

**From:** [Wells, Christopher](#)  
**To:** [Crane, Anna](#)  
**Cc:** [Lerner, Scott](#)  
**Subject:** [External] Re: April 1, 2020 Disaster Proclamation  
**Date:** Wednesday, April 1, 2020 11:40:28 PM

---

Thanks, Anna.

---

**From:** Crane, Anna  
**Sent:** Wednesday, April 1, 2020 5:54 PM  
**To:** Wells, Christopher  
**Cc:** Lerner, Scott  
**Subject:** RE: April 1, 2020 Disaster Proclamation  
FYI - attached is the EO continuing the prior EOs, and an EO re healthcare liability.

---

**From:** Wells, Christopher  
**Sent:** Wednesday, April 1, 2020 4:00 PM  
**To:** Crane, Anna  
**Cc:** Lerner, Scott  
**Subject:** [External] Re: April 1, 2020 Disaster Proclamation  
Thank you very much. Greatly appreciated.

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 3:56 PM  
**To:** Wells, Christopher  
**Cc:** Lerner, Scott  
**Subject:** FW: April 1, 2020 Disaster Proclamation

Hi Chris – attached is the disaster proclamation that was just filed. Heads up that we are also finalizing an EO that would incorporate all the prior EOs that were issued under the last proclamation, so they are continued under this one. Will send that to you when we have it as well.  
Thanks!

Anna

Anna Crane

Associate General Counsel

Office of Illinois Governor JB Pritzker

100 W. Randolph Street

Chicago, IL 60601

Chicago: (312) 814-0021

Cell: (312) 350-6225

Pronouns: she/her/hers

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**From:** [Caplan, Gary](#)  
**To:** [Roets, Steven](#); [Berger-White, Juliet](#)  
**Subject:** RE: EO - liability waiver  
**Date:** Wednesday, April 1, 2020 9:51:21 PM

---

Thanks Steven [REDACTED]

---

**From:** Roets, Steven  
**Sent:** Wednesday, April 1, 2020 9:43 PM  
**To:** Caplan, Gary ; Berger-White, Juliet  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,  
Steven

---

**From:** Roets, Steven  
**Sent:** Monday, March 30, 2020 12:22 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Best,  
Steven

---

**From:** Roets, Steven  
**Sent:** Monday, March 30, 2020 11:35 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[REDACTED]

- [REDACTED]

[REDACTED]

- [REDACTED]

[REDACTED]

Best,  
Steven

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Subject:** RE: EO - liability waiver

Steven,

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[REDACTED]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Caplan, Gary](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** Re: [External] RE:  
**Date:** Wednesday, April 1, 2020 7:19:58 PM

---

Get [Outlook for iOS](#)

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**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 7:14:38 PM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** Fwd: [External] RE:  
Passing along thanks from IHA.


---

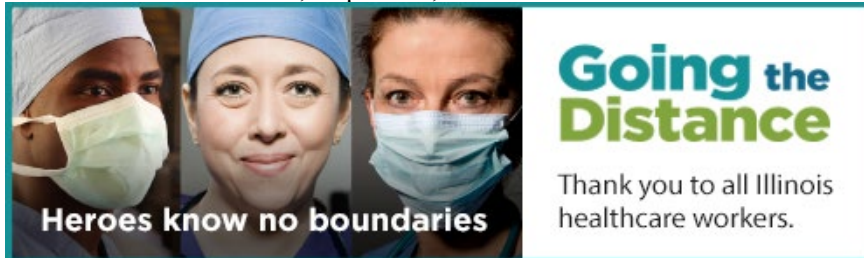
**From:** Gross, David  
**Sent:** Wednesday, April 1, 2020 6:35 PM  
**To:** Harris, Karen; Berger-White, Juliet  
**Subject:** [External] RE:  
Yes, thanks Juliet, and thanks to Ann's entire team. The work your team produced today will save lives .  
Stay strong, stay well  
Dave

---

**From:** Harris, Karen  
**Sent:** Wednesday, April 1, 2020 6:18 PM  
**To:** 'Berger-White, Juliet'  
**Cc:** Gross, David  
**Subject:** FW:  
Juliet:

I just saw the Governor's Executive Order regarding liability.  
First, I wanted to thank you and your colleagues for your work on this. We appreciate it.  
Second, not to be too greedy, but since I know I will be asked, do you know if/when we might expect to see something on the expansion of licensure reciprocity and/or crisis standards of care?  
As you can guess, we are getting a lot of questions/calls regarding these issues so I just wanted to touch base and see if there is any information you can share and/or to see if there is any additional we can provide that may be helpful.  
Again, we thank you for all of your efforts!!

 **Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-iha.org](mailto:kharris@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563



See [IHA's Updates on COVID-19](#)

**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 5:35 PM  
**To:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Subject:**

---

Sent from [Workspace ONE Boxer](#)

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**From:** [Spillane, Ann](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: [External] RE:  
**Date:** Wednesday, April 1, 2020 7:17:51 PM

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 7:15 PM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** Fwd: [External] RE:  
Passing along thanks from IHA.

---

**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 6:35 PM  
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**Subject:** [External] RE:  
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Dave

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**From:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 6:18 PM  
**To:** 'Berger-White, Juliet' <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Subject:** FW:  
Juliet:

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As you can guess, we are getting a lot of questions/calls regarding these issues so I just wanted to touch base and see if there is any information you can share and/or to see if there is any additional we can provide that may be helpful.  
Again, we thank you for all of your efforts!!



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**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 5:35 PM  
**To:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Subject:**

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Sent from [Workspace ONE Boxer](#)

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**From:** [Spillane, Ann](#)  
**To:** [Berger-White, Juliet](#); [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** RE: [External] RE:  
**Date:** Wednesday, April 1, 2020 7:17:28 PM

---

Thank you.

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 7:15 PM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** Fwd: [External] RE:  
Passing along thanks from IHA.


---

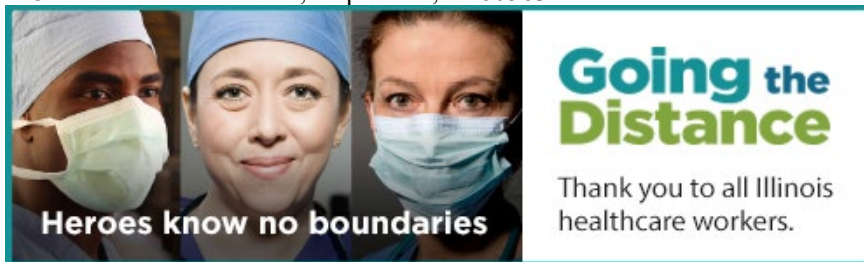
**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 6:35 PM  
**To:** Harris, Karen; Berger-White, Juliet  
**Subject:** [External] RE:  
Yes, thanks Juliet, and thanks to Ann's entire team. The work your team produced today will save lives .  
Stay strong, stay well  
Dave

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**From:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 6:18 PM  
**To:** 'Berger-White, Juliet' <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Subject:** FW:

Juliet:  
I just saw the Governor's Executive Order regarding liability.  
First, I wanted to thank you and your colleagues for your work on this. We appreciate it.  
Second, not to be too greedy, but since I know I will be asked, do you know if/when we might expect to see something on the expansion of licensure reciprocity and/or crisis standards of care?  
As you can guess, we are getting a lot of questions/calls regarding these issues so I just wanted to touch base and see if there is any information you can share and/or to see if there is any additional we can provide that may be helpful.  
Again, we thank you for all of your efforts!!

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See [IHA's Updates on COVID-19](#)

**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, April 1, 2020 5:35 PM  
**To:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Subject:**

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Sent from [Workspace ONE Boxer](#)

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** Fwd: DRAFT Executive Order for tonight's discussion/please do not circulate  
**Date:** Wednesday, April 1, 2020 7:16:27 PM

---

[REDACTED]

---

**From:** Jeffrey Levine  
**Sent:** Wednesday, April 1, 2020 6:46 PM  
**To:** Spillane, Ann; Berger-White, Juliet; Maurice Classen; Macgregor Lebuhn  
**Cc:** Caplan, Gary; Crane, Anna  
**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate

[REDACTED]

Thanks,  
Jeff

---

**From:** Spillane, Ann  
**Sent:** Wednesday, April 1, 2020 5:43 PM  
**To:** Jeffrey Levine ; Berger-White, Juliet ; Maurice Classen ; Macgregor Lebuhn  
**Cc:** Caplan, Gary ; Crane, Anna  
**Subject:** RE: DRAFT Executive Order for tonight's discussion/please do not circulate

[REDACTED]

---

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Wednesday, April 1, 2020 5:28 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate  
Ok, thank you – onward!

[REDACTED]

Best,  
Jeff

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 4:59 PM  
**To:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: DRAFT Executive Order for tonight's discussion/please do not circulate

Jeff,

I just sent the final Executive Order. [REDACTED]

[REDACTED] We appreciate your close look at this and your edits.

Ann

---

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>

**Sent:** Wednesday, April 1, 2020 1:21 PM

**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>

**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate

Hi Ann and Company:

First, apologies for the delay; appreciate your patience. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Would be happy to talk briefly about any of this if you would like to.

I am at 773-848-4505 and Mac is at 312-833-2215.

Thanks,

Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Sent:** Tuesday, March 31, 2020 6:41 PM

**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>

**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** DRAFT Executive Order for tonight's discussion/please do not circulate

Good evening – Please see attached draft Executive Order providing liability protections for health care facilities, workers, and volunteers during the COVID-19 crisis. We are looking forward to our discussion at 7:00 p.m.

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Spillane, Ann](#)  
**To:** [Rubin, Jason](#); [Abudayyeh, Jordan](#); [Rapelyea, Sean](#); [Hopper, Darby](#)  
**Cc:** [Berger-White, Juliet](#)  
**Subject:** RE: Final EO re: liability  
**Date:** Wednesday, April 1, 2020 6:56:51 PM

---

That sounds good.

---

**From:** Rubin, Jason  
**Sent:** Wednesday, April 1, 2020 5:46 PM  
**To:** Spillane, Ann ; Abudayyeh, Jordan ; Rapelyea, Sean ; Hopper, Darby  
**Cc:** Berger-White, Juliet  
**Subject:** RE: Final EO re: liability

Great! [REDACTED]

[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 4:26 PM  
**To:** Rubin, Jason <[Jason.Rubin@Illinois.gov](mailto:Jason.Rubin@Illinois.gov)>; Abudayyeh, Jordan <[Jordan.Abudayyeh@Illinois.gov](mailto:Jordan.Abudayyeh@Illinois.gov)>; Rapelyea, Sean <[Sean.Rapelyea@Illinois.gov](mailto:Sean.Rapelyea@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** FW: Final EO re: liability

Hello,

Whitney is in the process of finalizing and filing an Exec Order that limits civil liability for hospitals, nursing homes, healthcare professionals, healthcare volunteers, etc... We can walk you through the details and how it applies.

Ann

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**From:** [Harris, Karen](#)  
**To:** [Berger-White, Juliet](#)  
**Cc:** [Gross, David](#)  
**Subject:** [External] FW:  
**Date:** Wednesday, April 1, 2020 6:19:06 PM  
**Attachments:** [Executive Order 2020-19.pdf](#)

---

Juliet:

I just saw the Governor's Executive Order regarding liability.

First, I wanted to thank you and your colleagues for your work on this. We appreciate it.

Second, not to be too greedy, but since I know I will be asked, do you know if/when we might expect to see something on the expansion of licensure reciprocity and/or crisis standards of care?

As you can guess, we are getting a lot of questions/calls regarding these issues so I just wanted to touch base and see if there is any information you can share and/or to see if there is any additional we can provide that may be helpful.

Again, we thank you for all of your efforts!!

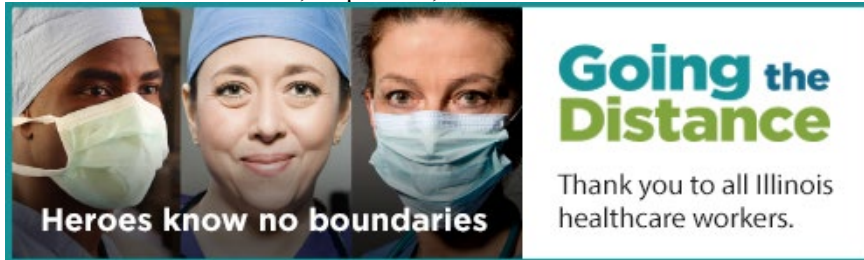


**Karen K. Harris** | Senior Vice President and General Counsel

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See [IHA's Updates on COVID-19](#)

**From:** Gross, David  
**Sent:** Wednesday, April 1, 2020 5:35 PM  
**To:** Harris, Karen  
**Subject:**

---

Sent from [Workspace ONE Boxer](#)

**From:** [Crane, Anna](#)  
**To:** [Wells, Christopher](#)  
**Cc:** [Lerner, Scott](#)  
**Subject:** RE: April 1, 2020 Disaster Proclamation  
**Date:** Wednesday, April 1, 2020 5:54:56 PM  
**Attachments:**  [2020 18.pdf](#)  
 [2020 19.pdf](#)

---

FYI - attached is the EO continuing the prior EOs, and an EO re healthcare liability.

---

**From:** Wells, Christopher  
**Sent:** Wednesday, April 1, 2020 4:00 PM  
**To:** Crane, Anna  
**Cc:** Lerner, Scott  
**Subject:** [External] Re: April 1, 2020 Disaster Proclamation

Thank you very much. Greatly appreciated.

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 3:56 PM  
**To:** Wells, Christopher  
**Cc:** Lerner, Scott  
**Subject:** FW: April 1, 2020 Disaster Proclamation

Hi Chris – attached is the disaster proclamation that was just filed. Heads up that we are also finalizing an EO that would incorporate all the prior EOs that were issued under the last proclamation, so they are continued under this one. Will send that to you when we have it as well.

Thanks!

Anna

Anna Crane

Associate General Counsel

Office of Illinois Governor JB Pritzker

100 W. Randolph Street

Chicago, IL 60601

Chicago: (312) 814-0021

Cell: (312) 350-6225

Pronouns: she/her/hers

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**From:** [Maurice Classen](#)  
**To:** [Spillane, Ann](#); [Jeffrey Levine](#); [Macgregor Lebuhn](#); [Caplan, Gary](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** [External] RE: EO 2020-19  
**Date:** Wednesday, April 1, 2020 5:42:44 PM

---

Thanks, Ann. Much appreciated.

---

**From:** Spillane, Ann  
**Sent:** Wednesday, April 1, 2020 4:58 PM  
**To:** Maurice Classen ; Jeffrey Levine ; Macgregor Lebuhn ; Caplan, Gary ; Berger-White, Juliet ; Crane, Anna  
**Subject:** EO 2020-19

Here is the final executive order relating to liability.

Thank you for your input on this.

Ann

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**From:** [Vaught, Laura C.](#)  
**To:** [DeWitt, Justin](#); [Shannon, John J.](#); [Flores, Sol](#)  
**Subject:** Fwd: [External] capacity issue  
**Date:** Wednesday, April 1, 2020 5:13:53 PM  
**Attachments:** [0120 Empty Building Inventory BY REGION.xlsx](#)  
[00001.htm](#)

---

FYI, in case you haven't seen this

Sent from my iPhone

Begin forwarded message:

**From:** Donna Ginther <[REDACTED]>  
**Date:** April 1, 2020 at 4:54:52 PM CDT  
**To:** "Vaught, Laura C." <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Subject:** [External] capacity issue

I am attaching a list of beds in dedicated units/floors/wings and entire buildings. Note there is a building on the list in Skokie that is fully operational. The owner has spoken to the staff and they are on board to sifting it to a dedicated COVID building. It is a Medicare rehab building so it would be higher staffed on the licensed nurse-side than most. There a few residents there, but the company owners another rehab facility a few blocks away in Evanston. They would shift these residents to permit the entire building to be dedicated.

Note there are 5 operational issues that must be discussed with DPH and HFS:

- 1) Liability relief - already requested of Governor
- 2) Admission question
- 3) Rates and set up cost relief
- 4) Staffing issues
- 5) PPE - we believe that Governor is getting this under control which is why it has dropped lower.


The attached gives you capacity by location, type of dedicated beds, and size. We can provide this with the names of the facilities, management companies, and contacts.

Thanks for your help today.

Donna Ginther  
Senior Policy Advisor to the Board of Directors  
HCCI  
217-416-8059

***\*\* HCCI provides material for informational purposes only. The material provided herein is general and is not intended to be legal advice. \*\****

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**From:** [Spillane, Ann](#)  
**To:** [Maurice Classen](#); [Jeffrey Levine](#); [Macgregor Lebuhn](#); [Caplan, Gary](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** EO 2020-19  
**Date:** Wednesday, April 1, 2020 4:58:10 PM  
**Attachments:**  [EO 2020\\_19.pdf](#)

---

Here is the final executive order relating to liability.

Thank you for your input on this.

Ann

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**From:** [Berger-White, Juliet](#)  
**To:** [Richie, Leigh](#); [Rosen, Whitney](#)  
**Cc:** [GOV.Legal](#)  
**Subject:** RE: Final EO re: liability  
**Date:** Wednesday, April 1, 2020 4:30:10 PM

---

Thanks Leigh!

---

**From:** Richie, Leigh  
**Sent:** Wednesday, April 1, 2020 4:30 PM  
**To:** Berger-White, Juliet ; Rosen, Whitney  
**Cc:** GOV.Legal  
**Subject:** RE: Final EO re: liability  
Small flag: I don't think all of the text is black.

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 4:22 PM  
**To:** Rosen, Whitney <[Whitney.Rosen@Illinois.gov](mailto:Whitney.Rosen@Illinois.gov)>  
**Cc:** GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** Final EO re: liability  
Whitney – The attached is ready to file. Thank you!

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** RE: Liability EO  
**Date:** Wednesday, April 1, 2020 4:23:03 PM

---

Thank you. [REDACTED]

---

**From:** Spillane, Ann  
**Sent:** Wednesday, April 1, 2020 4:18 PM  
**To:** Berger-White, Juliet  
**Subject:** RE: Liability EO

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 4:16 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** RE: Liability EO

[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 4:12 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Rosen, Whitney <[Whitney.Rosen@Illinois.gov](mailto:Whitney.Rosen@Illinois.gov)>  
**Subject:** Liability EO

Hi, Whitney.

Once you get the liability EO from Juliet, it is ready to be finalized and filed. [REDACTED]

[REDACTED]

Ann

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**From:** [Rosen, Whitney](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: Final EO re: liability  
**Date:** Wednesday, April 1, 2020 4:22:12 PM

---

Thanks!

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 4:22 PM  
**To:** Rosen, Whitney  
**Cc:** GOV.Legal  
**Subject:** Final EO re: liability  
Whitney – The attached is ready to file. Thank you!

