

COVID-19

What You Need to Know

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COVID-19 Resources and Updates

Agenda

- Governor's orders, local orders, superseding issues
- TOMA suspensions
- Medical disclosure information
- Budget and tax issues
- Personnel matters
- Elections issues
- Legislative/Funding Update

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Governor's Order

Executive Order GA-26: “Except as provided in this executive order or in the minimum standard health protocols recommended by DSHS, found at www.dshs.texas.gov/coronavirus, people should not be in groups larger than ten and should maintain six feet of social distancing from those not in their group.”

“In providing or obtaining services, every person (including individuals, businesses, and other legal entities) should use good-faith efforts and available resources to follow the minimum standard health protocols recommended by DSHS. Nothing in this executive order or the DSHS minimum standards precludes requiring a customer to follow additional hygiene measures when obtaining services. Individuals are encouraged to wear appropriate face coverings, but no jurisdiction can impose a civil or criminal penalty for failure to wear a face covering.”

Governor's Order

-Phase III Openings: The best way to determine? Visit www.gov.texas.gov/opentexas.

-Enforcement: The order eliminates confinement in jail as an available penalty for any violation of any executive order. It also provides that it supersedes any contrary local or state order.

-Lawsuits: Texas Supreme Court and others...

Open Meetings

On March 16, the governor granted the attorney general's request for the suspension of certain open meeting statutes:

<https://www.texasattorneygeneral.gov/sites/default/files/files/divisions/open-government/COVID-19-OMA-Suspension-Letter.pdf>

The open meeting statutes remain suspended until _____, or until affirmatively rescinded.

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Protected Health Information Issues

What is HIPAA?

What is the TMRPA?

What is PHI?

What is local health authority?

Protected Health Information Issues

When may a local health authority disclose protected health information?

- A city can say how many cases exist in the city so long as it does not identify any individuals. Tex. Health & Safety Code § 81.046(c)(1).
- A city should not disclose any additional information to the public about the cases to avoid disclosing PHI.

What must a local health authority disclose?

- A local health department or health authority shall provide to first responders the physical address of a person who is being monitored by the local department or authority for a communicable disease for the duration of the disease's incubation period.

What should a city do if health care providers won't provide details of COVID-19 cases?

Tax and Budget Updates

Property Tax

- Senate Bill 2 disaster exemptions
- Appraisal issues

Sales Tax

- Major declines in local sales tax revenue
- Comptroller's internet sourcing rule delayed effective date of 10/1/21

City Budgets

- Difficult budget decisions
- Budget amendments and “grave public necessity”
- TML Budget and Taxation Deadline Memo and S.B. 2 Explanatory Memo: <https://www.tml.org/288/Finance-Economic-Development>

Paid Leave Under the FFCRA

Emergency Paid Sick Leave

Emergency Family and Medical Leave

Return to Work Policies

- Employees who can return to work
- Employees who cannot return to work
- Employees who refuse to return to work

Elections

May Elections were postponed to November

Some Special Elections Moved to Non-Uniform Date

Sales Tax Reauthorization Elections

Primary Runoff Election – July 14

Early Voting by Mail

Legislative/Funding Update

CARES Act: \$11.24 Billion to Texas for state, city, and county allowable expenses for responding to Covid-19. Money may be used to cover costs that:

- Are necessary expenditures incurred due to public health emergency with respect to Covid-19
- Were not accounted for in the budget most recently approved as of March 27, 2020; and
- Were incurred during the period that begins on March 1, 2020, and ends on December 30, 2020.
- Treasury Guidance/TDEM Limitations

HEROES Act

SMART Act

Questions?

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