

State of South Carolina

Executive Department



Office of the Governor

EXECUTIVE ORDER NO. 2019-27

WHEREAS, the National Hurricane Center has determined from the latest forecast models that Hurricane Dorian, which is currently a category 5 hurricane, may impact the State of South Carolina and other areas in the southeastern region of the United States; and

WHEREAS, the undersigned has been advised that Hurricane Dorian, including the associated wind, heavy rain, flash flooding, and other severe weather, represents a significant threat to the State of South Carolina, which requires that the State take timely precautions to protect and preserve property, critical infrastructure, communities, and the general safety and welfare of the people of this State; and

WHEREAS, due to the potential impact of Hurricane Dorian, the undersigned issued Executive Order No. 2019-27 on August 31, 2019, declaring that a State of Emergency exists throughout the State of South Carolina and activating the South Carolina Emergency Operations Plan; and

WHEREAS, the anticipated impacts of Hurricane Dorian represent an imminent threat to the safety, security, and welfare of the residents and patients of certain healthcare facilities in the State of South Carolina; and

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

WHEREAS, upon consultation with the South Carolina Emergency Management Division (“EMD”) and the South Carolina Department of Health and Environmental Control (“DHEC”), the undersigned has determined that the evacuation of healthcare facilities in and surrounding the threatened areas is necessary for the preservation of life and that, due to time and logistical concerns, such evacuation should begin prior to any 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 immediately, I hereby order a mandatory medical evacuation of all healthcare facilities licensed by DHEC and located in the following Evacuation Zones, which are detailed further in **Exhibit A**: Jasper (Zone A), Beaufort (Zone A), Colleton (Zones A and B), Charleston (Zones A, B, and C), Dorchester (Zone D), Berkeley (Zones B and G), Georgetown (Zone A), and Horry (Zone A). Accordingly, for the foregoing reasons and in accordance with the cited authorities and other applicable law, I further order and direct as follows:

Section 1. Healthcare Facilities

For purposes of this Order, healthcare facilities shall 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 above-referenced Evacuation Zones are hereby ordered to initiate evacuation procedures and to stop admission of any non-emergent patients. All inpatient facilities in the above-referenced Evacuation 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 any general population evacuation 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 email at acc-healthreg@dhec.sc.gov or by telephone at 1-800-833-0099.

Section 2. 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 that qualify. Nursing homes, ICFIDs, and hospice facilities generally are *not* allowed an exemption. Under limited circumstances, DHEC may exempt nursing facilities (nursing homes), ICFIDs, and hospice facilities pursuant to Regulations 61-17, 61-13, and 61-78 of the South Carolina Code of Regulations, respectively. Attached to this Order as **Exhibit B** are DHEC’s Mandatory Medical Evacuation Protocols, which shall be enforced while this Order is in effect.

DHEC shall 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 facilities requesting exemptions should be aware that assistance may not be available due to the severe weather or the effects of the severe weather.

Section 3. 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 as **Exhibit B** are DHEC's Mandatory Medical Evacuation Protocols, which shall be enforced while this Order is in effect.

Section 4. Re-Entry

After a county is evacuated, decisions regarding re-entry into the county will be made at a local level based on local conditions. Accordingly, 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 facility. 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 chief executive officer 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.

This Order is effective immediately. Further proclamations, orders, and directives deemed necessary to ensure the fullest possible protection of life and property during this State of Emergency shall be issued verbally by the undersigned and thereafter reduced to writing and published for dissemination within the succeeding 24-hour period.



GIVEN UNDER MY HAND AND THE GREAT SEAL OF THE STATE OF SOUTH CAROLINA, THIS 1st DAY OF SEPTEMBER, 2019.

Handwritten signature of Henry McMaster in blue ink.