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**From:** [Rosen, Whitney](#)  
**To:** [Spillane, Ann](#); [Berger-White, Juliet](#)  
**Subject:** RE: Liability EO  
**Date:** Wednesday, April 1, 2020 4:17:44 PM

---

Juliet- it will be EO 2020-19  
COVID 17

---

**From:** Spillane, Ann  
**Sent:** Wednesday, April 1, 2020 4:12 PM  
**To:** Berger-White, Juliet ; Rosen, Whitney  
**Subject:** Liability EO

Hi, Whitney.

Once you get the liability EO from Juliet, it is ready to be finalized and filed. [REDACTED]

[REDACTED]

Ann

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**From:** [Spillane, Ann](#)  
**To:** [Rosen, Whitney](#)  
**Cc:** [Berger-White, Juliet](#)  
**Subject:** RE: EO for later today  
**Date:** Wednesday, April 1, 2020 3:20:20 PM

---

Thank you.

---

**From:** Rosen, Whitney  
**Sent:** Wednesday, April 1, 2020 3:19 PM  
**To:** Spillane, Ann  
**Cc:** Berger-White, Juliet  
**Subject:** RE: EO for later today

Yes, I just spoke with Weisbaum and he will wait for us.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 3:12 PM  
**To:** Rosen, Whitney <[Whitney.Rosen@Illinois.gov](mailto:Whitney.Rosen@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** EO for later today  
**Importance:** High

Whitney –

The liability EO will be ready between 4 and 5 and it has to get finalized today. Can you please warn the SoS that it will be later than normal but we need them to be available? Let me know if I can help with that.

Ann

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**From:** [Alikhan, Rukhaya](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** Re: Most recent draft  
**Date:** Wednesday, April 1, 2020 2:52:32 PM

---

Ok

Sent from my iPhone

On Apr 1, 2020, at 2:51 PM, Berger-White, Juliet <[Juliet.Berger-White@illinois.gov](mailto:Juliet.Berger-White@illinois.gov)> wrote:

[REDACTED]

---

**From:** Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 2:51 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** Re: Most recent draft

Looks good to me. I think [REDACTED]

[REDACTED]

[REDACTED]

Thanks

Sent from my iPhone

On Apr 1, 2020, at 2:18 PM, Berger-White, Juliet <[Juliet.Berger-White@illinois.gov](mailto:Juliet.Berger-White@illinois.gov)> wrote:

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**From:** [Spillane, Ann](#)  
**To:** [Berger-White, Juliet](#)  
**Cc:** [Caplan, Gary](#)  
**Subject:** RE: Edits from the city  
**Date:** Wednesday, April 1, 2020 2:21:54 PM

---

Ok. I am reading the EO extending EOs. (A phrase I was not expecting to type in my life.) I'll email when I'm finished so we can get on a call.

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 1:46 PM  
**To:** Spillane, Ann  
**Cc:** Caplan, Gary  
**Subject:** Edits from the city

Ann – [REDACTED]  
[REDACTED] Our current draft is attached here as well.

---

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Wednesday, April 1, 2020 1:21 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate  
Hi Ann and Company:

First, apologies for the delay; appreciate your patience. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Would be happy to talk briefly about any of this if you would like to.

I am at [REDACTED] and Mac is at [REDACTED].

Thanks,  
Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:41 PM  
**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** DRAFT Executive Order for tonight's discussion/please do not circulate  
Good evening – Please see attached draft Executive Order providing liability protections for health

care facilities, workers, and volunteers during the COVID-19 crisis. We are looking forward to our discussion at 7:00 p.m.

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Caplan, Gary](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: DRAFT Executive Order for tonight's discussion/please do not circulate  
**Date:** Wednesday, April 1, 2020 1:38:09 PM

---

Great. Thanks

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 1:37 PM  
**To:** Caplan, Gary  
**Subject:** RE: DRAFT Executive Order for tonight's discussion/please do not circulate

[Redacted]

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 1:33 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** FW: DRAFT Executive Order for tonight's discussion/please do not circulate

[Redacted]

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Wednesday, April 1, 2020 1:21 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate

Hi Ann and Company:

First, apologies for the delay; appreciate your patience. [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Would be happy to talk briefly about any of this if you would like to.

I am at [Redacted] and Mac is at [Redacted].

Thanks,

Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Sent:** Tuesday, March 31, 2020 6:41 PM

**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>

**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** DRAFT Executive Order for tonight's discussion/please do not circulate

Good evening – Please see attached draft Executive Order providing liability protections for health care facilities, workers, and volunteers during the COVID-19 crisis. We are looking forward to our discussion at 7:00 p.m.

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Caplan, Gary](#)  
**Subject:** RE: DRAFT Executive Order for tonight's discussion/please do not circulate  
**Date:** Wednesday, April 1, 2020 1:36:40 PM

---

[REDACTED]

**From:** Caplan, Gary  
**Sent:** Wednesday, April 1, 2020 1:33 PM  
**To:** Berger-White, Juliet  
**Subject:** FW: DRAFT Executive Order for tonight's discussion/please do not circulate

[REDACTED]

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Wednesday, April 1, 2020 1:21 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] RE: DRAFT Executive Order for tonight's discussion/please do not circulate  
Hi Ann and Company:

First, apologies for the delay; appreciate your patience. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Would be happy to talk briefly about any of this if you would like to.

I am at [REDACTED] and Mac is at [REDACTED].

Thanks,  
Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:41 PM  
**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>; Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>



**Subject:** DRAFT Executive Order for tonight's discussion/please do not circulate

Good evening – Please see attached draft Executive Order providing liability protections for health care facilities, workers, and volunteers during the COVID-19 crisis. We are looking forward to our discussion at 7:00 p.m.

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Rosen, Whitney](#)  
**Subject:** RE: Hotels  
**Date:** Wednesday, April 1, 2020 1:31:26 PM

---

Nope - that sounds good. Thanks.

---

**From:** Rosen, Whitney  
**Sent:** Wednesday, April 1, 2020 1:27 PM  
**To:** Berger-White, Juliet  
**Subject:** RE: Hotels

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 12:48 PM  
**To:** Rosen, Whitney <[Whitney.Rosen@Illinois.gov](mailto:Whitney.Rosen@Illinois.gov)>  
**Subject:** Hotels

Whitney – [REDACTED]

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**From:** [Caplan, Gary](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO - liability  
**Date:** Wednesday, April 1, 2020 1:16:56 PM

---

Thanks Juliet. [REDACTED]

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 1:16 PM  
**To:** Spillane, Ann  
**Cc:** Caplan, Gary ; Crane, Anna  
**Subject:** EO - liability

Ann – Attached is a revised draft of the EO re: liability. [REDACTED]

[REDACTED] Please let me know if you have any questions or concerns about this draft. Happy to hop on a call at your convenience. Thank you.

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**From:** [Berger-White, Juliet](#)  
**To:** [Abundis, Cecilia](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 12:50:15 PM

---

Thank you!

---


**From:** Abundis, Cecilia  
**Sent:** Wednesday, April 1, 2020 11:03 AM  
**To:** Berger-White, Juliet ; Schomberg, John F ; Acharya, Snigdha ; Alikhan, Rukhaya ; Hagan, Deborah ; Wiggins, Hunter  
**Cc:** Caplan, Gary ; Crane, Anna  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Juliet,  
IDFPR does not have any concerns with the definitions.  
Thank you,  
-Cecilia

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:38 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver

All:

As you know, we've been working on drafting an Executive Order to waive liability for health care facilities, health care workers, and volunteers for COVID-19 related care. As you can imagine, this is a challenging process but our goal is to provide such protection on a temporary basis, during the pendency of the Disaster Proclamation, to address the crisis.

Can you please each review the attached draft and provide redlines and comments? 


We are trying to finalize this so we would greatly appreciate quick feedback if possible. Many thanks to each of you!

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Carl Bergetz](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** [External] Re: CONFIDENTIAL Draft/pls do not circulate  
**Date:** Wednesday, April 1, 2020 12:21:06 PM

---

Thank you!

**Carl Bergetz**

General Counsel

**RUSH** Legal | [1700 West Van Buren, Suite 301 | Chicago, IL 60612](#)

p: [\(312\) 942-6886](#) | f: [\(312\) 942-4233](#) | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)



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On Apr 1, 2020, at 12:05, Berger-White, Juliet wrote:

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Thanks for the careful review!

---

**From:** Carl Bergetz

**Sent:** Wednesday, April 1, 2020 12:04 PM

**To:** Berger-White, Juliet

**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate

Got it. Thanks.

**Carl Bergetz**

General Counsel

**RUSH** Legal | [1700 West Van Buren, Suite 301 | Chicago, IL 60612](#)

p: [\(312\) 942-6886](#) | f: [\(312\) 942-4233](#) | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)

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---

**From:** Berger-White, Juliet [<mailto:Juliet.Berger-White@Illinois.gov>]

**Sent:** Wednesday, April 01, 2020 12:03 PM

**To:** Carl Bergetz

**Subject:** RE: CONFIDENTIAL Draft/pls do not circulate

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[Redacted]

Does this make sense?

---

**From:** Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)>

**Sent:** Wednesday, April 1, 2020 11:53 AM

**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate

[Redacted]

**Carl Bergetz**

General Counsel

**RUSH** Legal | 1700 West Van Buren, Suite 301 | Chicago, IL 60612

p: (312) 942-6886 | f: (312) 942-4233 | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)

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---

**From:** Berger-White, Juliet [<mailto:Juliet.Berger-White@Illinois.gov>]

**Sent:** Wednesday, April 01, 2020 10:10 AM

**To:** Carl Bergetz

**Subject:** CONFIDENTIAL Draft/pls do not circulate

[Redacted]

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Carl –

As discussed, attached is the draft EO re: liability. We are still working to finalize this language but would welcome any feedback from you. Thank you.

Sincerely,

Juliet

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**From:** [Caplan, Gary](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO Liability draft 4.1.20 1030 am.docx  
**Date:** Wednesday, April 1, 2020 12:08:18 PM

---

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Just tried to call you.

gsc

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 11:19 AM  
**To:** Caplan, Gary  
**Subject:** EO Liability draft 4.1.20 1030 am.docx

I'm continuing to work through issues on this but one question. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Thanks.

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**From:** [Egan, Christina M.](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate - ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL  
**Date:** Wednesday, April 1, 2020 11:55:26 AM

---

Juliet –

[REDACTED]

Christina

**Christina M. Egan**

McGuireWoods LLP

T: +1 312 750 8644 | M: +1 312 805 1770

---

**From:** Egan, Christina M.

**Sent:** Wednesday, April 1, 2020 11:06 AM

**To:** 'Berger-White, Juliet'

**Subject:** RE: CONFIDENTIAL Draft/pls do not circulate - ATTORNEY CLIENT PRIVILEGED AND CONFIDENTIAL

Juliet –

Here is Mark's redline. I just spoke to him and will call you now to explain his edits [REDACTED] and overall thoughts. He can also be available to talk to you directly if that would be helpful.

**Christina M. Egan**

McGuireWoods LLP

T: +1 312 750 8644 | M: +1 312 805 1770

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Sent:** Wednesday, April 1, 2020 10:40 AM

**To:** Egan, Christina M. <[CEgan@mcguirewoods.com](mailto:CEgan@mcguirewoods.com)>

**Subject:** RE: CONFIDENTIAL Draft/pls do not circulate

**\*\*EXTERNAL EMAIL; use caution with links and attachments\*\***

Thank you!

---

**From:** Egan, Christina M. <[CEgan@mcguirewoods.com](mailto:CEgan@mcguirewoods.com)>

**Sent:** Wednesday, April 1, 2020 10:39 AM

**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate

Received and sending to my partner Mark Anderson now

**Christina M. Egan**

McGuireWoods LLP

T: +1 312 750 8644 | M: +1 312 805 1770

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Sent:** Wednesday, April 1, 2020 10:38 AM

**To:** Egan, Christina M. <[CEgan@mcguirewoods.com](mailto:CEgan@mcguirewoods.com)>

**Subject:** CONFIDENTIAL Draft/pls do not circulate

**\*\*EXTERNAL EMAIL; use caution with links and attachments\*\***

Christina -

As discussed, attached is the draft EO re: liability. We are still working to finalize this language but would welcome any feedback from you or your partner. Many thanks for your pro bono assistance during this crisis!

Sincerely,

Juliet

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**From:** [Carl Bergetz](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate  
**Date:** Wednesday, April 1, 2020 10:53:50 AM

---

Juliet –

This looks very good. I lost your # -- please send it or call my cell. [REDACTED]. Thank you.

Carl

**Carl Bergetz**

General Counsel

RUSH Legal | 1700 West Van Buren, Suite 301 | Chicago, IL 60612

p: (312) 942-6886 | f: (312) 942-4233 | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)



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---

**From:** Berger-White, Juliet [mailto:Juliet.Berger-White@Illinois.gov]

**Sent:** Wednesday, April 01, 2020 10:10 AM

**To:** Carl Bergetz

**Subject:** CONFIDENTIAL Draft/pls do not circulate

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Carl –

As discussed, attached is the draft EO re: liability. We are still working to finalize this language but would welcome any feedback from you. Thank you.

Sincerely,

Juliet

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**From:** [Berger-White, Juliet](#)  
**To:** [Egan, Christina M.](#)  
**Subject:** RE: CONFIDENTIAL Draft/pls do not circulate  
**Date:** Wednesday, April 1, 2020 10:40:22 AM

---

Thank you!

---

**From:** Egan, Christina M.  
**Sent:** Wednesday, April 1, 2020 10:39 AM  
**To:** Berger-White, Juliet  
**Subject:** [External] RE: CONFIDENTIAL Draft/pls do not circulate  
[Received and sending to my partner Mark Anderson now](#)

**Christina M. Egan**

McGuireWoods LLP

T: +1 312 750 8644 | M: +1 312 805 1770

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 10:38 AM  
**To:** Egan, Christina M. <[CEgan@mcguirewoods.com](mailto:CEgan@mcguirewoods.com)>  
**Subject:** CONFIDENTIAL Draft/pls do not circulate

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Christina -

As discussed, attached is the draft EO re: liability. We are still working to finalize this language but would welcome any feedback from you or your partner. Many thanks for your pro bono assistance during this crisis!

Sincerely,

Juliet

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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO - liability  
**Date:** Wednesday, April 1, 2020 9:58:24 AM

---

Will look right now.

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 1, 2020 9:56 AM  
**To:** Crane, Anna  
**Subject:** EO - liability

Anna – This is a revised draft. Can you review and let me know if you have thoughts? I can send you a compare if that would be easier.

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 9:40:58 AM

---

Yes - [REDACTED]

---

**From:** Spillane, Ann  
**Sent:** Wednesday, April 1, 2020 9:40 AM  
**To:** Berger-White, Juliet  
**Subject:** FW: DRAFT Executive Order re: liability waiver

[REDACTED] We can talk through them if needed whenever the next version is ready.

---

**From:** Flores, Cynthia <[Cynthia.Flores@Illinois.gov](mailto:Cynthia.Flores@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 10:15 PM  
**To:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Some nits attached. This looks great!

---

**From:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 9:57 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver

[REDACTED] I'm happy to discuss if you have questions about any of my comments. Thanks.

**Scott Lerner**

Deputy General Counsel | Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8266 | Cell: (312) 350-0565  
[scott.lerner@illinois.gov](mailto:scott.lerner@illinois.gov)

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 8:34 PM  
**To:** GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver

Hi team – Attached is a draft EO that waives liability for certain health care facilities, health care workers, and volunteers for COVID-19 related care. We are still gathering input from our agencies on this draft. If you have a moment to review, please send any redlines/comments my way. [REDACTED]

[REDACTED] Ann, Gary, Anna, and I have been in the weeds on this so we would appreciate a fresh set of eyes. Many thanks!

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**From:** [Acharya, Snigdha](#)  
**To:** [Berger-White, Juliet](#); [Crane, Anna](#); [Caplan, Gary](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 8:34:21 AM

---

[REDACTED]  
[REDACTED]  
**Snigdha Acharya**

General Counsel  
Illinois Department of Public Health  
Cell: (312) 519-8413

---

**From:** Acharya, Snigdha  
**Sent:** Wednesday, April 1, 2020 8:28 AM  
**To:** Berger-White, Juliet ; Anna Crane (Anna.Crane@Illinois.gov) ; Caplan, Gary  
**Subject:** FW: DRAFT Executive Order re: liability waiver  
Suggestions from the State Epi below.

**Snigdha Acharya**

General Counsel  
Illinois Department of Public Health  
Cell: (312) 519-8413

---

**From:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 7:30 AM  
**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Mancera-Cuevas, Karen <[Karen.Mancera-Cuevas@Illinois.gov](mailto:Karen.Mancera-Cuevas@Illinois.gov)>; Lamb, Molly <[Molly.Lamb@Illinois.gov](mailto:Molly.Lamb@Illinois.gov)>; Shannon, John J. <[John.J.Shannon@Illinois.gov](mailto:John.J.Shannon@Illinois.gov)>  
**Cc:** Gold, Rebecca <[Rebecca.Gold@illinois.gov](mailto:Rebecca.Gold@illinois.gov)>; Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** Re: DRAFT Executive Order re: liability waiver

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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**From:** [Schomberg, John F](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 8:02:45 AM

---

Juliet,  
Yes—217-720-6270 or happy to call you or do a call-in.  
Thanks,  
John

**John F. Schomberg**  
General Counsel | Office of the General Counsel  
Illinois Department of Human Services  
(312) 814-2747

---

**From:** Berger-White, Juliet  
**Sent:** Wednesday, April 01, 2020 7:50 AM  
**To:** Schomberg, John F  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Are you available for a quick call?

---

**From:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Sent:** Wednesday, April 1, 2020 7:22 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Juliet,

[REDACTED]

Thanks,  
John

**John F. Schomberg**  
General Counsel | Office of the General Counsel  
Illinois Department of Human Services  
(312) 814-2747

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 11:35 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver

[Redacted]

**From:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 10:36 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver

Juliet,

I'm still waiting for any additional feedback, but wanted to provide what DHS has thus far. [Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]

We're obviously happy to provide more information or to discuss.

Thanks,

John

**John F. Schomberg**

General Counsel | Office of the General Counsel  
Illinois Department of Human Services  
(312) 814-2747

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:38 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver

All:

As you know, we've been working on drafting an Executive Order to waive liability for health care facilities, health care workers, and volunteers for COVID-19 related care. As you can imagine, this is a challenging process but our goal is to provide such protection on a temporary basis, during the

pendency of the Disaster Proclamation, to address the crisis.

Can you please each review the attached draft and provide redlines and comments?

[Redacted]

We are trying to finalize this so we would greatly appreciate quick feedback if possible. Many thanks to each of you!

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Rosen, Whitney](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 7:02:46 AM

---

Thanks for reviewing!

