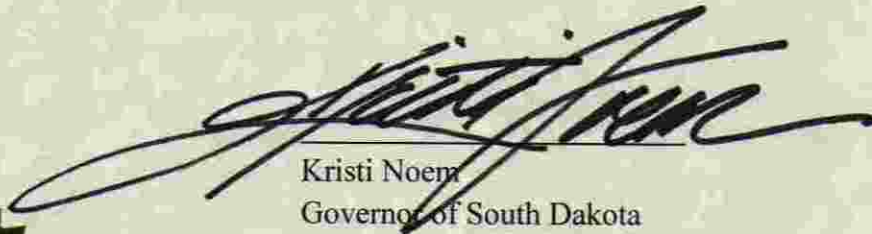
Section 5 Limitations:

A. This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the State of South Dakota, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

B. Sovereign nations within the borders of South Dakota should review the matters set forth herein and make their own decisions in accordance with tribal law.

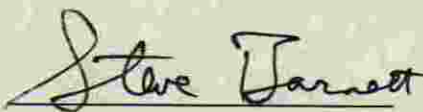
C. This Order is based on developing data, facts, and science and may be rescinded or amended, and shall be in effect for the duration of the COVID-19 State of Emergency declared by Executive Order 2020-04, extended by Executive Order 2020-15.

Dated in Pierre, South Dakota this 28th day of April, 2020.



Kristi Noem
Governor of South Dakota

ATTEST:



Steve Barnett
Secretary of State



605
STRONG

The **Road** to
Recovery

South Dakota's **Back to Normal** Plan

Thanks to a strong commitment and respect for the principle of personal responsibility, South Dakotans have dramatically changed the trajectory of our initial COVID-19 projections. With our hospitalization capacity currently at a manageable level, South Dakotans are asked to consider the following steps as we look to get back to normal.

- Governor Kristi Noem

[COVID.sd.gov](https://www.covid.sd.gov)

South Dakota's Back to Normal Plan

Individuals:

- ▶ Continue to **practice good hygiene**
- ▶ Continue to stay home when sick
- ▶ Continue to practice physical distancing, as appropriate
- ▶ **Vulnerable individuals** are at higher risk for this virus. Accordingly, they should:
 - » Take extra care to practice good hygiene
 - » Avoid those who are sick or those who have been exposed to people who are sick
 - » Consider staying home whenever possible

Employers:

- ▶ Encourage good hygiene and **sanitation practices**, especially in high-traffic areas
- ▶ Encourage employees to stay home when sick
- ▶ If previously operating via telework, begin transitioning employees back to the workplace
- ▶ Where appropriate, **screen employees** for symptoms prior to entering the workplace

Enclosed Retail Businesses¹ that Promote Public Gatherings:

- ▶ Resume operations in a manner that allows for reasonable physical distancing, good hygiene, and appropriate sanitation
- ▶ Consider restricting occupancy and continue innovating in this uncertain environment

Schools:

- ▶ Continue remote learning
- ▶ Consider a limited return to in-person instruction to “check in” before school year ends
- ▶ Encourage good hygiene and sanitation practices, especially in high-traffic areas

Health Care Providers:

- ▶ Hospitals treating COVID-19 patients should reserve 30% of their hospital beds and maintain appropriate stores of PPE to meet surge demand
- ▶ Other hospitals and surgery centers must have updated transfer protocols and adequate stores of independently-sourced PPE
- ▶ Non-hospital healthcare can resume with adequate stores of independently sourced PPE
- ▶ Continue to restrict visits to senior care facilities and hospitals

Local Governments:

- ▶ Consider current and future actions in light of these guidelines

Frequently Asked Questions ([Appendix 2](#)) will be kept up to date with further clarifications.

Note: The Governor and Department of Health may respond to significant clusters with enhanced mitigation on a county-by-county basis.

¹As defined in [Executive Order 2020-08](#), this includes any indoor restaurant, bar, brewery, café, casino, coffee shop, recreational or athletic facility, health club, or entertainment venue.

Criteria to Initiate Plan

SYMPTOMS

Downward trajectory of influenza-like illnesses (ILI) reported within the last 14-day period

Plan in place so all persons with COVID-19 symptoms can receive a test upon recommendation from their provider

CASES

Downward trajectory of documented cases within a 14-day period in areas with sustained community spread*

No clusters that pose a risk to public**

HOSPITALS

Treat all patients without crisis care

Testing program in place for at-risk healthcare workers, including emerging antibody testing

Adequate supply of independently procured personal protective equipment is available for all workforce and patients

STATE

SD DOH has the capacity to rapidly investigate COVID-19 cases and initiate containment (isolation and quarantine)

SD EOC maintains a rapid response team to support high-risk businesses with a confirmed COVID-19 case

*Either minimal/moderate or substantial community spread from the Community Impact Map. Map will be updated to reflect changes:

- Substantial to Minimal/Moderate: No active cases
- Minimal/Moderate to No Community Spread: No new community-acquired cases within 14 days and no active cases

**Clusters that pose a risk to the public: 10 or more cases that are not confined to a single setting OR a large exposure event (>50 people) with currently increasing number of cases

Frequently Asked Questions

FAQs

Q: When can churches and other places of worship resume religious services?

A: Churches were never required to close; as they resume services, they are encouraged to consider the guidelines for “public gatherings” and to consider steps to maintain reasonable physical distancing.

Q: Does this mean schools could resume in-person classes before the end of the school year?

A: Each school district should make its own decisions about the remainder of the school year; school districts are encouraged to take steps to contact all students and assess student learning.

Q: When can daycare centers reopen?

A: Daycares were never explicitly required to close; they can reopen at any time and are encouraged to emphasize appropriate sanitation.

Q: Do I have to keep wearing a mask when I am in public?

A: Masks have never been required, but South Dakotans are encouraged to continue to consider [CDC guidance](#) and use.

Q: Does this mean I know longer have to “stay at home”?

A: South Dakota never issued a “stay at home” or “shelter in place” order. South Dakotans are encouraged to use common sense and practice good hygiene and reasonable physical distancing.

Q: Are businesses, including outdoor venues and events, allowed to reopen?

A: No business was ever required to close. Business are encouraged to consider these guidelines as they resume normal operations, and also must adhere to any local restrictions.

Q: Is travel allowed to and from South Dakota, or within South Dakota?

A: South Dakota never prohibited travel to or from other states, or within the state. South Dakotans and visitors from out of state are encouraged to use common sense.

Q: Can doctors resume clinic visits? Can dentists, optometrists, chiropractors, and other healthcare providers resume operation?

A: Non-hospital healthcare, including clinic visits, can resume so long as providers secure adequate supplies of personal protective equipment without relying on the state supply.