HENRY MCMASTER
Governor

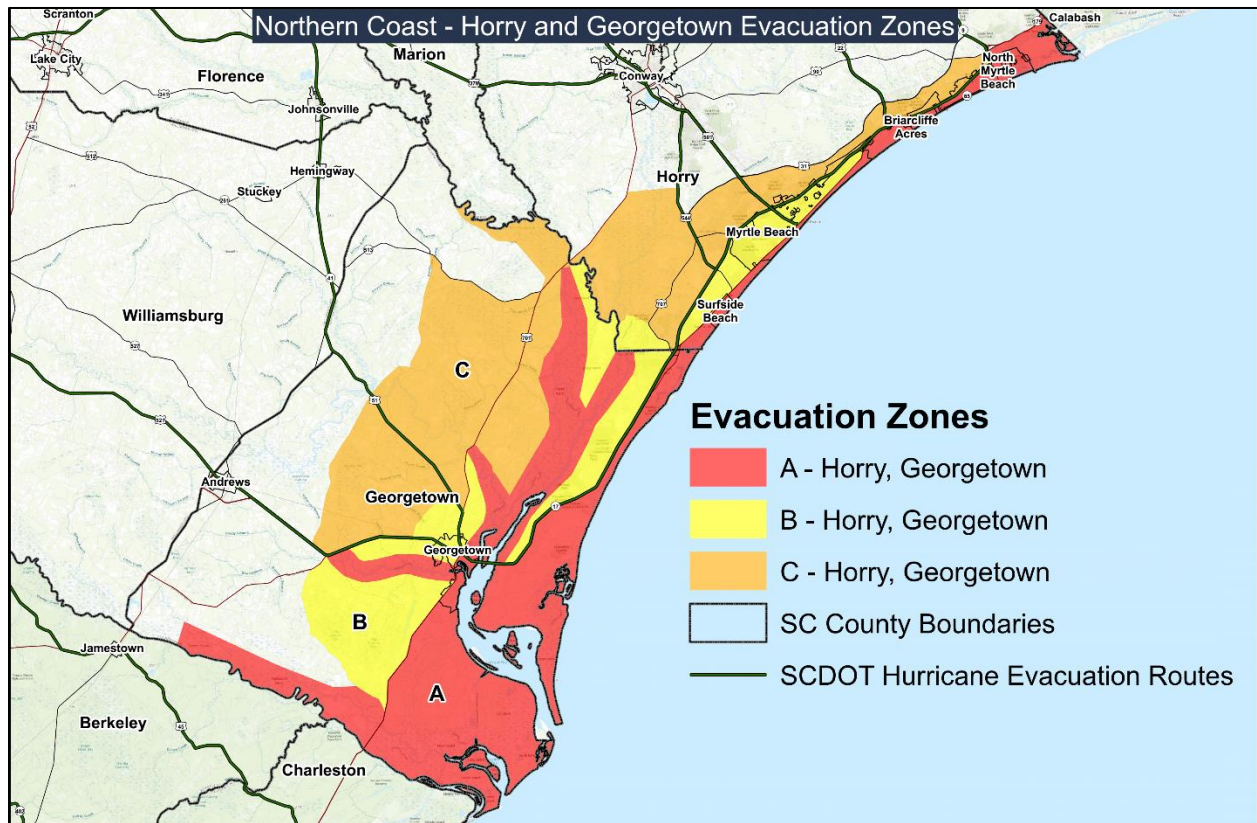
ATTEST:

Handwritten signature of Mark Hammond in blue ink.