---

**From:** Rosen, Whitney  
**Sent:** Wednesday, April 1, 2020 6:04 AM  
**To:** Flores, Cynthia ; Lerner, Scott ; Berger-White, Juliet ; GOV.Legal  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Looks very good. Had two thoughts on word usage.  
Thank you!

---

**From:** Flores, Cynthia <[Cynthia.Flores@Illinois.gov](mailto:Cynthia.Flores@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 10:15 PM  
**To:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Some nits attached. This looks great!

---

**From:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 9:57 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver

[REDACTED]  
[REDACTED]  
discuss if you have questions about any of my comments. Thanks.

**Scott Lerner**

Deputy General Counsel | Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8266 | Cell: (312) 350-0565  
[scott.lerner@illinois.gov](mailto:scott.lerner@illinois.gov)

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 8:34 PM  
**To:** GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver

Hi team – Attached is a draft EO that waives liability for certain health care facilities, health care workers, and volunteers for COVID-19 related care. We are still gathering input from our agencies on this draft. If you have a moment to review, please send any redlines/comments my way. [REDACTED]

[REDACTED] Ann,  
Gary, Anna, and I have been in the weeds on this so we would appreciate a fresh set of eyes. Many thanks!

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**From:** [Alikhan, Rukhaya](#)  
**To:** [Crane, Anna](#); [Berger-White, Juliet](#)  
**Cc:** [Acharya, Snigdha](#)  
**Subject:** Re: DRAFT Executive Order re: liability waiver  
**Date:** Wednesday, April 1, 2020 12:32:17 AM

---

[Redacted]

[Redacted]

Thanks, Rukhaya

---

**From:** Crane, Anna  
**Sent:** Tuesday, March 31, 2020 11:47 PM  
**To:** Alikhan, Rukhaya ; Berger-White, Juliet  
**Cc:** Acharya, Snigdha  
**Subject:** Re: DRAFT Executive Order re: liability waiver  
Thanks Rukhaya-

To your first question, I believe [Redacted]  
[Redacted] Thanks!

[Redacted]

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---

**From:** Alikhan, Rukhaya  
**Sent:** Tuesday, March 31, 2020 7:46 PM  
**To:** Berger-White, Juliet  
**Cc:** Crane, Anna; Acharya, Snigdha  
**Subject:** Re: DRAFT Executive Order re: liability waiver

Hi, I went through the definition of health care facility and was wondering [Redacted]  
[Redacted]  
[Redacted]

[Redacted]  
[Redacted]  
[Redacted]

[Redacted]



Thanks, Rukhaya

[Redacted]

[Redacted]

---

**From:** Berger-White, Juliet

**Sent:** Tuesday, March 31, 2020 6:38 PM

**To:** Schomberg, John F ; Acharya, Snigdha ; Alikhan, Rukhaya ; Hagan, Deborah ; Abundis, Cecilia ; Wiggins, Hunter

**Cc:** Caplan, Gary ; Crane, Anna

**Subject:** DRAFT Executive Order re: liability waiver

All:

As you know, we've been working on drafting an Executive Order to waive liability for health care facilities, health care workers, and volunteers for COVID-19 related care. As you can imagine, this is a challenging process but our goal is to provide such protection on a temporary basis, during the pendency of the Disaster Proclamation, to address the crisis.

Can you please each review the attached draft and provide redlines and comments? [Redacted]

[Redacted]

We are trying to finalize this so we would greatly appreciate quick feedback if possible. Many thanks to each of you!

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Lerner, Scott](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Tuesday, March 31, 2020 11:32:42 PM

---

Thanks for these edits – they were very helpful. [REDACTED]

[REDACTED] I have a question or two so let's connect in the morning. Thanks again. And I will try to read your EO first thing.

---

**From:** Lerner, Scott  
**Sent:** Tuesday, March 31, 2020 9:57 PM  
**To:** Berger-White, Juliet ; GOV.Legal  
**Subject:** RE: DRAFT Executive Order re: liability waiver

[REDACTED]  
[REDACTED] I'm happy to discuss if you have questions about any of my comments. Thanks.

**Scott Lerner**

Deputy General Counsel | Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8266 | Cell: (312) 350-0565  
[scott.lerner@illinois.gov](mailto:scott.lerner@illinois.gov)

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 8:34 PM  
**To:** GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver

Hi team – Attached is a draft EO that waives liability for certain health care facilities, health care workers, and volunteers for COVID-19 related care. We are still gathering input from our agencies on this draft. If you have a moment to review, please send any redlines/comments my way. [REDACTED]  
[REDACTED]. Ann, Gary, Anna, and I have been in the weeds on this so we would appreciate a fresh set of eyes. Many thanks!

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**From:** [Berger-White, Juliet](#)  
**To:** [Acharya, Snigdha](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Tuesday, March 31, 2020 11:30:03 PM

---

Got it.

---

**From:** Acharya, Snigdha  
**Sent:** Tuesday, March 31, 2020 8:04 PM  
**To:** Berger-White, Juliet ; Schomberg, John F ; Alikhan, Rukhaya ; Hagan, Deborah ; Abundis, Cecilia ; Wiggins, Hunter  
**Cc:** Caplan, Gary ; Crane, Anna  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Sorry, after having spoken to another division, [REDACTED]  
**Snigdha Acharya**  
General Counsel  
Illinois Department of Public Health  
Cell: (312) 519-8413

---

**From:** Acharya, Snigdha  
**Sent:** Tuesday, March 31, 2020 7:44 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
Hi All,  
Regarding your second comment, [REDACTED]  
Best,  
SA  
**Snigdha Acharya**  
General Counsel  
Illinois Department of Public Health  
Cell: (312) 519-8413

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:38 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** DRAFT Executive Order re: liability waiver  
All:  
As you know, we've been working on drafting an Executive Order to waive liability for health care facilities, health care workers, and volunteers for COVID-19 related care. As you can imagine, this is a challenging process but our goal is to provide such protection on a temporary basis, during the pendency of the Disaster Proclamation, to address the crisis.

Can you please each review the attached draft and provide redlines and comments? [REDACTED]

[REDACTED]

We are trying to finalize this so we would greatly appreciate quick feedback if possible. Many thanks to each of you!

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Alikhan, Rukhaya](#)  
**Cc:** [Crane, Anna](#); [Acharya, Snigdha](#)  
**Subject:** RE: DRAFT Executive Order re: liability waiver  
**Date:** Tuesday, March 31, 2020 11:29:51 PM

---

Thanks Rukhaya.

- [REDACTED]
  - [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- 

**From:** Alikhan, Rukhaya  
**Sent:** Tuesday, March 31, 2020 7:47 PM  
**To:** Berger-White, Juliet  
**Cc:** Crane, Anna ; Acharya, Snigdha  
**Subject:** Re: DRAFT Executive Order re: liability waiver

Hi, I went through the definition of health care facility and was wondering [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

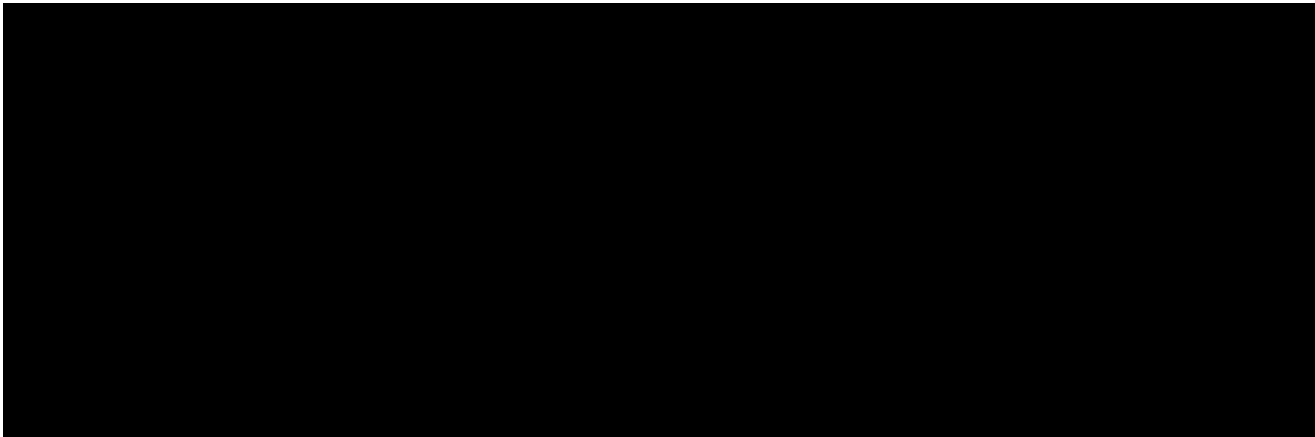
---

Thanks, Rukhaya

[REDACTED]

[REDACTED]

---



---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:38 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>; Hagan, Deborah <[Deborah.Hagan@Illinois.gov](mailto:Deborah.Hagan@Illinois.gov)>; Abundis, Cecilia <[Cecilia.Abundis@Illinois.gov](mailto:Cecilia.Abundis@Illinois.gov)>; Wiggins, Hunter <[Hunter.Wiggins@Illinois.gov](mailto:Hunter.Wiggins@Illinois.gov)>

**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** DRAFT Executive Order re: liability waiver

All:

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[Redacted]

We are trying to finalize this so we would greatly appreciate quick feedback if possible. Many thanks to each of you!

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Jeffrey Levine](#)  
**To:** [Berger-White, Juliet](#); [Maurice Classen](#); [Macgregor Lebuhn](#)  
**Cc:** [Spillane, Ann](#); [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** [External] Re: DRAFT Executive Order for tonight's discussion/please do not circulate  
**Date:** Tuesday, March 31, 2020 11:19:37 PM

---

Hi - can you consider [REDACTED]

Thanks.

Regards,

Jeff

Jeffrey C.B. Levine

Department of Law - Legal Counsel Division

312-744-4705

---

**From:** Berger-White, Juliet

**Sent:** Tuesday, March 31, 2020 6:41 PM

**To:** Maurice Classen ; Jeffrey Levine ; Macgregor Lebuhn

**Cc:** Spillane, Ann ; Caplan, Gary ; Crane, Anna

**Subject:** DRAFT Executive Order for tonight's discussion/please do not circulate

Good evening – Please see attached draft Executive Order providing liability protections for health care facilities, workers, and volunteers during the COVID-19 crisis. We are looking forward to our discussion at 7:00 p.m.

Sincerely,

Juliet

Juliet Berger-White

Deputy General Counsel | Chief Compliance Officer

Office of Illinois Governor JB Pritzker

100 W. Randolph Street | Chicago, IL 60601

Office: (312) 814-8868 | Cell: (312) 639-8085

[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)

Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Lerner, Scott](#)  
**Subject:** Re: DRAFT Executive Order re: liability waiver  
**Date:** Tuesday, March 31, 2020 10:15:02 PM

---

Thank you!

Sent from my iPhone

---

**From:** Lerner, Scott  
**Sent:** Tuesday, March 31, 2020 9:56 PM  
**To:** Berger-White, Juliet; GOV.Legal  
**Subject:** RE: DRAFT Executive Order re: liability waiver

[REDACTED]  
[REDACTED]. I'm happy to discuss if you have questions about any of my comments. Thanks.

**Scott Lerner**

Deputy General Counsel | Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8266 | Cell: (312) 350-0565  
[scott.lerner@illinois.gov](mailto:scott.lerner@illinois.gov)

---

**From:** Berger-White, Juliet  
**Sent:** Tuesday, March 31, 2020 8:34 PM  
**To:** GOV.Legal  
**Subject:** DRAFT Executive Order re: liability waiver

Hi team – Attached is a draft EO that waives liability for certain health care facilities, health care workers, and volunteers for COVID-19 related care. We are still gathering input from our agencies on this draft. If you have a moment to review, please send any redlines/comments my way. [REDACTED]

[REDACTED] Ann, Gary, Anna, and I have been in the weeds on this so we would appreciate a fresh set of eyes. Many thanks!

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**From:** [Rapelyea, Sean](#)  
**To:** [Spillane, Ann](#)  
**Subject:** Re: Don't want to be annoying  
**Date:** Tuesday, March 31, 2020 6:59:32 PM

---



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---

**From:** Spillane, Ann  
**Sent:** Tuesday, March 31, 2020 6:59:00 PM  
**To:** Rapelyea, Sean  
**Subject:** RE: Don't want to be annoying

About to get on a call with the City to talk through a draft. Hopefully will finalize tomorrow!

---

**From:** Rapelyea, Sean  
**Sent:** Tuesday, March 31, 2020 6:58 PM  
**To:** Spillane, Ann  
**Subject:** Don't want to be annoying  
BUT, any update on the timing of liability EO?  
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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO Liability draft 3.31.20 615.docx  
**Date:** Tuesday, March 31, 2020 6:58:36 PM

---

[REDACTED]

**From:** Berger-White, Juliet  
**Sent:** Tuesday, March 31, 2020 6:52 PM  
**To:** Crane, Anna  
**Subject:** RE: EO Liability draft 3.31.20 615.docx

[REDACTED]

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:50 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO Liability draft 3.31.20 615.docx

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:42 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: EO Liability draft 3.31.20 615.docx

[REDACTED]

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:34 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO Liability draft 3.31.20 615.docx

See the attached. [REDACTED]

[REDACTED]

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 6:26 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** EO Liability draft 3.31.20 615.docx

Pls give a quick read. This includes your last change.

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** FW: update  
**Date:** Tuesday, March 31, 2020 4:47:10 PM

---

Ann – I can circulate a call-in for this.

---

**From:** Maurice Classen  
**Sent:** Tuesday, March 31, 2020 4:46 PM  
**To:** Spillane, Ann  
**Cc:** Berger-White, Juliet ; Caplan, Gary ; Crane, Anna ; Jeffrey Levine ; Macgregor Lebuhn  
**Subject:** [External] Re: update  
Works for us. Let's book it.

Sent from my iPhone

On Mar 31, 2020, at 4:33 PM, Spillane, Ann <[Ann.Spillane@illinois.gov](mailto:Ann.Spillane@illinois.gov)> wrote:

Would 7pm work?

---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Sent:** Tuesday, March 31, 2020 4:29 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>  
**Subject:** [External] RE: update

Ann,

I'm booked solid until 6:30 p.m., any chance we could do then? Adding Mac and Jeff for the discussion.

Maurice

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 3:05 PM  
**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** update

Maurice,

We are working to finalize an executive order relating to liability that follows up on our conversation. Would you be free at 5:30 for a quick call? I can email Jeff and Mac, but I wanted to check with you first.

Thank you,

Ann

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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO Liability JBW 3.31.20 (002)\_APC.docx  
**Date:** Tuesday, March 31, 2020 3:51:35 PM

---

[REDACTED]

---

**From:** Berger-White, Juliet  
**Sent:** Tuesday, March 31, 2020 3:47 PM  
**To:** Crane, Anna  
**Subject:** EO Liability JBW 3.31.20 (002)\_APC.docx

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#); [Crane, Anna](#); [Caplan, Gary](#)  
**Subject:** RE: Liability  
**Date:** Tuesday, March 31, 2020 3:01:41 PM

---

5:30 is perfect. Thank you.

---

**From:** Spillane, Ann  
**Sent:** Tuesday, March 31, 2020 3:01 PM  
**To:** Berger-White, Juliet ; Crane, Anna ; Caplan, Gary  
**Subject:** RE: Liability

What if I tell the city we'll talk to them at 5:30? [REDACTED]

[REDACTED]. Alternatively, I could say 7pm?

What do you recommend?

Ann

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 1:26 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** RE: Liability

I can talk at that time. [REDACTED]  
[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Tuesday, March 31, 2020 1:25 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** Liability

Hi,

I know you are working on this. Anne is getting questions from Maurice Classen at the City. Do you think it would be feasible for us to talk briefly with them late this afternoon just to touch base? I would aim for 4:45.

Ann

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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: EO Liability JBW 3.31.20 (002).docx  
**Date:** Tuesday, March 31, 2020 2:05:02 PM

---

Yep. Will do.

---

**From:** Berger-White, Juliet  
**Sent:** Tuesday, March 31, 2020 2:05 PM  
**To:** Crane, Anna  
**Subject:** EO Liability JBW 3.31.20 (002).docx

Can you use this version? 

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- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]




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- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

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**From:** [Vaught, Laura C.](#)  
**To:** [Winick, Ben](#); [Flores, Sol](#); [Crane, Anna](#); [Shannon, John J.](#)  
**Cc:** [Nickrent, Allison L.](#)  
**Subject:** today's 3:00 pm call  
**Date:** Tuesday, March 31, 2020 12:10:20 PM  
**Attachments:**  [Internal RE discharges.msg](#)  
 [Internal Re discharges.msg](#)  
 [Internal RE discharges.msg](#)

---

For your awareness.

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**From:** [Vaught, Laura C.](#)  
**To:** [Flores, Sol](#); [Whitehorn, Lizzy](#); [Shannon, John J.](#)  
**Cc:** [DeWitt, Justin](#); [Nickrent, Allison L.](#)  
**Subject:** FW: discharges  
**Date:** Tuesday, March 31, 2020 12:03:56 PM  
**Attachments:**  [ihcci General Admission Protocols IHA Updates 3 30 20 \(002\) IHA.docx](#)

---

Please see attached.

---

**From:** Matt Hartman  
**Sent:** Tuesday, March 31, 2020 11:24 AM  
**To:** Vaught, Laura C.  
**Cc:** Nickrent, Allison L. ; Donna Ginther ; Pat ; Kirk Riva (kriva@leadingageil.org) ; Ashley Snively ; Kimberly Palermo ; Eric Lane  
**Subject:** [External] RE: discharges

Laura, please see that attached for a discharge process agreed to by the long term care community and hospitals.

I'd be remiss if I didn't point out that a lot of this is predicated on and/or complicated by a number of other factors that our sector must contend with; sufficient staffing, sufficient PPE, the threat of grave liability concerns that hang over us (we still have attorneys threatening suit over not allowing visitors), among others. All of that needs discussion. As well, we believe development of protocols for dedicated units or wings within buildings needs to be discussed as the best way to handle this in existing operations.

We (speaking for IHCA here, but I believe my colleagues agree and they'll certainly correct me if I'm wrong) still believe the best way to handle discharges is in stepdown, dedicated buildings. There is sufficient capacity in recently closed ltc settings and hospitals to handle overflow. We think this concept should be examined and quickly implemented. I know some other states - Massachusetts has brought one online already - have had providers offer already operational buildings as COVID specific centers, and this is another option here that gets to the same end result.

Finally, leading into today's meeting, I'd like to ask if this is going to be the chief discussion point, or are we still going to have HFS on the phone as well? I know each association has a laundry list of questions we are awaiting answers on from them.

If I missed anything, would the rest of you please add on to what I've said above.

Thanks all.

