



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR

**ORDER OF
THE GOVERNOR OF THE COMMONWEALTH OF PENNSYLVANIA
AUTHORIZING COMMONWEALTH AGENCIES TO
CONDUCT ADMINISTRATIVE PROCEEDINGS
ONLINE BY VIDEO OR TELEPHONIC MEANS**

WHEREAS, the World Health Organization and the Centers for Disease Control and Prevention (“CDC”) have declared a novel coronavirus (“COVID-19”) a “public health emergency of international concern,” and the U.S. Department of Health and Human Services (“HHS”) Secretary has declared that COVID-19 creates a public health emergency; and

WHEREAS, as of March 6, 2020, I proclaimed the existence of a disaster emergency throughout the Commonwealth pursuant to 35 Pa. C.S. § 7301(c); and

WHEREAS, on June 3, 2020, I renewed the proclamation of disaster emergency because of the ongoing threat of COVID-19 to individuals within the Commonwealth of Pennsylvania; and

WHEREAS, COVID-19 is a contagious disease that is rapidly spreading from person to person. People infected are capable of exposing others to COVID-19 even if their symptoms are mild, such as a cough, or even if they are asymptomatic. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one’s mouth, nose, or eyes; and

WHEREAS, limiting unnecessary physical and in-person interactions is essential to mitigating the spread of virus; and

WHEREAS, as regions of the state reopen, and as Commonwealth Agencies resume the full range of administrative proceedings, they must strive to minimize occasions for the transmission of COVID-19 by utilizing remote or virtual methods of conducting administrative proceedings where possible, and by following the Centers for Disease Control and Prevention (CDC) and Department of Health guidelines and other orders or guidance that may be required when in-person proceedings are necessary; and

WHEREAS, I am charged with the responsibility to address dangers facing the Commonwealth of Pennsylvania and its residents that result from disasters. 35 Pa. C.S. § 7301(a); and

WHEREAS, in executing the extraordinary powers outlined above, I am further authorized during a disaster emergency to issue, amend and rescind executive orders, proclamations and regulations and those directives shall have the force and effect of law. 35 Pa. C.S. § 7301(b); and

WHEREAS, as of July 10, 2020, the Commonwealth of Pennsylvania has 93,876 persons who have tested positive or meet the requirements as probable cases for COVID-19 in all sixty-seven counties and reports 6,880 deaths from the virus.

NOW THEREFORE, pursuant to the authority vested in me and my Administration by the laws of the Commonwealth of Pennsylvania, I do hereby ORDER and PROCLAIM as follows:

- 1. Any Commonwealth Agency, as defined by 2 Pa. C.S. § 101, is authorized to:*

- a. *Limit in-person access to administrative proceedings in order to safeguard the health and safety of agency personnel and members of the public; and*
 - b. *Utilize video, telephonic, or other online conferencing equipment or services to conduct administrative hearings without consent of the parties, at the discretion of the presiding officer/hearing examiner.*
2. *Any regulatory statute, order, rule or regulation of any Commonwealth agency, as defined by 2 Pa. C.S. § 101, that prevents any agency from holding administrative proceedings via video, telephonic, or other online conferencing means is hereby suspended.*
3. *All Commonwealth agencies under the Governor's jurisdiction shall establish procedures for conducting in-person, video and telephonic administrative hearings, and communicate such procedures to participants by publishing the same on each agency webpage and including a copy of such procedures with each hearing notice.*
4. *Implementation. All Commonwealth agencies under the Governor's jurisdiction are directed to take all steps necessary to implement this Executive Order. Independent Commonwealth agencies are also strongly encouraged to implement this Executive Order.*
5. *General Provisions. This Executive Order shall be implemented consistent with applicable law. This Executive 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 Commonwealth of Pennsylvania, its departments, agencies, or entities, its officers, employees, or agents, or any other person.*
6. *Effective Date. This Executive Order shall take effect immediately and shall expire when the Governor terminates the disaster emergency proclaimed on March 6, 2020 pursuant to 35 Pa. C.S. § 7301(c) or the declaration emergency proclaimed March 6, 2020 expires by law pursuant to 35 Pa. C.S. §7301(c).*



GIVEN under my hand and the Seal of the Governor, at the city of Harrisburg, on this tenth day of July two thousand twenty, the year of the commonwealth the two hundred and forty-fifth.

Tom Wolf
TOM WOLF
Governor