MARK HAMMOND
Secretary of State

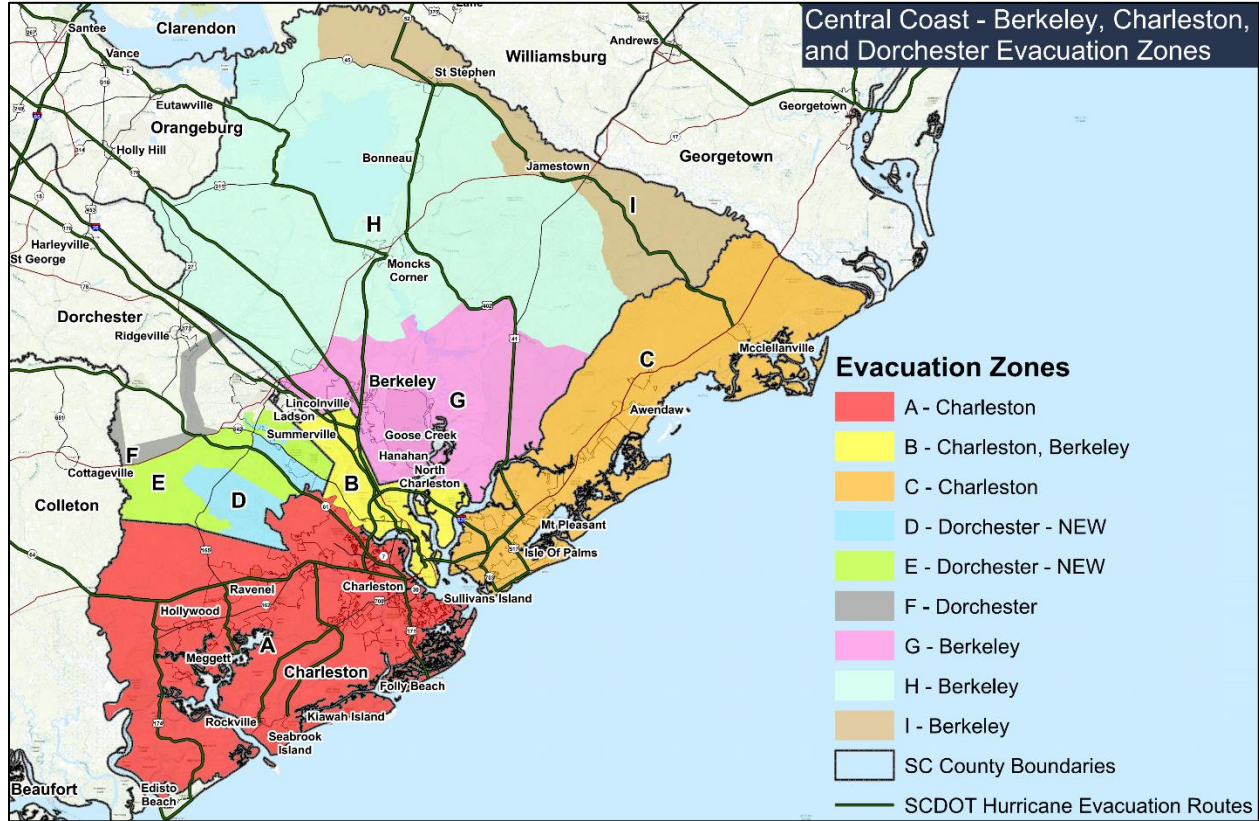
EXHIBIT A. EVACUATION ZONES

A. Northern Conglomerate Evacuation Zones



1. Horry County Evacuation Zones
 - a. Zone A: All areas east of U.S. Business 17 (Kings Hwy.), up to the intersection with U.S. 17 (Kings Hwy.), and then all areas east of U.S. 17 (Kings Hwy.) to the northern county line.
2. Georgetown County Evacuation Zones
 - a. Zone A: Areas east of Hwy. 17 to the Atlantic Ocean from the South Santee River and north to the Horry County line, including Sandy Island; areas east of Dawhoo Lake, and south of Walker Road and Powell Road to the South Santee River; all low-lying areas along the Waccamaw River, Great Pee Dee River, Black River, and Sampit River south of Hwy. 521 (17A), including Maryville.

B. Central Conglomerate Evacuation Zones



1. Berkeley County Evacuation Zones

a. Zone B: See 3.b. below and the map.

b. Zone G:

(1) Hanahan: North of Woods Avenue from end of road at east edge of rail yard to its intersection with Remount Road. North of Remount Road from its intersection with Woods Avenue to its intersection with the railroad tracks just west of Dutton Avenue. East of the railroad tracks from their intersection with Remount Road to crossing over the Goose Creek (just south of Middle Earth Nursery and Infinger Furniture).

(2) Goose Creek/Ladson/Summerville: Including areas northeast of the intersection of Hwy. 52 and Camelot Drive, continuing along Ryan Drive and Holly Avenue across to Westview Blvd. (includes buildings on both sides of Camelot Drive, Ryan Drive, and Holly Avenue). Crowfield Plantation from Westview Blvd. near Holly Avenue across I-26 along Ancrum Road to its intersection with Hwy. 78. Northeast of Hwy. 78 from its intersection with Ancrum Road (Ladson Road) to its intersection with Hwy. 17A (Main St.) in Summerville. Southeast of Hwy. 17A (Main

Street/S. Live Oak Drive) from its intersection with Hwy. 78 to its intersection with Cypress Gardens Road.

(3) Whitesville/Pimlico/Cordesville: South of Cypress Gardens Road from its intersection with Hwy. 17A (S. Live Oak Drive) to its intersection with Pimlico Blvd. South of Pimlico Blvd. from its intersection with Cypress Gardens Road through to its end. The area east of Wappaolah Plantation and west of the Cooper River, north of Pimlico Blvd., and south of Mepkin Abbey. Southeast of the railroad tracks from the Cooper River by Pimlico to its intersection with Hwy. 402.