Matt

---

**From:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:38 AM  
**To:** Matt Hartman <[mhartman@IHCA.com](mailto:mhartman@IHCA.com)>  
**Cc:** Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>  
**Subject:** discharges

Good morning Matt,

I was just following up to see if you had those recommendations ready? Re: discharges?

Thanks!

-Laura

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---

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To: [mhartman@ihca.com](mailto:mhartman@ihca.com)      [Remove](#) this sender from my allow list

From: [laura.vaught@illinois.gov](mailto:laura.vaught@illinois.gov)

*You received this message because the sender is on your allow list.*

**From:** [Spillane, Ann](#)  
**To:** [Crane, Anna](#); [Caplan, Gary](#)  
**Subject:** RE: disclosure guidance  
**Date:** Tuesday, March 31, 2020 11:25:26 AM

---

Let's discuss this. We can add this to the end of our call on the liability EO.

---

**From:** Crane, Anna  
**Sent:** Monday, March 30, 2020 10:24 PM  
**To:** Spillane, Ann ; Caplan, Gary  
**Subject:** FW: disclosure guidance  
Please see attached for Snigdha's proposed guidance re law enforcement disclosures.

---

**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:05 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** disclosure guidance

Anna,

Please see attached and let me know if GO Legal is ok with IDPH disseminating. Thanks!

**Snigdha Acharya**

General Counsel

Illinois Department of Public Health

Cell: (312) 519-8413

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[REDACTED]

**From:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 6:42 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx

Gary,  
[REDACTED]

Happy to discuss and to dig into further.  
Thanks,  
John  
**John F. Schomberg**  
General Counsel | Office of the General Counsel  
Illinois Department of Human Services  
(312) 814-2747

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 4:30 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** CONFIDENTIAL DRAFT EO v.4 Liability.docx

John,  
I'm attaching a confidential draft of an immunity EO. [REDACTED]  
[REDACTED]

This is a top priority and your input would be very helpful.

Thanks very much.

Gary

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

312.814.5154 (o)

312.771.2587 (c)

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

It is attached.

Junaid

cc: Karen Senger

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:15 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
Thanks, Junaid. Adding Juliet. [REDACTED]

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:08 AM  
**To:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Call with Karen Harris (IHA): 10:30am today  
Hi. I'm going to be speaking with Karen Harris this morning at 10:30am. Does this time work for you all?  
Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**From:** [Rawls, Winfred](#)  
**To:** [Crane, Anna](#); [Acharya, Snigdha](#); [DeWitt, Justin](#)  
**Subject:** RE: Hospital Preparedness Plans  
**Date:** Tuesday, March 31, 2020 8:43:43 AM

---

Good Morning Anna,

[REDACTED]  
[REDACTED] If you have further questions, I'm available to discuss, 217 299-3602.

R/-Win

Winfred C. Rawls

Deputy Director / Emergency Officer

**Illinois Department of Public Health**

Office of Preparedness & Response

✉ [winfred.rawls@illinois.gov](mailto:winfred.rawls@illinois.gov)

📞 217.299-3602 | 📠 217.557.3699 | 📠 217.557-3894

📍 422 South 5th Street-4th Floor, Springfield, IL 62701

---

**From:** Rawls, Winfred

**Sent:** Tuesday, March 31, 2020 7:57 AM

**To:** Crane, Anna ; Acharya, Snigdha ; DeWitt, Justin

**Subject:** RE: Hospital Preparedness Plans

Will do shortly. Call I'm on should end shortly.

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Sent:** Monday, March 30, 2020 10:44 PM

**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>;

Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>

**Subject:** RE: Hospital Preparedness Plans

Win – if you can please give me a call in the morning to discuss, I would appreciate it. I need to be able to provide this information by mid-morning. I'm at 312-350-6225.

Thanks very much,

Anna

---

**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Sent:** Monday, March 30, 2020 9:49 PM

**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>

**Subject:** RE: Hospital Preparedness Plans

**Importance:** High

Yes, Win would be the best contact or can refer you to someone on his team. I've added him here so that he can readily provide guidance to GO tomorrow.

Win - [REDACTED]  
[REDACTED]

Thanks,

SA

**Snigdha Acharya**

General Counsel

Illinois Department of Public Health

Cell: (312) 519-8413

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Sent:** Monday, March 30, 2020 8:55 PM

**To:** DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Subject:** Hospital Preparedness Plans

Justin & Snigdha – [REDACTED]

[REDACTED]

Anna Crane

Associate General Counsel

Office of Illinois Governor JB Pritzker

100 W. Randolph Street

Chicago, IL 60601

Chicago: (312) 814-0021

Cell: (312) 350-6225

Pronouns: she/her/hers

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**From:** [Caplan, Gary](#)  
**To:** [Spillane, Ann](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** FW: EO - liability waiver  
**Date:** Tuesday, March 31, 2020 8:02:22 AM

---

[REDACTED]  
[REDACTED]

---

**From:** Roets, Steven  
**Sent:** Tuesday, March 31, 2020 7:57 AM  
**To:** Caplan, Gary  
**Subject:** Fwd: EO - liability waiver  
Hi Gary,

[REDACTED]

Best,  
Steven  
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---

**From:** Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Sent:** Monday, March 30, 2020 12:21 PM  
**To:** Caplan, Gary; Berger-White, Juliet  
**Subject:** RE: EO - liability waiver  
Hi Gary and Juliet,

[REDACTED]  
[REDACTED]  
[REDACTED]

- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]
- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Best,  
Steven

---

**From:** Roets, Steven  
**Sent:** Monday, March 30, 2020 11:35 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[Redacted]

- [Redacted]
- [Redacted]

[Redacted]

Best,  
Steven

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Subject:** RE: EO - liability waiver

Steven,  
[Redacted]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[Redacted]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Caplan, Gary](#)  
**To:** [Roets, Steven](#)  
**Subject:** RE: EO - liability waiver  
**Date:** Tuesday, March 31, 2020 7:58:54 AM

---

Thank you

**From:** Roets, Steven  
**Sent:** Tuesday, March 31, 2020 7:57 AM  
**To:** Caplan, Gary  
**Subject:** Fwd: EO - liability waiver

Hi Gary,

[Redacted]

Best,

Steven

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---

**From:** Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Sent:** Monday, March 30, 2020 12:21 PM  
**To:** Caplan, Gary; Berger-White, Juliet  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[Redacted]

[Redacted]

[Redacted]

■ [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

■ [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Best,

Steven

---

**From:** Roets, Steven  
**Sent:** Monday, March 30, 2020 11:35 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[Redacted]

- [Redacted]
- [Redacted]

[Redacted]

Best,  
Steven

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Subject:** RE: EO - liability waiver

Steven,  
[Redacted]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[Redacted]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Alikhan, Rukhaya](#)  
**Subject:** Re: EO  
**Date:** Monday, March 30, 2020 10:38:10 PM

---

Thank you! Will review more closely in the morning.

Sent from my iPhone

---

**From:** Alikhan, Rukhaya  
**Sent:** Monday, March 30, 2020 10:12:10 PM  
**To:** Berger-White, Juliet  
**Subject:** Re: EO

Hi,

I think [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:45 PM  
**To:** Alikhan, Rukhaya  
**Subject:** Re: EO  
Thank you!

Sent from my iPhone

---

**From:** Alikhan, Rukhaya  
**Sent:** Monday, March 30, 2020 8:31:53 PM  
**To:** Berger-White, Juliet  
**Subject:** Re: EO  
Yes working on it now, will send you something very soon.

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:31 PM  
**To:** Alikhan, Rukhaya  
**Subject:** EO  
We're trying to finalize the EO. Can you let me know if you have thoughts first thing tmrw?  
Thanks

Sent from my iPhone



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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** Re: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
**Date:** Monday, March 30, 2020 10:33:48 PM

---

Thank you.

Sent from my iPhone

---

**From:** Spillane, Ann  
**Sent:** Monday, March 30, 2020 9:52:28 PM  
**To:** Berger-White, Juliet ; Crane, Anna ; Caplan, Gary  
**Subject:** Re: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
Yes. Let's do that. I can shift anything else to do this call so let me know when you have a sense of timing.

Ann

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---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:50:22 PM  
**To:** Crane, Anna ; Caplan, Gary ; Spillane, Ann  
**Subject:** Re: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
I could use a little time in the morning too. Can we circle back in the morning to set a time?

Sent from my iPhone

---

**From:** Crane, Anna  
**Sent:** Monday, March 30, 2020 8:48 PM  
**To:** Caplan, Gary; Spillane, Ann  
**Cc:** Berger-White, Juliet  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
Thanks Ann. For me, having just a bit of time in the morning would be useful.

**From:** Caplan, Gary  
**Sent:** Monday, March 30, 2020 8:15 PM  
**To:** Spillane, Ann  
**Cc:** Crane, Anna ; Berger-White, Juliet  
**Subject:** Re: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
Any time in the am  
Get [Outlook for iOS](#)

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 8:04:23 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx

What time do you all think we'll be ready for another discussion on this tomorrow?

[REDACTED]

Ann

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 6:44 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx

[REDACTED]

---

**From:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 6:42 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx

Gary,

[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
Happy to discuss and to dig into further.

Thanks,  
John

**John F. Schomberg**

General Counsel | Office of the General Counsel  
Illinois Department of Human Services  
(312) 814-2747

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 4:30 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** CONFIDENTIAL DRAFT EO v.4 Liability.docx

John,

I'm attaching a confidential draft of an immunity EO. [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

This is a top priority and your input would be very helpful.

Thanks very much.

Gary

Gary S. Caplan  
Deputy General Counsel  
Office of the Governor, JB Pritzker  
100 W. Randolph Street  
Suite 16-100  
Chicago, IL 60601  
[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)  
312.814.5154 (o)  
312.771.2587 (c)

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**From:** [Berger-White, Juliet](#)  
**To:** [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** Fwd: EO  
**Date:** Monday, March 30, 2020 10:33:35 PM

---

Here's additional info from Rukhaya. I'll review in the morning.

Sent from my iPhone

---

**From:** Alikhan, Rukhaya  
**Sent:** Monday, March 30, 2020 10:12 PM  
**To:** Berger-White, Juliet  
**Subject:** Re: EO

Hi,

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:45 PM  
**To:** Alikhan, Rukhaya  
**Subject:** Re: EO  
Thank you!

Sent from my iPhone

---

**From:** Alikhan, Rukhaya  
**Sent:** Monday, March 30, 2020 8:31:53 PM  
**To:** Berger-White, Juliet  
**Subject:** Re: EO  
Yes working on it now, will send you something very soon.

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:31 PM  
**To:** Alikhan, Rukhaya  
**Subject:** EO  
We're trying to finalize the EO. Can you let me know if you have thoughts first thing tmrw?  
Thanks

Sent from my iPhone

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**From:** [Berger-White, Juliet](#)  
**To:** [Alikhan, Rukhaya](#)  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
**Date:** Monday, March 30, 2020 6:17:36 PM

---

Are you joining this call at 6:15?

**From:** Alikhan, Rukhaya  
**Sent:** Monday, March 30, 2020 6:17 PM  
**To:** Berger-White, Juliet  
**Cc:** Crane, Anna  
**Subject:** Re: CONFIDENTIAL DRAFT EO v.4 Liability.docx

Sure, will take a look. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Thanks.

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 5:43 PM  
**To:** Alikhan, Rukhaya <[Rukhaya.Alikhan@Illinois.gov](mailto:Rukhaya.Alikhan@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: CONFIDENTIAL DRAFT EO v.4 Liability.docx

Rukhaya –

Attached is a draft (which is still being revised) of an EO to address immunity for healthcare workers.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] Thank you!

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 4:30 PM  
**To:** Schomberg, John F <[John.Schomberg@Illinois.gov](mailto:John.Schomberg@Illinois.gov)>  
**Cc:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** CONFIDENTIAL DRAFT EO v.4 Liability.docx

John,

I'm attaching a confidential draft of an immunity EO. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This is a top priority and your input would be very helpful.

Thanks very much.

Gary

Gary S. Caplan



Deputy General Counsel  
Office of the Governor, JB Pritzker  
100 W. Randolph Street  
Suite 16-100  
Chicago, IL 60601  
[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)  
312.814.5154 (o)  
312.771.2587 (c)

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**From:** [Schomberg, John F](#)  
**To:** [Caplan, Gary](#)  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
**Date:** Monday, March 30, 2020 5:29:58 PM

---

Gary,

We're working on. [REDACTED]

Thanks,

John

**John F. Schomberg**

General Counsel | Office of the General Counsel

Illinois Department of Human Services

(312) 814-2747

---

**From:** Caplan, Gary

**Sent:** Monday, March 30, 2020 4:30 PM

**To:** Schomberg, John F

**Cc:** Spillane, Ann ; Crane, Anna ; Berger-White, Juliet

**Subject:** CONFIDENTIAL DRAFT EO v.4 Liability.docx

John,

I'm attaching a confidential draft of an immunity EO. [REDACTED]

This is a top priority and your input would be very helpful.

Thanks very much.

Gary

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

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312.771.2587 (c)

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**From:** [Schomberg, John F](#)  
**To:** [Caplan, Gary](#)  
**Subject:** RE: CONFIDENTIAL DRAFT EO v.4 Liability.docx  
**Date:** Monday, March 30, 2020 4:36:40 PM

---

Thanks, Gary—we'll dig in on—I've shared with the folks who were weighing in this weekend.

Thanks,

John

**John F. Schomberg**

General Counsel | Office of the General Counsel

Illinois Department of Human Services

(312) 814-2747

---

**From:** Caplan, Gary

**Sent:** Monday, March 30, 2020 4:30 PM

**To:** Schomberg, John F

**Cc:** Spillane, Ann ; Crane, Anna ; Berger-White, Juliet

**Subject:** CONFIDENTIAL DRAFT EO v.4 Liability.docx

John,

I'm attaching a confidential draft of an immunity EO. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

This is a top priority and your input would be very helpful.

Thanks very much.

Gary

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

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**From:** [Berger-White, Juliet](#)  
**To:** [Crane, Anna](#)  
**Subject:** FW: EO - liability waiver  
**Date:** Monday, March 30, 2020 3:09:55 PM  
**Attachments:** [REDACTED]

---

Steven sent this info and the below:

Hi Gary and Juliet,

[REDACTED]

- [REDACTED]
- [REDACTED]

Best,  
Steven

---

**From:** Roets, Steven  
**Sent:** Monday, March 30, 2020 11:35 AM  
**To:** Caplan, Gary ; Berger-White, Juliet  
**Subject:** RE: EO - liability waiver

Hi Gary and Juliet,

[REDACTED]

- [REDACTED]
- [REDACTED]

[REDACTED]

[REDACTED]

Best,  
Steven

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Roets, Steven <[Steven.Roets@illinois.gov](mailto:Steven.Roets@illinois.gov)>  
**Subject:** RE: EO - liability waiver

Steven,  
[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[REDACTED]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Spillane, Ann](#)  
**To:** [Berger-White, Juliet](#); [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** RE: would 2:30 work?  
**Date:** Monday, March 30, 2020 1:59:09 PM

---

Thanks.

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 1:58 PM  
**To:** Caplan, Gary ; Spillane, Ann ; Crane, Anna  
**Subject:** RE: would 2:30 work?  
For me as well. I will send an call-in.

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:56 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?  
3:30 works.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:55 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?  
Definitely do the 2:30. Can we talk at 3:30? I have a 3pm with Alexis Sturm that I need to do today.

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:52 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?

 Can we push the liability EO call to 245? Alternatively, I can follow up with Bob and Scott later....

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:50 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** would 2:30 work?  
To go through the liability EO?

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privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Crane, Anna](#)  
**To:** [Spillane, Ann](#); [Caplan, Gary](#); [Berger-White, Juliet](#)  
**Subject:** RE: would 2:30 work?  
**Date:** Monday, March 30, 2020 1:58:46 PM

---

Works for me.

---

**From:** Spillane, Ann  
**Sent:** Monday, March 30, 2020 1:58 PM  
**To:** Caplan, Gary ; Berger-White, Juliet ; Crane, Anna  
**Subject:** RE: would 2:30 work?  
Anna and Juliet?

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:56 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?  
3:30 works.

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**Sent:** Monday, March 30, 2020 1:55 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?

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**Sent:** Monday, March 30, 2020 1:52 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?

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**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:50 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** would 2:30 work?

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privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Berger-White, Juliet](#)  
**To:** [Caplan, Gary](#); [Spillane, Ann](#); [Crane, Anna](#)  
**Subject:** RE: would 2:30 work?  
**Date:** Monday, March 30, 2020 1:57:30 PM

---

For me as well. I will send an call-in.

---

**From:** Caplan, Gary  
**Sent:** Monday, March 30, 2020 1:56 PM  
**To:** Spillane, Ann ; Berger-White, Juliet ; Crane, Anna  
**Subject:** RE: would 2:30 work?  
3:30 works.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:55 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?

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**Sent:** Monday, March 30, 2020 1:52 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: would 2:30 work?

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**Sent:** Monday, March 30, 2020 1:50 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** would 2:30 work?

To go through the liability EO?

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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** Trigger point for liability waiver  
**Date:** Monday, March 30, 2020 1:47:17 PM

---

[REDACTED]

Anna Crane  
Associate General Counsel  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street  
Chicago, IL 60601  
Chicago: (312) 814-0021  
Cell: (312) 350-6225  
Pronouns: she/her/hers

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**From:** [Lerner, Scott](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare  
**Date:** Monday, March 30, 2020 1:41:23 PM

---

**Scott Lerner**

Deputy General Counsel | Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8266 | Cell: (312) 350-0565  
[scott.lerner@illinois.gov](mailto:scott.lerner@illinois.gov)

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 1:41 PM  
**To:** Lerner, Scott  
**Subject:** FW: Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:24 PM  
**To:** GOV.Legal <[GOV.Legal@illinois.gov](mailto:GOV.Legal@illinois.gov)>  
**Subject:** FW: Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare  
fyi

---

**From:** McBride, Bill <[BMcBride@nga.org](mailto:BMcBride@nga.org)>  
**Sent:** Monday, March 30, 2020 1:23 PM  
**To:** McBride, Bill <[BMcBride@nga.org](mailto:BMcBride@nga.org)>  
**Subject:** [External] Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare  
Dear Governors Legal Counsel,  
I am following up on NGA's invitation for tomorrow's legal counsel call at 3:00 pm ET on governmental authorities related to health, safety, and welfare.  
As a starting point, NGA staff has prepared a memorandum on the scope of federal authority to alter state responses to COVID-19 (attached and see below).

**NGA Legal Counsel Call on Governmental Authorities Related to Health, Safety, and Welfare**

**Tuesday, March 31, 2020**

*3:00 pm ET/2:00 pm CT/1:00 pm MT/12:00 pm PT*

**Dial-in: 888-475-4499**

**Code: 202-624-5375**

**Agenda**


- Welcome & Intro
  - Bill McBride, Executive Director, National Governors Association
- Overview of NGA Memorandum on Scope of Federal Authority to Alter State Responses to COVID-19
  - Jeff Locke, Program Director, Homeland Security and Public Safety, National Governors Association

- Briefing on Scope of Federal Authority to Alter State Responses to COVID-19
  - Robert M. Chesney, James Baker Chair and Associate Dean for Academic Affairs, University of Texas School of Law
- Open Discussion/ Q&A

If there are additional items you would like to flag when we proceed with open discussion, please let us know. **Additionally, we are preparing for a briefing call on Tuesday, April 7<sup>th</sup> to address liability issues at your request.**

Best,  
Bill

**Bill McBride | Executive Director**

	National Governors Association	p/202-624-5320
	444 North Capitol Street NW Suite 267 Washington, DC 20001	<a href="mailto:bmcbride@nga.org">bmcbride@nga.org</a> <a href="http://www.nga.org">www.nga.org</a>

As part of NGA’s continued support for governor’s offices in responding to COVID-19, NGA has prepared the following for governor’s office to address issues related to the scope of federal authority to alter state responses to COVID-19:

1. Memorandum on Scope of Federal Authority to Alter State Responses to COVID-19

**Overview of Scope of Federal Authority to Alter State Responses to COVID-19**

Over the last two weeks, there have been numerous federal and state actions regarding social distancing. On March 29, 2020, the White House extended social distancing guidelines through the end of April. In turn, a majority of governors have closed businesses and imposed restrictions on movement in their states. This memorandum highlights potential legal issues that may emerge if the federal government and states disagree on when the country can safely return to work.

Key takeaways from the briefing memorandum include the following:

- The president has no recognized Article II or statutory authority to override state public health orders;
- Congress, acting on its authority to regulate interstate commerce, could override state public health orders but any attempt would likely face issues and not automatically pass legal muster; however, in the current political environment, Congress is unlikely to do so; and
- The president could exert indirect pressure on states to discontinue or rescind current responses to COVID-19 through conditional federal funding, subject to limitations.

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**From:** [Sikdar, Reena](#)  
**To:** [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
**Date:** Monday, March 30, 2020 1:31:06 PM

---

[Redacted]

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 1:27 PM  
**To:** Crane, Anna ; Sikdar, Reena  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
I agree. I will email Rukhaya and Snigdha now.

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 1:15 PM  
**To:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

[Redacted]

---

**From:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 12:33 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: Call with Karen Harris (IHA): 10:30am today

[Redacted]

- [Redacted]
  - [Redacted]
  - [Redacted]
  - [Redacted]
  - [Redacted]
- [Redacted]
  - [Redacted]
  - [Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

Reena  
(312) 405-2206

---

**From:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 12:14 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Subject:** FW: Call with Karen Harris (IHA): 10:30am today

[Redacted]

Lizzy Whitehorn  
First Assistant Deputy Governor, Health & Human Services  
Office: 312-814-5298  
Cell: 312-859-6819

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:44 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>  
**Subject:** Re: Call with Karen Harris (IHA): 10:30am today

Anna, Lizzy, Snigdha, and Juliet:  
Hi. This morning's call at 10:30 a.m. between me and Karen Harris (IHA) is to discuss the IHA waiver list.

[Redacted]

- [Redacted]

- [Redacted]
- [Redacted]
- [Redacted]



[REDACTED]

[REDACTED]

[REDACTED]

Junaid  
cc: Karen Senger

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:15 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
Thanks, Junaid. Adding Juliet. [REDACTED]

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:08 AM  
**To:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Call with Karen Harris (IHA): 10:30am today


Hi. I'm going to be speaking with Karen Harris this morning at 10:30am. Does this time work for you all?

Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**From:** [Spillane, Ann](#)  
**To:** [GOV.Legal](#)  
**Subject:** FW: Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare  
**Date:** Monday, March 30, 2020 1:23:37 PM  
**Attachments:**  [Memorandum on Scope of Federal Authority to Alter State Responses to COVID-19 3 30 Final.pdf](#)

---

fyi

**From:** McBride, Bill  
**Sent:** Monday, March 30, 2020 1:23 PM  
**To:** McBride, Bill  
**Subject:** [External] Governors Legal Counsel Briefing on Governmental Authorities Related to Health, Safety, and Welfare

Dear Governors Legal Counsel,

I am following up on NGA's invitation for tomorrow's legal counsel call at 3:00 pm ET on governmental authorities related to health, safety, and welfare.

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**Tuesday, March 31, 2020**

*3:00 pm ET/2:00 pm CT/1:00 pm MT/12:00 pm PT*

**Dial-in: 888-475-4499**

**Code: 202-624-5375**

**Agenda**

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  - Bill McBride, Executive Director, National Governors Association
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  - Jeff Locke, Program Director, Homeland Security and Public Safety, National Governors Association
- Briefing on Scope of Federal Authority to Alter State Responses to COVID-19
  - Robert M. Chesney, James Baker Chair and Associate Dean for Academic Affairs, University of Texas School of Law
- Open Discussion/ Q&A

If there are additional items you would like to flag when we proceed with open discussion, please let us know. **Additionally, we are preparing for a briefing call on Tuesday, April 7<sup>th</sup> to address liability issues at your request.**

Best,

Bill

**Bill McBride | Executive Director**



National Governors Association  
444 North Capitol Street NW  
Suite 267  
Washington, DC 20001

p/202-624-5320  
[bmcbride@nga.org](mailto:bmcbride@nga.org)  
[www.nga.org](http://www.nga.org)

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- Congress, acting on its authority to regulate interstate commerce, could override state public health orders but any attempt would likely face issues and not automatically pass legal muster; however, in the current political environment, Congress is unlikely to do so; and
- The president could exert indirect pressure on states to discontinue or rescind current responses to COVID-19 through conditional federal funding, subject to limitations.

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**From:** [Berger-White, Juliet](#)  
**To:** [Sikdar, Reena](#)  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
**Date:** Monday, March 30, 2020 11:23:32 AM

---

[REDACTED]

**From:** Sikdar, Reena  
**Sent:** Monday, March 30, 2020 11:23 AM  
**To:** Berger-White, Juliet  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

[REDACTED]

[REDACTED]

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 11:16 AM  
**To:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

[REDACTED]

[REDACTED]

---

**From:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 11:10 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

Juliet, [REDACTED]

[REDACTED]

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:57 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>;  
Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

Hi Junaid – [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you.

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:44 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>;  
Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>

**Subject:** Re: Call with Karen Harris (IHA): 10:30am today

Anna, Lizzy, Snigdha, and Juliet:

Hi. This morning's call at 10:30 a.m. between me and Karen Harris (IHA) is to discuss the IHA waiver list. I haven't put together a document with our response. [REDACTED]

[REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

- [REDACTED]

[REDACTED]

Junaid  
cc: Karen Senger

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577

E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Sent:** Monday, March 30, 2020 9:15 AM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** RE: Call with Karen Harris (IHA): 10:30am today

Thanks, Junaid. Adding Juliet. [REDACTED]

[REDACTED]

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

**Sent:** Monday, March 30, 2020 9:08 AM

**To:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Subject:** Call with Karen Harris (IHA): 10:30am today

Hi. I'm going to be speaking with Karen Harris this morning at 10:30am. Does this time work for you all?

Junaid

---

Junaid M. Afeef

Assistant General Counsel

Illinois Department of Public Health

122 S. Michigan Avenue, 7th Floor

Chicago, Illinois 60603

T: 312-8143577

E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**From:** [Roets, Steven](#)  
**To:** [Caplan, Gary](#); [Berger-White, Juliet](#)  
**Subject:** RE: EO - liability waiver  
**Date:** Monday, March 30, 2020 10:29:58 AM

---

Hi Gary and Juliet,  
I'll see what I can find on this.  
Best,  
Steven

---

**From:** Caplan, Gary  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet ; Roets, Steven  
**Subject:** RE: EO - liability waiver  
Steven,

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[REDACTED]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Berger-White, Juliet](#)  
**To:** [Crane, Anna](#)  
**Subject:** FW: EO - liability waiver  
**Date:** Monday, March 30, 2020 10:19:22 AM

---

**From:** Caplan, Gary  
**Sent:** Monday, March 30, 2020 10:19 AM  
**To:** Berger-White, Juliet ; Roets, Steven  
**Subject:** RE: EO - liability waiver

Steven,

[REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 10:15 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO - liability waiver

[REDACTED]

Juliet Berger-White  
Deputy General Counsel | Chief Compliance Officer  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street | Chicago, IL 60601  
Office: (312) 814-8868 | Cell: (312) 639-8085  
[juliet.berger-white@illinois.gov](mailto:juliet.berger-white@illinois.gov)  
Pronouns: she/her/hers

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**From:** [Acharya, Snigdha](#)  
**To:** [Afeef, Junaid M.](#); [Crane, Anna](#); [Whitehorn, Lizzy](#); [Berger-White, Juliet](#)  
**Cc:** [Senger, Karen](#); [Sikdar, Reena](#)  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
**Date:** Monday, March 30, 2020 9:47:27 AM  
**Attachments:** [REDACTED]

---

Updated EO with IDPH comments attached.

**Snigdha Acharya**

General Counsel  
Illinois Department of Public Health  
Cell: (312) 519-8413

---

**From:** Afeef, Junaid M.  
**Sent:** Monday, March 30, 2020 9:44 AM  
**To:** Crane, Anna ; Whitehorn, Lizzy ; Acharya, Snigdha ; Berger-White, Juliet  
**Cc:** Senger, Karen  
**Subject:** Re: Call with Karen Harris (IHA): 10:30am today

Anna, Lizzy, Snigdha, and Juliet:

Hi. This morning's call at 10:30 a.m. between me and Karen Harris (IHA) is to discuss the IHA waiver list. I haven't put together a document with our response. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Junaid  
cc: Karen Senger

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:15 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
Thanks, Junaid. Adding Juliet. [REDACTED]

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:08 AM  
**To:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Call with Karen Harris (IHA): 10:30am today  
Hi. I'm going to be speaking with Karen Harris this morning at 10:30am. Does this time work for you all?  
Junaid

---

Junaid M. Afeef  
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**From:** [Berger-White, Juliet](#)  
**To:** [Afeef, Junaid M.](#); [Crane, Anna](#); [Whitehorn, Lizzy](#); [Acharya, Snigdha](#)  
**Cc:** [Senger, Karen](#); [Sikdar, Reena](#)  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
**Date:** Monday, March 30, 2020 9:46:16 AM

---

Adding Reena Sikdar who will join this call.

---

**From:** Afeef, Junaid M.  
**Sent:** Monday, March 30, 2020 9:44 AM  
**To:** Crane, Anna ; Whitehorn, Lizzy ; Acharya, Snigdha ; Berger-White, Juliet  
**Cc:** Senger, Karen  
**Subject:** Re: Call with Karen Harris (IHA): 10:30am today

Anna, Lizzy, Snigdha, and Juliet:

Hi. This morning's call at 10:30 a.m. between me and Karen Harris (IHA) is to discuss the IHA waiver list. I haven't put together a document with our response. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Junaid  
cc: Karen Senger

---

Junaid M. Afeef  
Assistant General Counsel  
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Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:15 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Call with Karen Harris (IHA): 10:30am today  
Thanks, Junaid. Adding Juliet. [REDACTED]  
[REDACTED]

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 9:08 AM  
**To:** Whitehorn, Lizzy <[Lizzy.Whitehorn@Illinois.gov](mailto:Lizzy.Whitehorn@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Call with Karen Harris (IHA): 10:30am today  
Hi. I'm going to be speaking with Karen Harris this morning at 10:30am. Does this time work for you all?  
Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
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E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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all copies thereof, including all attachments. Receipt by an unintended recipient does not waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Afeef, Junaid M.](#)  
**To:** [Villagran, Diana](#); [Acharya, Snigdha](#); [Crane, Anna](#); [Whitehorn, Lizzy](#); [Berger-White, Juliet](#)  
**Cc:** [Harris, Karen](#)  
**Subject:** Re: Draft Waiver Spreadsheet for the State - Karen availability  
**Date:** Monday, March 30, 2020 9:17:55 AM

---

Diana,

Hi. Snigdha (IDPH G.C.) and Anna, Juliet, and Lizzy (Governor's Legal Dept) will join the call at 10:30am with Karen Harris. I'm copying them on this email. Can you please add them to the meeting invitation please?

Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Villagran, Diana  
**Sent:** Monday, March 30, 2020 8:45 AM  
**To:** Afeef, Junaid M.  
**Subject:** [External] RE: Draft Waiver Spreadsheet for the State - Karen availability  
Thank you, have a great day!

---

**From:** Afeef, Junaid M.  
**Sent:** Monday, March 30, 2020 8:43 AM  
**To:** Villagran, Diana  
**Cc:** Harris, Karen  
**Subject:** [EXTERNAL] Re: Draft Waiver Spreadsheet for the State - Karen availability  
I'm just catching up on emails right now. Can we talk at 10:30am? My cell phone: [REDACTED].  
Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Villagran, Diana <[DVillagran@team-iha.org](mailto:DVillagran@team-iha.org)>  
**Sent:** Monday, March 30, 2020 8:41 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Cc:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Subject:** [External] RE: Draft Waiver Spreadsheet for the State - Karen availability  
Junaid,

Good morning. Karen is available as follows: 9-9:30am; 10-11am; 1:30-2pm or 4-5pm. Let me know what works for you and I'll send the invite. Thx.  
Diana

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Monday, March 30, 2020 8:32 AM  
**To:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>



**Cc:** Villagran, Diana <[DVillagran@team-ihh.org](mailto:DVillagran@team-ihh.org)>  
**Subject:** [EXTERNAL] Re: Draft Waiver Spreadsheet for the State  
Hi Karen.  
What time is good for you to talk today?  
Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
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Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-ihh.org](mailto:KHarris@team-ihh.org)>  
**Sent:** Monday, March 30, 2020 7:05 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Cc:** Villagran, Diana <[DVillagran@team-ihh.org](mailto:DVillagran@team-ihh.org)>  
**Subject:** [External] RE: Draft Waiver Spreadsheet for the State  
Junaid:

I wanted to touch base and see if you had time to chat today regarding:

1. IDPH's thoughts thus far on the proposed waivers we previously shared.
2. Given the Section 1135 waiver that HHS approved regarding waivers of physical environment, I wanted to discuss how IDPH will be approving alternative care sites or what the process will be.
3. If IDPH had any guidance on the HIPAA issues/question that I previously sent to you.

Please let me know your availability for a call today and my assistant (Diana who is copied) will send out an invite with dial-in information.

In the meantime, I noticed that I forgot to attach the HHS letter to Governors that I referenced in my prior email. So I have attached this for your convenience.

Thank you and I look forward to speaking with you.



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ihh.org](mailto:kharris@team-ihh.org) | [www.team-ihh.org](http://www.team-ihh.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

---

**From:** Harris, Karen  
**Sent:** Thursday, March 26, 2020 2:53 PM  
**To:** 'Afeef, Junaid M.' <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** FW: Draft Waiver Spreadsheet for the State  
Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as "draft."

Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)

3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as they continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-iha.org](mailto:kbrown@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-iha.org](mailto:kharris@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#)  
**Cc:** [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** Re: EO  
**Date:** Monday, March 30, 2020 8:55:10 AM

---

Thank you.

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---

**From:** Caplan, Gary  
**Sent:** Monday, March 30, 2020 8:53:56 AM  
**To:** Spillane, Ann  
**Cc:** Berger-White, Juliet ; Crane, Anna  
**Subject:** Re: EO  
Sure thing. [REDACTED]

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---

**From:** Spillane, Ann  
**Sent:** Monday, March 30, 2020 8:52:02 AM  
**To:** Caplan, Gary  
**Cc:** Berger-White, Juliet ; Crane, Anna  
**Subject:** EO  
Hi, Gary.  
I'm reviewing the liability EO. [REDACTED]

Thank you,  
Ann

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**From:** [Spillane, Ann](#)  
**To:** [Berger-White, Juliet](#); [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** Re: Draft Waiver Spreadsheet for the State  
**Date:** Monday, March 30, 2020 8:43:30 AM

---

Thank you. It looks like IHA sent the list to IHA last week. Not sure if they ever sent it to IDFP or anyone else.

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---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 30, 2020 8:32:24 AM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** RE: Draft Waiver Spreadsheet for the State  
Thanks for forwarding this list. I will also share it with IDFP. [REDACTED]  
[REDACTED]

---

**From:** Spillane, Ann  
**Sent:** Monday, March 30, 2020 8:02 AM  
**To:** Berger-White, Juliet ; Caplan, Gary ; Crane, Anna  
**Subject:** Fwd: Draft Waiver Spreadsheet for the State  
Adding Juliet.  
She says she is calling IDPH. [REDACTED]  
Ann  
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---

**From:** Harris, Karen <[KHarris@team-ih.org](mailto:KHarris@team-ih.org)>  
**Sent:** Monday, March 30, 2020 7:21 AM  
**To:** Spillane, Ann; Caplan, Gary; Crane, Anna; Afeef, Junaid M.  
**Cc:** Gross, David  
**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

Ann:

As promised, attached is a copy of the email I sent to IDPH sharing our proposed list of state waivers (see spreadsheet and PDF copy of same).

This morning I reached out to IDPH to try to schedule a call to discuss the status and would be happy to provide you with a status update after I am able to connect.

In the meantime, if you have questions or would like to discuss, I would be happy to do so.



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ih.org](mailto:kharris@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

---

**From:** Harris, Karen  
**Sent:** Thursday, March 26, 2020 2:53 PM  
**To:** 'Afeef, Junaid M.' <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** FW: Draft Waiver Spreadsheet for the State

Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as "draft."

Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as they continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-iha.org](mailto:kbrown@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-iha.org](mailto:kharris@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**From:** [Caplan, Gary](#)  
**To:** [Jeffrey Levine](#); [Spillane, Ann](#); [Maurice Classen](#)  
**Cc:** [Macgregor Lebuhn](#); [Crane, Anna](#); [Berger-White, Juliet](#); [Jennifer Layden](#)  
**Subject:** RE: Hospital EO - re liability  
**Date:** Sunday, March 29, 2020 3:37:12 PM

---

Thanks Jeff. I will take a look.

Gary S. Caplan  
Deputy General Counsel  
Office of the Governor, JB Pritzker  
100 W. Randolph Street  
Suite 16-100  
Chicago, IL 60601  
[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)  
312.814.5154 (o)  
312.771.2587 (c)

---

**From:** Jeffrey Levine  
**Sent:** Sunday, March 29, 2020 3:30 PM  
**To:** Spillane, Ann ; Maurice Classen  
**Cc:** Macgregor Lebuhn ; Crane, Anna ; Berger-White, Juliet ; Caplan, Gary ; Jennifer Layden  
**Subject:** [External] Hospital EO - re liability  
State folks, thanks for taking the time just now. [REDACTED]

[REDACTED]  
Jeff

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 12:19 PM  
**To:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office

Maurice, Jeff, Mac –

We are trying to get close enough to final on our thinking and drafting so that a call will be as productive as possible. We've been in discussions with the hospitals and Illinois State Med Society on liability and licensing, and with IDFPR/IDPH on licensing. We very much agree that this is critical and must be finished as soon as possible.