(4) Huger/Cainhoy/Wando: South of Hwy. 402 from its intersection with the railroad tracks near Cordesville to its intersection with Hwy. 41 (Hwy. 402 becomes Steed Creek Road). Southwest of Steed Creek Road from its intersection with Hwy. 41 to its intersection with Halfway Creek Road. West of Halfway Creek Road from its intersection with Steed Creek Road to its intersection with Guerins Bridge Road. West of Guerins Bridge Road from its intersection with Halfway Creek Road to its intersection with Wando River (just after Drew Lane). Northwest of the Wando River from its intersection with Guerins Bridge Road to its intersection with Nowell Creek. North/northeast of Nowell Creek from its intersection with the Wando River to its intersection with Rebellion Farms Place. Northeast of Rebellion Farms Place from its intersection with Nowell Creek to its intersection of Clements Ferry Road. Northeast of Yellow House Place from its intersection with Clements Ferry Road to the Cooper River (across from the Goose Creek).

2. Dorchester County Evacuation Zones

a. Zone D: Tidal River and Creeks/Southern Swamps: All areas along the Ashley River between Ashley River Road and Dorchester Road, from the Charleston County line to Bacons Bridge Road. Areas that front the Sawmill Branch from Dorchester Road to Luden Road. Areas near Eagle Creek between Ladson Road and Parlor Road from Dorchester Road to the Charleston County line. Southeastern portions of the county in the vicinity of Bear Swamp, Horse Savannah Swamp, Fishburne Creek, and Rantowles Creek, including the Poplar Grove Community.

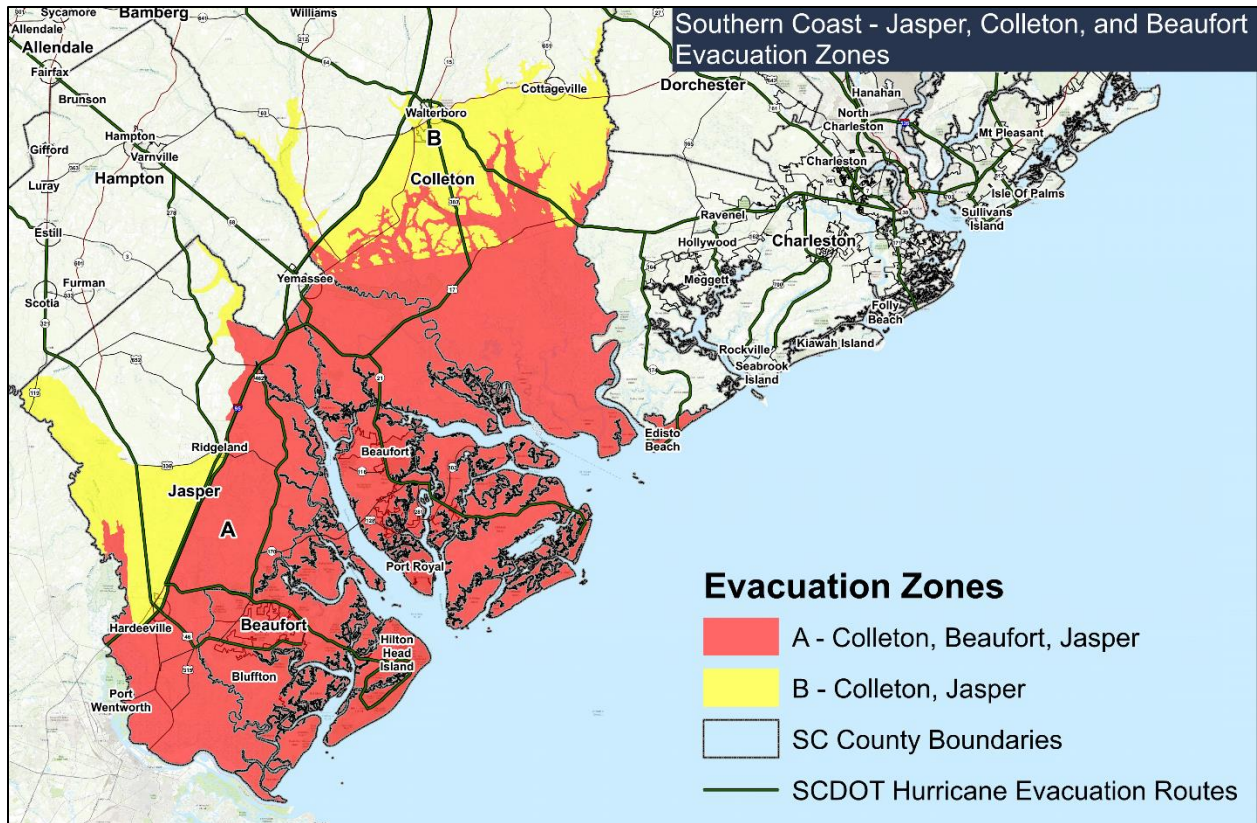
3. Charleston County Evacuation Zones

a. Zone A: West of the Ashley River: Unincorporated areas of Charleston County from the Ashley River to the Colleton County line; Atlantic Ocean to the Dorchester County line. This includes the towns of Hollywood, Meggett, Ravenel, Folly Beach, Rockville,

Kiawah Island, and Seabrook Island, as well as Johns Island, Wadmalaw Island, and unincorporated Charleston County.