I would suggest tomorrow afternoon for a call. Would 2pm work?

Ann

---

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>

**Sent:** Friday, March 27, 2020 9:48 PM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Cc:** Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna

<[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** [External] Re: DRAFT Hospital EO - OK to send to Gov. Office

I am about to conk out for the night but am ready to hit it in the morning. Just let me know when.

Jeff

Sent from [Outlook Mobile](#)

---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Sent:** Friday, March 27, 2020 9:18:29 PM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Do you have a couple of minutes tonight or tomorrow to discuss where you are with this effort? We thinking that this piece is a critical component to creating the workforce necessary to run McCormick and some other components. The issue is now fairly acute.

Thanks.

MC

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Sent:** Thursday, March 26, 2020 3:57 PM

**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Thank you, Maurice. We're under way on this too. We'll review your draft and set up a call.

Ann

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---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Sent:** Thursday, March 26, 2020 3:50 PM

**To:** Spillane, Ann

**Cc:** Jeffrey Levine; Macgregor Lebuhn

**Subject:** [External] DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Per our conversation last night, attached please find an order that we drafted regarding hospital powers we would be interested in expanded by the Governor's Office—just as a starting point. Also, copied on this message is the drafter, Jeff Levine. Let us know when you might be available for a conversation.

Maurice

Maurice Classen

Chief of Staff

Office of Mayor Lori E. Lightfoot  
[Maurice.classen@cityofchicago.org](mailto:Maurice.classen@cityofchicago.org)  
312-758-1827

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**From:** [Caplan, Gary](#)  
**To:** [Lohrenz, Eric](#); [Spillane, Ann](#)  
**Subject:** Re: Illinois Attorney General Opinion Regarding No Indemnification  
**Date:** Sunday, March 29, 2020 1:16:47 PM



Eric,

I will call you when this call ends.

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**From:** Lohrenz, Eric  
**Sent:** Sunday, March 29, 2020 12:55:56 PM  
**To:** Caplan, Gary ; Spillane, Ann  
**Subject:** RE: Illinois Attorney General Opinion Regarding No Indemnification  
Gary, I'm available to talk at your convenience. You can reach me on my cell, at [REDACTED].  
Thank you.  
Eric Lohrenz  
General Counsel  
Illinois Emergency Management Agency

---

**From:** Caplan, Gary  
**Sent:** Sunday, March 29, 2020 12:52 PM  
**To:** Spillane, Ann ; Lohrenz, Eric  
**Subject:** RE: Illinois Attorney General Opinion Regarding No Indemnification  
OK

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 12:50 PM  
**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Cc:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** RE: Illinois Attorney General Opinion Regarding No Indemnification  
Eric and Gary –

I'm looping you together on this issue. Gary – Here's what I know. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Ann

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Sent:** Sunday, March 29, 2020 10:02 AM  
**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>;

March, Jennifer <[Jennifer.R.March@illinois.gov](mailto:Jennifer.R.March@illinois.gov)>

**Subject:** Illinois Attorney General Opinion Regarding No Indemnification

**Importance:** High

<< File: S-589 - Opinion re no indemnification of third parties.pdf >>

As discussed, I am attaching the opinion of the Illinois Attorney General stating that the State of Illinois is constitutionally prohibited from providing indemnification to third parties. Please let me know if you have any questions.

Eric Lohrenz

General Counsel

Illinois Emergency Management Agency

1035 Outer Park Drive

Springfield, Illinois 62704

Office: 217-785-9883

Cell: 217-622-4350

[Eric.Lohrenz@Illinois.gov](mailto:Eric.Lohrenz@Illinois.gov)

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**From:** [Berger-White, Juliet](#)  
**To:** [Sikdar, Reena](#)  
**Cc:** [Crane, Anna](#)  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Sunday, March 29, 2020 12:11:05 PM  
**Attachments:** [REDACTED]

---

Plus Anna. Thanks Reena. We'll take a look.

**From:** Sikdar, Reena  
**Sent:** Sunday, March 29, 2020 11:51 AM  
**To:** Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

[REDACTED] Let me know if you prefer to talk through them.

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 10:42 AM  
**To:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
As discussed, here are two more emails from Snigdha. Thanks for your help.

---

**From:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 10:16 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

When you're able to connect on this, please use my personal cell, as my state cell is not functioning – [REDACTED]

---

**From:** Sikdar, Reena  
**Sent:** Sunday, March 29, 2020 9:10 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

That sounds great, thanks.

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 9:08 AM  
**To:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Anna and I spoke to Snigdha this morning and she is going to take another look as well. Anna and I have a call from 9- 10 but can connect with you after that so we can provide guidance on which sections need more work.

---

**From:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 9:06 AM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Sorry for delay, something is wrong with my phone and I didn't realize I have all these emails until just now opening my computer. I'll take a look this morning.

Reena  
(312) 405-2206

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 10:54 PM  
**To:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Reena –

[REDACTED]

Thank you!

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 8:42 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>  
**Subject:** Re: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Anna,

Attached is the draft E.O. with comments and feedback from me and Karen Senger. Please call or text me at [REDACTED] if I don't respond right away to your email. Apologies for the tardy response.

Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:16 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Cc:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Hi Junaid –

The Governor's Office has a meeting tomorrow [REDACTED]

[REDACTED]

Thanks very much,  
Anna

---

**From:** Crane, Anna  
**Sent:** Saturday, March 28, 2020 11:49 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Hi Junaid – Will you let me know if you have time to briefly connect about this today? Thanks very much.

Anna

---

**From:** Crane, Anna

**Sent:** Thursday, March 26, 2020 8:57 PM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Thanks very much, Junaid.

[REDACTED]

[REDACTED]

Thank you!

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

**Sent:** Thursday, March 26, 2020 3:23 PM

**To:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Subject:** Fw: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Dear Karen and Anna:

I spoke with Karen Harris from IHA again this morning. Please see email below and the attached documents she shared.

Anna - Karen H. mentioned that she was going to have a call with your office - perhaps with Anne Spillane - tomorrow about these same issues. [REDACTED]

[REDACTED]

Karen S. - [REDACTED]

[REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

---

Junaid M. Afeef

Assistant General Counsel

Illinois Department of Public Health

122 S. Michigan Avenue, 7th Floor

Chicago, Illinois 60603

T: 312-8143577

E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-ihh.org](mailto:KHarris@team-ihh.org)>

**Sent:** Thursday, March 26, 2020 2:52 PM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as "draft."

Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as they continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-iha.org](mailto:kbrown@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-iha.org](mailto:kharris@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**From:** [Berger-White, Juliet](#)  
**To:** [Crane, Anna](#)  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Sunday, March 29, 2020 10:42:04 AM

---

Reena is all set. She is going to consolidate and review the info from Snigdha.

---

**From:** Crane, Anna  
**Sent:** Sunday, March 29, 2020 10:26 AM  
**To:** Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Well she provided these. [REDACTED]

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Sunday, March 29, 2020 10:23 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)

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**From:** Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>  
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**Sent:** Sunday, March 29, 2020 9:06 AM  
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Reena –

[REDACTED]

Thank you!

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**Cc:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>  
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Junaid

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Junaid M. Afeef  
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**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Hi Junaid –

The Governor's Office has a meeting tomorrow [REDACTED]  
[REDACTED]  
[REDACTED]

Thanks very much,  
Anna

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**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
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<[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

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Thanks very much, Junaid.

[REDACTED]

[REDACTED]

Thank you!

Anna

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[REDACTED] Just a thought.

Karen S. - [REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

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Junaid M. Afeef

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T: 312-8143577

E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**From:** Harris, Karen <[KHarris@team-ihh.org](mailto:KHarris@team-ihh.org)>

**Sent:** Thursday, March 26, 2020 2:52 PM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

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4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as they continue to care for patients and communities during this pandemic.



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**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-iha.org](mailto:kharris@team-iha.org) | [www.team-iha.org](http://www.team-iha.org)  
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**From:** [Berger-White, Juliet](#)  
**To:** [Crane, Anna](#)  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Sunday, March 29, 2020 10:28:59 AM

---

Yes. I will give her a quick call.

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**To:** Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
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[REDACTED]

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**To:** [Acharya, Snigdha](#)  
**Cc:** [Crane, Anna](#)  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Sunday, March 29, 2020 8:34:16 AM  
**Attachments:** [REDACTED]  
**Importance:** High

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Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-ih.org](mailto:KHarris@team-ih.org)>  
**Sent:** Thursday, March 26, 2020 2:52 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** [External] FW: Draft Waiver Spreadsheet for the State  
Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as "draft." Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as the continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-ih.org](mailto:kbrown@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ih.org](mailto:kharris@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563



See [IHA's Updates on COVID-19](#)

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**From:** [Berger-White, Juliet](#)  
**To:** [Sikdar, Reena](#)  
**Cc:** [Crane, Anna](#)  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Saturday, March 28, 2020 10:54:01 PM  
**Attachments:** [REDACTED]

---

Reena –

[REDACTED]

Thank you!

---

**From:** Afeef, Junaid M.  
**Sent:** Saturday, March 28, 2020 8:42 PM  
**To:** Crane, Anna  
**Cc:** Acharya, Snigdha ; Sikdar, Reena ; Berger-White, Juliet ; Senger, Karen  
**Subject:** Re: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Anna,

Attached is the draft E.O. with comments and feedback from me and Karen Senger. Please call or text me at [REDACTED] if I don't respond right away to your email. Apologies for the tardy response.

Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:16 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Cc:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Hi Junaid –

The Governor's Office has a meeting tomorrow [REDACTED]

[REDACTED]

Thanks very much,  
Anna

---

**From:** Crane, Anna  
**Sent:** Saturday, March 28, 2020 11:49 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Hi Junaid – Will you let me know if you have time to briefly connect about this today? Thanks very much.

Anna

---

**From:** Crane, Anna

**Sent:** Thursday, March 26, 2020 8:57 PM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Thanks very much, Junaid.

[REDACTED]

[REDACTED]

Thank you!

Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

**Sent:** Thursday, March 26, 2020 3:23 PM

**To:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Subject:** Fw: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Dear Karen and Anna:

I spoke with Karen Harris from IHA again this morning. Please see email below and the attached documents she shared.

Anna - Karen H. mentioned that she was going to have a call with your office - perhaps with Anne Spillane - tomorrow about these same issues. [REDACTED]

[REDACTED] Just a thought.

Karen S. - [REDACTED]

[REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

---

Junaid M. Afeef

Assistant General Counsel

Illinois Department of Public Health

122 S. Michigan Avenue, 7th Floor

Chicago, Illinois 60603

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E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

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**Karen K. Harris** | Senior Vice President and General Counsel  
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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** Re: EO v.3 Liability.docx  
**Date:** Saturday, March 28, 2020 8:09:18 PM

---

That works. Thank you.

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---

**From:** Caplan, Gary  
**Sent:** Saturday, March 28, 2020 7:04:53 PM  
**To:** Berger-White, Juliet ; Spillane, Ann ; Crane, Anna  
**Subject:** Re: EO v.3 Liability.docx  
Good

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---

**From:** Berger-White, Juliet  
**Sent:** Saturday, March 28, 2020 7:04:17 PM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** Re: EO v.3 Liability.docx  
How about 9?

Sent from my iPhone

---

**From:** Spillane, Ann  
**Sent:** Saturday, March 28, 2020 5:57:41 PM  
**To:** Caplan, Gary ; Crane, Anna ; Berger-White, Juliet  
**Subject:** RE: EO v.3 Liability.docx

Let's plan for the morning. [REDACTED]

What time in the morning is best for all of you? Anytime works for me.

---

**From:** Caplan, Gary  
**Sent:** Saturday, March 28, 2020 5:55 PM  
**To:** Spillane, Ann ; Crane, Anna ; Berger-White, Juliet  
**Subject:** RE: EO v.3 Liability.docx  
Either way. I'm hunkered down.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 5:54 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: EO v.3 Liability.docx

Or we could do this first thing in the morning. What do you all prefer?

Ann

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Sent:** Saturday, March 28, 2020 5:49 PM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** RE: EO v.3 Liability.docx

I am scheduled to go pick up food at 6:30. How about 7?

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Sent:** Saturday, March 28, 2020 5:46 PM

**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** RE: EO v.3 Liability.docx

I completely forgot the 6pm daily call! That's what happens when I work from home. Can I talk to you immediately after that about the draft EO?

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Sent:** Saturday, March 28, 2020 3:04 PM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Subject:** EO v.3 Liability.docx

For your review, after edits and discussion with Juliet. I'm available any time to discuss.

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

312.814.5154 (o)

312.771.2587 (c)

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**From:** [Spillane, Ann](#)  
**To:** [Watkins, Charles](#)  
**Cc:** [Caplan, Gary](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** RE: Medical Liability EO  
**Date:** Saturday, March 28, 2020 6:39:37 PM

---

Hi Charles,

Happy to get back to you on these as we get closer to a final draft. [REDACTED]

[REDACTED]

Ann

---

**From:** Watkins, Charles  
**Sent:** Saturday, March 28, 2020 6:37 PM  
**To:** Spillane, Ann  
**Subject:** Medical Liability EO

Hi Ann. A couple of lay questions:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thank you,

Charles

Charles W. Watkins

Chief-of-Staff | Office of Illinois Lieutenant Governor Juliana Stratton

James R. Thompson Center

100 W. Randolph St., Ste. 15-200 | Chicago, IL 60601

(312) 814-7151

[www2.illinois.gov/sites/ltg](http://www2.illinois.gov/sites/ltg)

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**From:** [Rapelyea, Sean](#)  
**To:** [Spillane, Ann](#)  
**Subject:** Re: [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog  
**Date:** Saturday, March 28, 2020 6:36:17 PM

---

Appreciate that.

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---

**From:** Spillane, Ann  
**Sent:** Saturday, March 28, 2020 6:35:01 PM  
**To:** Rapelyea, Sean  
**Subject:** RE: [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog

[REDACTED]

**From:** Rapelyea, Sean  
**Sent:** Saturday, March 28, 2020 6:34 PM  
**To:** Spillane, Ann  
**Subject:** Re: [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog

Forwarded the wrong one, but thank you.

Get [Outlook for iOS](#)

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 6:33:26 PM  
**To:** Rapelyea, Sean <[Sean.Rapelyea@Illinois.gov](mailto:Sean.Rapelyea@Illinois.gov)>  
**Subject:** RE: [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog

That looks like a ventilator suggestion – not his liability issue. But, yes, we’re definitely working on the liability issue.

---

**From:** Rapelyea, Sean <[Sean.Rapelyea@Illinois.gov](mailto:Sean.Rapelyea@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 6:31 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** Fwd: [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog

I’m just going to tell him we are still working through this.

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---

**From:** Daniel Weiss <[dweiss@briaahs.com](mailto:dweiss@briaahs.com)>  
**Sent:** Tuesday, March 24, 2020 4:05:45 PM  
**To:** Rapelyea, Sean <[Sean.Rapelyea@Illinois.gov](mailto:Sean.Rapelyea@Illinois.gov)>  
**Subject:** [External] FW: GM-Ventec coronavirus partnership aims to build 200, 000 ventilators in Indiana | Autoblog

Hi Sean,



This might be an avenue for additional ventilators.

<https://www.autoblog.com/2020/03/23/gm-ventec-ventilators-coronavirus-project-v-kokomo-indiana/>

feel free to reach out to Dave below

**Daniel Weiss**

CEO

**BRIA Health Services**

**C:** [847.828.6983](tel:847.828.6983)

**O:** [847.933.9200](tel:847.933.9200) x 123

[dweiss@briahts.com](mailto:dweiss@briahts.com)

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---

**From:** David Fowler <[dfowler@venteclife.com](mailto:dfowler@venteclife.com)>

**Date:** Tuesday, March 24, 2020 at 3:22 PM

**To:** Daniel Weiss <[dweiss@briahts.com](mailto:dweiss@briahts.com)>

**Subject:** GM-Ventec coronavirus partnership aims to build 200,000 ventilators in Indiana | Autoblog

<https://www.autoblog.com/2020/03/23/gm-ventec-ventilators-coronavirus-project-v-kokomo-indiana/>

**David Fowler**

US Sales Manager

[321.427.7699](tel:321.427.7699) (m)

[22002 26th Ave SE, Bothell, WA 98021](https://www.google.com/maps/place/22002+26th+Ave+SE,+Bothell,+WA+98021)



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**From:** [Crane, Anna](#)  
**To:** [Sikdar, Reena](#)  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Saturday, March 28, 2020 6:32:27 PM

---

Thanks, Reena. I have not heard anything, and actually just asked Snigdha to check in with him as well. If we haven't heard from him by the morning, it would be great if you could call him. We have a 3:00PM with the City and need to be able to respond to some of this. Thanks! Hope you're hanging in there.

---

**From:** Sikdar, Reena  
**Sent:** Saturday, March 28, 2020 6:30 PM  
**To:** Crane, Anna  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Anna, Have you heard anything back? I followed up this morning but still haven't heard anything. I can give Junaid a call tomorrow morning if needed.  
Reena  
(312) 405-2206

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:16 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Cc:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Sikdar, Reena <[Reena.Sikdar@Illinois.gov](mailto:Reena.Sikdar@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Importance:** High

Hi Junaid –  
The Governor's Office has a meeting tomorrow [REDACTED]

Thanks very much,  
Anna

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Thanks very much, Junaid.

[REDACTED]

[REDACTED]

[REDACTED]

Thank you!  
Anna

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**To:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

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[REDACTED]

[REDACTED] Just a thought.

Karen S. - [REDACTED]

[REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

---

Junaid M. Afeef

Assistant General Counsel

Illinois Department of Public Health

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Chicago, Illinois 60603

T: 312-8143577

E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

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**Sent:** Thursday, March 26, 2020 2:52 PM

**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>

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Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals

and healthcare workers as they continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
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**From:** [Crane, Anna](#)  
**To:** [Acharya, Snigdha](#)  
**Cc:** [Berger-White, Juliet](#)  
**Subject:** FW: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Saturday, March 28, 2020 6:25:27 PM  
**Attachments:** [REDACTED]  
**Importance:** High

---

Hi Snigdha – do you know if Junaid is working on this and will have something for us tomorrow?  
Thanks!

Anna

---

**From:** Crane, Anna  
**Sent:** Saturday, March 28, 2020 4:16 PM  
**To:** Afeef, Junaid M.  
**Cc:** Acharya, Snigdha ; Sikdar, Reena ; Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Importance:** High

Hi Junaid –

The Governor's Office has a meeting tomorrow [REDACTED]  
[REDACTED]  
[REDACTED]

Thanks very much,  
Anna

---

**From:** Crane, Anna  
**Sent:** Saturday, March 28, 2020 11:49 AM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Hi Junaid – Will you let me know if you have time to briefly connect about this today? Thanks very much.  
Anna

---

**From:** Crane, Anna  
**Sent:** Thursday, March 26, 2020 8:57 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>; Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Thanks very much, Junaid.  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Thank you!  
Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Thursday, March 26, 2020 3:23 PM  
**To:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Fw: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Dear Karen and Anna:

I spoke with Karen Harris from IHA again this morning. Please see email below and the attached documents she shared.

Anna - Karen H. mentioned that she was going to have a call with your office - perhaps with Anne Spillane - tomorrow about these same issues. [REDACTED]

[REDACTED] Just a thought.

Karen S. - [REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Sent:** Thursday, March 26, 2020 2:52 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** [External] FW: Draft Waiver Spreadsheet for the State  
Junaid:

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**From:** [Caplan, Gary](#)  
**To:** [Spillane, Ann](#); [Crane, Anna](#); [Berger-White, Juliet](#)  
**Subject:** RE: EO v.3 Liability.docx  
**Date:** Saturday, March 28, 2020 5:04:42 PM

---

sure

---

**From:** Spillane, Ann  
**Sent:** Saturday, March 28, 2020 5:04 PM  
**To:** Caplan, Gary ; Crane, Anna ; Berger-White, Juliet  
**Subject:** RE: EO v.3 Liability.docx

Sorry for the delay. Could we talk briefly at 6?

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 3:04 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** EO v.3 Liability.docx

For your review, after edits and discussion with Juliet. I'm available any time to discuss.

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

312.814.5154 (o)

312.771.2587 (c)

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**From:** [Caplan, Gary](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Date:** Saturday, March 28, 2020 4:43:01 PM

---

Oh well

---

**From:** Berger-White, Juliet  
**Sent:** Saturday, March 28, 2020 4:43 PM  
**To:** Caplan, Gary  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
Different issue. Thanks.

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:36 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:33 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
[REDACTED]

[REDACTED] You're welcome.

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 3:56 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
[REDACTED]

[REDACTED] Thanks.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 2:51 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** FW: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

Juliet – you were not on this email.

---

**From:** Harris, Karen <[KHarris@team-ihha.org](mailto:KHarris@team-ihha.org)>  
**Sent:** Friday, March 27, 2020 2:01 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** 'erinobrien@isms.org' <[erinobrien@isms.org](mailto:erinobrien@isms.org)>; Kane, Robert <[RKane@ismie.com](mailto:RKane@ismie.com)>  
**Subject:** [External] Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

Ann:

Thank you for speaking with the IHA and ISMS.

We appreciate your time and consideration of the issues we raised (liability protections, reciprocal credentialing and intra-state licensing reciprocity).

As promised, attached is draft language for your consideration.

Additionally, as promised, below is information about the City of Chicago's efforts to increase the healthcare

workforce – see the **2<sup>nd</sup> item**. I believe this is the portal that the City is attempting to use to try to identify potential workers who could be trained to perform certain healthcare jobs.

After you have had a chance to review this information we would be happy to continue the conversation.

Thank you.

P.S. Please make sure that this went to everyone on your team – I think I am missing one person’s email address.

### **Volunteer and Employment Opportunities**

- Mayor Lori Lightfoot and Chicago Department of Public Health Commissioner Allison Arwady, M.D. have issued **a call for assistance from the medical community and are seeking to hire healthcare workers immediately** to help the City of Chicago in its COVID-19 response efforts. [Medical Assistants](#) and [Nurses](#) are encouraged to apply for temporary positions. If you have any questions about the positions or the application process, you may email [shelly.johnson@sunbeltstaffing.com](mailto:shelly.johnson@sunbeltstaffing.com) or call [813-261-2706](tel:813-261-2706).
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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Date:** Saturday, March 28, 2020 4:32:43 PM

---

Thank you! I'll follow up with her.

---

**From:** Spillane, Ann  
**Sent:** Saturday, March 28, 2020 4:32 PM  
**To:** Berger-White, Juliet ; Caplan, Gary ; Crane, Anna  
**Subject:** FW: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

This is the only other email I have from Karen Harris.

---

**From:** Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>  
**Sent:** Friday, March 27, 2020 2:01 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** 'erinobrien@isms.org' <[erinobrien@isms.org](mailto:erinobrien@isms.org)>; Kane, Robert <[RKane@ismie.com](mailto:RKane@ismie.com)>  
**Subject:** [External] Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

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P.S. Please make sure that this went to everyone on your team – I think I am missing one person's email address.

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**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Date:** Saturday, March 28, 2020 4:10:54 PM

---

No worries! I'll send another follow-up now. [REDACTED]

---

**From:** Berger-White, Juliet  
**Sent:** Saturday, March 28, 2020 4:10 PM  
**To:** Crane, Anna  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
Ah right – Junaid, not George. Sorry!

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:09 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity

[REDACTED] I sent them to Junaid after our meeting on Thursday and asked him this morning again and not have gotten a response. I will follow up again and copy you and Snigdha.

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 4:01 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 2:51 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** FW: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High  
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**From:** Harris, Karen <[KHarris@team-ihha.org](mailto:KHarris@team-ihha.org)>  
**Sent:** Friday, March 27, 2020 2:01 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** 'erinobrien@isms.org' <[erinobrien@isms.org](mailto:erinobrien@isms.org)>; Kane, Robert <[RKane@ismie.com](mailto:RKane@ismie.com)>  
**Subject:** [External] Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

Ann:

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- **Chicago Medical Reserve Corps (MRC)** is a network of both medical and non-medical professionals who volunteer their time to assist during public health emergencies such as the current COVID-19 outbreak. Many MRC volunteers are just like you - nurses, doctors, pharmacists, therapists, public health professionals, and other community members who believe in keeping Chicago safe. Register at [illinoishelps.net](http://illinoishelps.net) and be there when Chicago needs you most.



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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#); [Crane, Anna](#); [Berger-White, Juliet](#)  
**Subject:** Re: EO v.3 Liability.docx  
**Date:** Saturday, March 28, 2020 3:32:47 PM

---

Thanks. I should be done with a few other things and able to read this shortly after 4.

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---

**From:** Caplan, Gary  
**Sent:** Saturday, March 28, 2020 3:03:52 PM  
**To:** Spillane, Ann ; Crane, Anna ; Berger-White, Juliet ; Caplan, Gary  
**Subject:** EO v.3 Liability.docx

For your review, after edits and discussion with Juliet. I'm available any time to discuss.

Gary S. Caplan

Deputy General Counsel

Office of the Governor, JB Pritzker

100 W. Randolph Street

Suite 16-100

Chicago, IL 60601

[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)

312.814.5154 (o)

312.771.2587 (c)

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**From:** [Spillane, Ann](#)  
**To:** [Maurice Classen](#); [Jennifer Layden](#)  
**Cc:** [Macgregor Lebuhn](#); [Crane, Anna](#); [Berger-White, Juliet](#); [Caplan, Gary](#)  
**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office  
**Date:** Saturday, March 28, 2020 12:59:34 PM

---

3 works for us. I'll send a call in.

Ann

---

**From:** Maurice Classen  
**Sent:** Saturday, March 28, 2020 12:54 PM  
**To:** Spillane, Ann ; Jennifer Layden  
**Cc:** Macgregor Lebuhn ; Crane, Anna ; Berger-White, Juliet ; Caplan, Gary  
**Subject:** [External] RE: DRAFT Hospital EO - OK to send to Gov. Office  
Great. Any chance we could push to 2:30 p.m. or 3:00 p.m.?

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 12:19 PM  
**To:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>

**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office

Maurice, Jeff, Mac –

We are trying to get close enough to final on our thinking and drafting so that a call will be as productive as possible. We've been in discussions with the hospitals and Illinois State Med Society on liability and licensing, and with IDFPR/IDPH on licensing. We very much agree that this is critical and must be finished as soon as possible.

I would suggest tomorrow afternoon for a call. Would 2pm work?

Ann

---

**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Friday, March 27, 2020 9:48 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** [External] Re: DRAFT Hospital EO - OK to send to Gov. Office

I am about to conk out for the night but am ready to hit it in the morning. Just let me know when.

Jeff

Sent from [Outlook Mobile](#)

---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Sent:** Friday, March 27, 2020 9:18:29 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>



**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Do you have a couple of minutes tonight or tomorrow to discuss where you are with this effort? We thinking that this piece is a critical component to creating the workforce necessary to run McCormick and some other components. The issue is now fairly acute.

Thanks.

MC

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Sent:** Thursday, March 26, 2020 3:57 PM

**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Thank you, Maurice. We're under way on this too. We'll review your draft and set up a call.

Ann

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---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Sent:** Thursday, March 26, 2020 3:50 PM

**To:** Spillane, Ann

**Cc:** Jeffrey Levine; Macgregor Lebuhn

**Subject:** [External] DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Per our conversation last night, attached please find an order that we drafted regarding hospital powers we would be interested in expanded by the Governor's Office—just as a starting point. Also, copied on this message is the drafter, Jeff Levine. Let us know when you might be available for a conversation.

Maurice

Maurice Classen

Chief of Staff

Office of Mayor Lori E. Lightfoot

[Maurice.classen@cityofchicago.org](mailto:Maurice.classen@cityofchicago.org)

312-758-1827

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privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Crane, Anna](#)  
**To:** [Berger-White, Juliet](#); [Spillane, Ann](#); [Caplan, Gary](#)  
**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office  
**Date:** Saturday, March 28, 2020 11:51:03 AM

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Same – I will get updates from DPH.

---

**From:** Berger-White, Juliet  
**Sent:** Saturday, March 28, 2020 11:09 AM  
**To:** Spillane, Ann ; Caplan, Gary ; Crane, Anna  
**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office

That works for me. We are waiting for additional information from DFPR on the licensing issue but I will try to get an update asap.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Saturday, March 28, 2020 11:00 AM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: DRAFT Hospital EO - OK to send to Gov. Office

The City lawyers are asking to talk with us as soon as possible on the liability and licensing issues. I am thinking of suggesting afternoon tomorrow. Does that work?

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**From:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>  
**Sent:** Friday, March 27, 2020 9:48 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** [External] Re: DRAFT Hospital EO - OK to send to Gov. Office

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**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Ann,

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Thanks.

MC

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Sent:** Thursday, March 26, 2020 3:57 PM

**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Thank you, Maurice. We're under way on this too. We'll review your draft and set up a call.

Ann

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---

**From:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>

**Sent:** Thursday, March 26, 2020 3:50 PM

**To:** Spillane, Ann

**Cc:** Jeffrey Levine; Macgregor Lebuhn

**Subject:** [External] DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Per our conversation last night, attached please find an order that we drafted regarding hospital powers we would be interested in expanded by the Governor's Office—just as a starting point. Also, copied on this message is the drafter, Jeff Levine. Let us know when you might be available for a conversation.

Maurice

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Chief of Staff

Office of Mayor Lori E. Lightfoot

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**From:** [Crane, Anna](#)  
**To:** [Afeef, Junaid M.](#)  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Saturday, March 28, 2020 11:48:34 AM

---

Hi Junaid – Will you let me know if you have time to briefly connect about this today? Thanks very much.  
Anna

---

**From:** Crane, Anna  
**Sent:** Thursday, March 26, 2020 8:57 PM  
**To:** Afeef, Junaid M. ; Senger, Karen ; Acharya, Snigdha  
**Cc:** Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Thanks very much, Junaid.

[REDACTED]

[REDACTED]

Thank you!  
Anna

---

**From:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Sent:** Thursday, March 26, 2020 3:23 PM  
**To:** Senger, Karen <[Karen.Senger@Illinois.gov](mailto:Karen.Senger@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Fw: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Dear Karen and Anna:

I spoke with Karen Harris from IHA again this morning. Please see email below and the attached documents she shared.

Anna - Karen H. mentioned that she was going to have a call with your office - perhaps with Anne Spillane - tomorrow about these same issues. [REDACTED]

[REDACTED] Just a thought.

Karen S. - [REDACTED]

[REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.

Thanks.

Junaid

cc: Snigdha

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-ih.org](mailto:KHarris@team-ih.org)>  
**Sent:** Thursday, March 26, 2020 2:52 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as “draft.”

Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as the continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-ih.org](mailto:kbrown@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ih.org](mailto:kharris@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**From:** [Caplan, Gary](#)  
**To:** [Spillane, Ann](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** RE: DRAFT Hospital EO - OK to send to Gov. Office  
**Date:** Saturday, March 28, 2020 11:08:16 AM

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Sure. Good with me.

---

**From:** Spillane, Ann  
**Sent:** Saturday, March 28, 2020 11:00 AM  
**To:** Caplan, Gary ; Berger-White, Juliet ; Crane, Anna  
**Subject:** FW: DRAFT Hospital EO - OK to send to Gov. Office

The City lawyers are asking to talk with us as soon as possible on the liability and licensing issues. [REDACTED]

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**Sent:** Friday, March 27, 2020 9:48 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
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**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
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**To:** Maurice Classen <[Maurice.Classen@cityofchicago.org](mailto:Maurice.Classen@cityofchicago.org)>  
**Cc:** Jeffrey Levine <[Jeffrey.Levine@cityofchicago.org](mailto:Jeffrey.Levine@cityofchicago.org)>; Macgregor Lebuhn <[Macgregor.Lebuhn@cityofchicago.org](mailto:Macgregor.Lebuhn@cityofchicago.org)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Subject:** Re: DRAFT Hospital EO - OK to send to Gov. Office

Thank you, Maurice. We're under way on this too. We'll review your draft and set up a call.

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---

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**Sent:** Thursday, March 26, 2020 3:50 PM

**To:** Spillane, Ann

**Cc:** Jeffrey Levine; Macgregor Lebuhn

**Subject:** [External] DRAFT Hospital EO - OK to send to Gov. Office

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Maurice

Maurice Classen

Chief of Staff

Office of Mayor Lori E. Lightfoot

[Maurice.classen@cityofchicago.org](mailto:Maurice.classen@cityofchicago.org)

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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#)  
**Subject:** RE: Please tell me ...  
**Date:** Friday, March 27, 2020 6:41:38 PM

---

[REDACTED]

---

**From:** Caplan, Gary  
**Sent:** Friday, March 27, 2020 6:41 PM  
**To:** Spillane, Ann  
**Subject:** RE: Please tell me ....

[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 6:40 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** Please tell me ....

[REDACTED]

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**From:** [Caplan, Gary](#)  
**To:** [REDACTED]; [Lohrenz, Eric](#); [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** Re: [External] RE: Healthcare Workers Liability Issue  
**Date:** Friday, March 27, 2020 6:28:21 PM

---

6:30

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---

**From:** [REDACTED]  
**Sent:** Friday, March 27, 2020 6:18:12 PM  
**To:** Lohrenz, Eric ; Caplan, Gary ; Berger-White, Juliet ; Crane, Anna  
**Subject:** [External] RE: Healthcare Workers Liability Issue  
It's not letting me in. Saying code not valid. Can someone link me in?

Jonathan S. Gunn  
(217) 621-1005

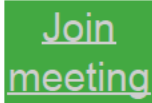
----- Original message -----

**From:** "Lohrenz, Eric"  
**Date:** 3/27/20 5:59 PM (GMT-06:00)  
**To:** "Caplan, Gary" , "Berger-White, Juliet" , "Crane, Anna" , [REDACTED]  
**Subject:** Healthcare Workers Liability Issue

-- Do not delete or change any of the following text. --

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your  
Webex  
meeting  
here.**

Meeting  
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(access code):  
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Meeting  
password:  
EuX2m8b3pQf



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(attendees only)

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(Chicago)

[+1-240-454-0879](tel:+12404540879) USA Toll

[Global call-in numbers](#)

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Dial [807801196](tel:807801196)@illinois2.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

**Join using Microsoft Lync or Microsoft Skype for Business**

Dial

[807801196](tel:807801196).illinois2@lync.webex.com

If you are a host, [go here](#) to view host information.

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**From:** [REDACTED]  
**To:** [Berger-White, Juliet](#)  
**Subject:** RE: [External] RE: Healthcare Workers Liability Issue  
**Date:** Friday, March 27, 2020 6:21:28 PM

---

Thank you!

Jonathan S. Gunn  
(217) 621-1005

----- Original message -----

**From:** "Berger-White, Juliet"  
**Date:** 3/27/20 6:19 PM (GMT-06:00)  
**To:** jgunn1  
**Subject:** RE: [External] RE: Healthcare Workers Liability Issue

Hi – Call is at 6:30 p.m.

---

**From:** [REDACTED]  
**Sent:** Friday, March 27, 2020 6:18 PM  
**To:** Lohrenz, Eric ; Caplan, Gary ; Berger-White, Juliet ; Crane, Anna  
**Subject:** [External] RE: Healthcare Workers Liability Issue

It's not letting me in. Saying code not valid. Can someone link me in?

Jonathan S. Gunn

(217) 621-1005

----- Original message -----

**From:** "Lohrenz, Eric" <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

**Date:** 3/27/20 5:59 PM (GMT-06:00)

**To:** "Caplan, Gary" <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>, "Berger-White, Juliet" <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>, "Crane, Anna" <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>, [REDACTED]  
[REDACTED]

**Subject:** Healthcare Workers Liability Issue

-- Do not delete or change any of the  
following text. --

**When it's time, join your  
Webex meeting here.**

Meeting number (access code):

807 801 196

Meeting password:

EuX2m8b3pQf

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Tap to call in from a mobile device (attendees only)

[+1-312-535-8110](#) United States Toll

(Chicago)

[+1-240-454-0879](#) USA Toll

[Global call-in numbers](#)

**Join from a video system or application**

Dial [807801196@illinois2.webex.com](tel:807801196@illinois2.webex.com)

You can also dial 173.243.2.68 and enter your meeting number.

**Join using Microsoft Lync or Microsoft Skype for Business**

Dial

[807801196.illinois2@lync.webex.com](tel:807801196.illinois2@lync.webex.com)

If you are a host, [go here](#) to view host information.

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<http://help.webex.com>

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**From:** [Lohrenz, Eric](#)  
**To:** [Spillane, Ann](#); [Berger-White, Juliet](#); [Caplan, Gary](#); [Tate-Nadeau, Alicia](#)  
**Cc:** [Crane, Anna](#)  
**Subject:** RE: Healthcare workers  
**Date:** Friday, March 27, 2020 6:11:00 PM

---

It will be at 6:30. I'll send the invite.