- b. Zone B: Central Charleston: From the tip of the Peninsula to the Dorchester County line; from the Ashley River to the Wando River. This includes the cities of Charleston, North Charleston, and Lincolnville, as well as Daniel Island, Thomas Island, and unincorporated Charleston County.
- c. Zone C: East of the Wando River: Unincorporated areas of Charleston County from the Atlantic Ocean to the Berkeley County line; Wando River to the Georgetown County line. This includes the towns of Mt. Pleasant, Isle of Palms, Sullivan's Island, Awendaw, and McClellanville, as well as Dewees Island, Capers Island, and Goat Island.

C. Southern Conglomerate Evacuation Zones



1. Colleton County Evacuation Zones
 - a. Zone A: All areas south of the CSX Railroad, and other floodplain areas in the county.
 - b. Zone B: All areas east of I-95 from the southern county line to Walterboro and all areas south of Alt. U.S. 17 from Walterboro to the northern county line, and other floodplain areas in the county.
2. Beaufort County Evacuation Zones
 - a. Zone A: All areas are to evacuate.
3. Jasper County Evacuation Zones
 - a. Zone A: All areas east of I-95, and other floodplain areas in the county.

EXHIBIT B

DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL **MANDATORY MEDICAL EVACUATION PROTOCOLS**

The Department of Health and Environmental Control (the “Department”) has protocols in place during a declared state of emergency. These protocols are below:

A. MANDATORY MEDICAL EVACUATION EXEMPTIONS

To qualify for an exemption from a mandatory medical evacuation, a hospital must have previously provided a complete, up to date Critical Data Sheet (CDS) to the CDS Information System for the Department’s use in determining the appropriateness of evacuation. Based upon the CDSs and other relevant criteria, the Department 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, the Department may exempt nursing facilities (nursing homes), ICFIDs, and hospice facilities pursuant to SC Regs. 61-17, 61-13, and 61-78, respectively.

Exempt hospitals must:

(1) reduce their census of patients to the extent possible and limit services to emergent or essential patient needs (for example, non-elective procedures, dialysis, giving birth, medication); and

(2) have a plan that provides for the safety of the patient(s), staff, and those remaining with the patient(s), ensures there will be sufficient and appropriate staff on duty in the hospital at all times, and ensures the staff is capable of supporting the patient and his/her parent, guardian, spouse or representative who may stay with the patient; and

(3) certify there is sufficient food, water, medications, equipment and other logistical support internal to the hospital to maintain every person within the hospital for ninety-six (96) hours post impact of the hurricane.

B. 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 with the Department. In such cases, hospital management and the physician shall weigh the risks of sheltering in place to care for the patient as compared to the risks of evacuating the patient.

To request an exception for medically-fragile patients to shelter-in-place, the following must occur:

(1) For any patient who is not evacuated, the hospital must document that a physician reviewed the status of the patient and determined that evacuation of the patient would create a high probability of death or disability. The hospital must make reasonable efforts to consult with the

patient or his/her legal representative prior to making the final determination regarding sheltering-in-place. In circumstances where a consultation is not possible, the hospital shall provide documentation in the patient's medical record. All patients who could reasonably be evacuated or discharged without jeopardizing his/her life or abilities must be evacuated or discharged;

(2) The hospital must provide the number of patients and number of other persons who will shelter-in-place and a contact person (name, e-mail, telephone number) who will provide confirmation (24/7) that the hospital is in compliance with all aspects of this order;

(3) The hospital must have a plan that provides for the safety of the patient(s), staff, and those remaining with the patient(s) during the sheltering-in-place, ensures there will be sufficient and appropriate staff on duty in the hospital at all times during the sheltering-in-place, and ensures the staff is capable of supporting the patient and his/her parent, guardian, spouse or representative who may stay with the patient; and

(4) The hospital must have a plan to ensure there is sufficient food, water, medication, equipment and other logistical support internal to the hospital to maintain every person within the hospital for ninety-six (96) hours post impact of the hurricane.