Eric Lohrenz  
General Counsel  
Illinois Emergency Management Agency

---

**From:** Spillane, Ann  
**Sent:** Friday, March 27, 2020 6:10 PM  
**To:** Berger-White, Juliet ; Caplan, Gary ; Lohrenz, Eric ; Tate-Nadeau, Alicia  
**Cc:** Crane, Anna  
**Subject:** RE: Healthcare workers

I'll still be on the 6pm call. Could we do it later?

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:48 PM  
**To:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

I am available as well. Does 6:15 work?

---

**From:** Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:33 PM  
**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

Thanks Eric. I'm available any time tonight.

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:27 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

Thank you, Ann.

Juliet, Gary and Anna, are you available for a call this evening? IEMA has brought on a former IDPH attorney who has expertise in this area, and between the two of us we can brief you on the issues/concerns.

Eric Lohrenz  
General Counsel  
Illinois Emergency Management Agency

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:08 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

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Ann

---

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:56 PM

**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Eric

I'd start with Ann, but I really don't know [REDACTED]

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:43 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Ma'am,

There are some policy issues relating to liability for healthcare workers that I would like to discuss with someone from the Governor's Office. Who is the appropriate contact for that purpose?

Thank you!

Eric Lohrenz

General Counsel

Illinois Emergency Management Agency

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**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:07 PM

**To:** Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Moomey, Tammy <[Tammy.Moomey@Illinois.gov](mailto:Tammy.Moomey@Illinois.gov)>; [maryc@imert.org](mailto:maryc@imert.org); Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Pascente, Anthony <[Anthony.Pascente@Illinois.gov](mailto:Anthony.Pascente@Illinois.gov)>

**Cc:** Sanford, Jason <[Jason.Sanford@illinois.gov](mailto:Jason.Sanford@illinois.gov)>; Culp, Dave <[Dave.Culp@illinois.gov](mailto:Dave.Culp@illinois.gov)>

**Subject:** Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Who is taking lead on these issues:

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#); [Lohrenz, Eric](#); [Crane, Anna](#); [Berger-White, Juliet](#); [Tate-Nadeau, Alicia](#)  
**Subject:** RE: Healthcare workers  
**Date:** Friday, March 27, 2020 6:10:56 PM

---

That would be easier for me.

---

**From:** Caplan, Gary  
**Sent:** Friday, March 27, 2020 5:58 PM  
**To:** Lohrenz, Eric ; Crane, Anna ; Berger-White, Juliet ; Spillane, Ann ; Tate-Nadeau, Alicia  
**Subject:** Re: Healthcare workers  
Can we do 6:30?  
Get [Outlook for iOS](#)

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:54:56 PM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Subject:** RE: Healthcare workers  
Works for IEMA. Shall I send an invite?  
Eric Lohrenz  
General Counsel  
Illinois Emergency Management Agency

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:50 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
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Works for me - I can be available any time this evening.

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**Sent:** Friday, March 27, 2020 5:27 PM

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Eric Lohrenz

General Counsel

Illinois Emergency Management Agency

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**Sent:** Friday, March 27, 2020 5:08 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

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Ann

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**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Eric

I'd start with Ann, but I really don't know. [REDACTED]

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:43 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

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General Counsel

Illinois Emergency Management Agency

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**To:** Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Moomey, Tammy <[Tammy.Moomey@Illinois.gov](mailto:Tammy.Moomey@Illinois.gov)>; [maryc@imert.org](mailto:maryc@imert.org); Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Pascente, Anthony <[Anthony.Pascente@Illinois.gov](mailto:Anthony.Pascente@Illinois.gov)>

**Cc:** Sanford, Jason <[Jason.Sanford@illinois.gov](mailto:Jason.Sanford@illinois.gov)>; Culp, Dave <[Dave.Culp@illinois.gov](mailto:Dave.Culp@illinois.gov)>

**Subject:** Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Who is taking lead on these issues:

[REDACTED]

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**From:** [Lohrenz, Eric](#)  
**To:** [Caplan, Gary](#); [Crane, Anna](#); [Berger-White, Juliet](#); [jgunn1](#)  
**Subject:** RE: Healthcare workers  
**Date:** Friday, March 27, 2020 5:59:16 PM

---

I'll resend the invite.  
Eric Lohrenz  
General Counsel  
Illinois Emergency Management Agency

---

**From:** Caplan, Gary  
**Sent:** Friday, March 27, 2020 5:58 PM  
**To:** Lohrenz, Eric ; Crane, Anna ; Berger-White, Juliet ; Spillane, Ann ; Tate-Nadeau, Alicia  
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**Subject:** RE: Healthcare workers

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General Counsel

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**Sent:** Friday, March 27, 2020 5:08 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** RE: Healthcare workers

Hi,

Juliet, Gary and Anna – cc'd here – are currently very actively working on the liability issues for hospitals and healthcare workers. Eric – your best bet is to set up a call with them if you want to pass along concerns or issues. With regard to standards of care relating to hospitals and their staff, IDPH has been looking at that and Juliet and Anna are now looped in.

Ann

---

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:56 PM

**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>

**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Eric

I'd start with Ann, but I really don't know. [REDACTED]

[REDACTED]

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:43 PM

**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Ma'am,

There are some policy issues relating to liability for healthcare workers that I would like to discuss with someone from the Governor's Office. Who is the appropriate contact for that purpose?

Thank you!

Eric Lohrenz

General Counsel

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:07 PM

**To:** Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Moomey, Tammy <[Tammy.Moomey@Illinois.gov](mailto:Tammy.Moomey@Illinois.gov)>; [maryc@imert.org](mailto:maryc@imert.org); Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Pascente, Anthony <[Anthony.Pascente@Illinois.gov](mailto:Anthony.Pascente@Illinois.gov)>

**Cc:** Sanford, Jason <[Jason.Sanford@illinois.gov](mailto:Jason.Sanford@illinois.gov)>; Culp, Dave <[Dave.Culp@illinois.gov](mailto:Dave.Culp@illinois.gov)>

**Subject:** Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Who is taking lead on these issues:

[REDACTED]

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**From:** [Spillane, Ann](#)  
**To:** [Caplan, Gary](#)  
**Cc:** [Berger-White, Juliet](#); [Crane, Anna](#)  
**Subject:** RE: Healthcare workers  
**Date:** Friday, March 27, 2020 5:10:04 PM

---

Ok. Thanks very much.  
Tomorrow morning works if that is easier.

---

**From:** Caplan, Gary  
**Sent:** Friday, March 27, 2020 5:09 PM  
**To:** Spillane, Ann  
**Cc:** Berger-White, Juliet ; Crane, Anna  
**Subject:** RE: Healthcare workers

[REDACTED]

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Friday, March 27, 2020 5:08 PM  
**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>; Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Cc:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

Hi,  
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Ann

---

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Sent:** Friday, March 27, 2020 4:56 PM  
**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Eric

I'd start with Ann, but I really don't know. [REDACTED]

[REDACTED]

---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Sent:** Friday, March 27, 2020 4:43 PM  
**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Ma'am,

There are some policy issues relating to liability for healthcare workers that I would like to discuss with someone from the Governor's Office. Who is the appropriate contact for that purpose?

Thank you!  
Eric Lohrenz



General Counsel  
Illinois Emergency Management Agency

---

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>

**Sent:** Friday, March 27, 2020 4:07 PM

**To:** Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Moomey, Tammy <[Tammy.Moomey@Illinois.gov](mailto:Tammy.Moomey@Illinois.gov)>; [maryc@imert.org](mailto:maryc@imert.org); Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Pascente, Anthony <[Anthony.Pascente@Illinois.gov](mailto:Anthony.Pascente@Illinois.gov)>

**Cc:** Sanford, Jason <[Jason.Sanford@illinois.gov](mailto:Jason.Sanford@illinois.gov)>; Culp, Dave <[Dave.Culp@illinois.gov](mailto:Dave.Culp@illinois.gov)>

**Subject:** Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Who is taking lead on these issues:

[REDACTED]

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**From:** [Tate-Nadeau, Alicia](#)  
**To:** [Spillane, Ann](#)  
**Subject:** RE: Healthcare workers  
**Date:** Friday, March 27, 2020 5:08:14 PM

---

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Thank you

---

**From:** Spillane, Ann  
**Sent:** Friday, March 27, 2020 5:08 PM  
**To:** Tate-Nadeau, Alicia ; Lohrenz, Eric  
**Cc:** Berger-White, Juliet ; Caplan, Gary ; Crane, Anna  
**Subject:** RE: Healthcare workers

Hi,

Juliet, Gary and Anna – cc'd here – are currently very actively working on the liability issues for hospitals and healthcare workers. Eric – your best bet is to set up a call with them if you want to pass along concerns or issues. With regard to standards of care relating to hospitals and their staff, IDPH has been looking at that and Juliet and Anna are now looped in.

Ann

---

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**Sent:** Friday, March 27, 2020 4:56 PM  
**To:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Eric

I'd start with Ann, but I really don't know.   


---

**From:** Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>  
**Sent:** Friday, March 27, 2020 4:43 PM  
**To:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Subject:** RE: Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Ma'am,

There are some policy issues relating to liability for healthcare workers that I would like to discuss with someone from the Governor's Office. Who is the appropriate contact for that purpose?

Thank you!

Eric Lohrenz

General Counsel

Illinois Emergency Management Agency

---

**From:** Tate-Nadeau, Alicia <[Alicia.Tate-Nadeau@illinois.gov](mailto:Alicia.Tate-Nadeau@illinois.gov)>  
**Sent:** Friday, March 27, 2020 4:07 PM  
**To:** Rawls, Winfred <[Winfred.Rawls@Illinois.gov](mailto:Winfred.Rawls@Illinois.gov)>; Moomey, Tammy <[Tammy.Moomey@Illinois.gov](mailto:Tammy.Moomey@Illinois.gov)>; [maryc@imert.org](mailto:maryc@imert.org); Lohrenz, Eric <[Eric.Lohrenz@illinois.gov](mailto:Eric.Lohrenz@illinois.gov)>; Pascente, Anthony <[Anthony.Pascente@Illinois.gov](mailto:Anthony.Pascente@Illinois.gov)>  
**Cc:** Sanford, Jason <[Jason.Sanford@illinois.gov](mailto:Jason.Sanford@illinois.gov)>; Culp, Dave <[Dave.Culp@illinois.gov](mailto:Dave.Culp@illinois.gov)>

**Subject:** Healthcare workers

CONFIDENTIAL PRELIMINARY POLICY DELIBERATIONS

Who is taking lead on these issues:

[REDACTED]

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**From:** [Berger-White, Juliet](#)  
**To:** [Spillane, Ann](#)  
**Subject:** RE: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Date:** Friday, March 27, 2020 2:58:05 PM

---

Thank you.

---

**From:** Spillane, Ann  
**Sent:** Friday, March 27, 2020 2:51 PM  
**To:** Berger-White, Juliet ; Crane, Anna ; Caplan, Gary  
**Subject:** FW: Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

Juliet – you were not on this email.

---

**From:** Harris, Karen <[KHarris@team-ihh.org](mailto:KHarris@team-ihh.org)>  
**Sent:** Friday, March 27, 2020 2:01 PM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** 'erinobrien@isms.org' <[erinobrien@isms.org](mailto:erinobrien@isms.org)>; Kane, Robert <[RKane@ismie.com](mailto:RKane@ismie.com)>  
**Subject:** [External] Liability, Reciprocal Credentialing and Intra-State Licensing Reciprocity  
**Importance:** High

Ann:

Thank you for speaking with the IHA and ISMS.

We appreciate your time and consideration of the issues we raised (liability protections, reciprocal credentialing and intra-state licensing reciprocity).

As promised, attached is draft language for your consideration.

Additionally, as promised, below is information about the City of Chicago's efforts to increase the healthcare workforce – see the **2<sup>nd</sup> item**. I believe this is the portal that the City is attempting to use to try to identify potential workers who could be trained to perform certain healthcare jobs.

After you have had a chance to review this information we would be happy to continue the conversation.

Thank you.

P.S. Please make sure that this went to everyone on your team – I think I am missing one person's email address.

#### **Volunteer and Employment Opportunities**

- Mayor Lori Lightfoot and Chicago Department of Public Health Commissioner Allison Arwady, M.D. have issued **a call for assistance from the medical community and are seeking to hire healthcare workers immediately** to help the City of Chicago in its COVID-19 response efforts. [Medical Assistants](#) and [Nurses](#) are encouraged to apply for temporary positions. If you have any questions about the positions or the application process, you may email [shelly.johnson@sunbeltstaffing.com](mailto:shelly.johnson@sunbeltstaffing.com) or call [813-261-2706](tel:813-261-2706).
- **Chicago Medical Reserve Corps (MRC)** is a network of both medical and non-medical professionals who volunteer their time to assist during public health emergencies such as the current COVID-19 outbreak. Many MRC volunteers are just like you - nurses, doctors, pharmacists, therapists, public health professionals, and other community members who believe in keeping Chicago safe. Register at [illinoishelps.net](http://illinoishelps.net) and be there when Chicago needs you most.



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ihh.org](mailto:kharris@team-ihh.org) | [www.team-ihh.org](http://www.team-ihh.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenton Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Gross, David](#)  
**To:** [Spillane, Ann](#)  
**Subject:** [External] RE: Question  
**Date:** Friday, March 27, 2020 10:09:03 AM

---

[Sure thanks](#)

---

**From:** Spillane, Ann  
**Sent:** Friday, March 27, 2020 10:07 AM  
**To:** Gross, David  
**Subject:** [EXTERNAL] Question

Hi Dave,

Would it be possible to keep you and any other IHA people on the phone after we finish the discussion on liability today? We have some questions on another issue and it would help if we could have a discussion with you and your colleagues.

Ann

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**From:** [Afeef, Junaid M.](#)  
**To:** [Crane, Anna](#); [Senger, Karen](#); [Acharya, Snigdha](#)  
**Cc:** [Berger-White, Juliet](#)  
**Subject:** Re: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
**Date:** Friday, March 27, 2020 9:09:18 AM

---

Will do.

Junaid

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: junaid.m.afeef@illinois.gov

---

**From:** Crane, Anna  
**Sent:** Thursday, March 26, 2020 8:56 PM  
**To:** Afeef, Junaid M. ; Senger, Karen ; Acharya, Snigdha  
**Cc:** Berger-White, Juliet  
**Subject:** RE: Draft Waiver Spreadsheet for the State (Hospital Regulations)  
Thanks very much, Junaid.

[REDACTED]

[REDACTED]

Thank you!  
Anna

---

**From:** Afeef, Junaid M.  
**Sent:** Thursday, March 26, 2020 3:23 PM  
**To:** Senger, Karen ; Crane, Anna ; Acharya, Snigdha  
**Subject:** Fw: Draft Waiver Spreadsheet for the State (Hospital Regulations)

Dear Karen and Anna:

I spoke with Karen Harris from IHA again this morning. Please see email below and the attached documents she shared.

Anna - Karen H. mentioned that she was going to have a call with your office - perhaps with Anne Spillane - tomorrow about these same issues. [REDACTED]

[REDACTED] Just a thought.

Karen S. - [REDACTED]

I saw the shared "DPH&GO Workplan" document. I will update it with something soon.  
Thanks.

Junaid  
cc: Snigdha

---

Junaid M. Afeef  
Assistant General Counsel  
Illinois Department of Public Health  
122 S. Michigan Avenue, 7th Floor  
Chicago, Illinois 60603  
T: 312-8143577  
E: [junaid.m.afeef@illinois.gov](mailto:junaid.m.afeef@illinois.gov)

---

**From:** Harris, Karen <[KHarris@team-ih.org](mailto:KHarris@team-ih.org)>  
**Sent:** Thursday, March 26, 2020 2:52 PM  
**To:** Afeef, Junaid M. <[Junaid.M.Afeef@Illinois.gov](mailto:Junaid.M.Afeef@Illinois.gov)>  
**Subject:** [External] FW: Draft Waiver Spreadsheet for the State

Junaid:

As we discussed, attached is a spreadsheet (and also a PDF version for your convenience) setting forth a preliminary list of suggested state waiver requests that we have identified thus far.

As I explained, this is a working document and, as such, is not complete. Hence it is marked as "draft." Additionally, we continue to get additional requests from hospitals on a daily basis and/or identify gaps ourselves between what waivers/variances have already been issued and what is actually needed to allow hospitals and healthcare workers the flexibility the need to adequately respond quickly, efficiently and innovatively to this unprecedented pandemic.

Also, as we discussed, several states have (we believe rightfully) elected to take a global approach to waivers (and HHS Secretary has also encouraged Governors to do so – see letter below) in order to act swiftly so that hospitals can continue to prepare for the oncoming surge.

As you review our draft list of potential waiver requests, we therefore respectfully request that you also consider the following items:

1. California Department of Health Waiving Hospital Licensing Act
2. New York Executive Order (Licensure)
3. New York Executive Order (Liability)
4. Letter from HHS Secretary Azar to Governors re Waivers

I believe that this is everything that I promised, but if I forgot anything please let me know.

Thank you for your consideration and I look forward to continuing our conversation how to best assist our hospitals and healthcare workers as they continue to care for patients and communities during this pandemic.



**Kathryn E. Brown** | Staff Counsel  
T 630-276-5598 | [kbrown@team-ih.org](mailto:kbrown@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
*Your trusted voice and resource*  
See [IHA's Updates on COVID-19](#)



**Karen K. Harris** | Senior Vice President and General Counsel  
T 630.276.5548 | [kharris@team-ih.org](mailto:kharris@team-ih.org) | [www.team-ih.org](http://www.team-ih.org)  
**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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waive attorney-client privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Berger-White, Juliet](#)  
**To:** [Crane, Anna](#)  
**Subject:** RE: Legal Liability Law Review Article  
**Date:** Thursday, March 26, 2020 6:55:46 PM

---

Thank you!


---

**From:** Crane, Anna  
**Sent:** Thursday, March 26, 2020 6:55 PM  
**To:** Berger-White, Juliet  
**Subject:** Legal Liability Law Review Article

Anna Crane  
Associate General Counsel  
Office of Illinois Governor JB Pritzker  
100 W. Randolph Street  
Chicago, IL 60601  
Chicago: (312) 814-0021  
Cell: (312) 350-6225  
Pronouns: she/her/hers

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client privilege, attorney work product privilege, or any other exemption from disclosure.

**From:** [Spillane, Ann](#)  
**To:** [Crane, Anna](#); [Berger-White, Juliet](#)  
**Subject:** Fwd: DRAFT Hospital EO - OK to send to Gov. Office  
**Date:** Thursday, March 26, 2020 4:00:12 PM  
**Attachments:** 

---

With the attachment.

We can touch base tomorrow and decide when we will be ready for a call with the City.

Ann

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---

**From:** Maurice Classen  
**Sent:** Thursday, March 26, 2020 3:50 PM  
**To:** Spillane, Ann  
**Cc:** Jeffrey Levine; Macgregor Lebuhn  
**Subject:** [External] DRAFT Hospital EO - OK to send to Gov. Office

Ann,

Per our conversation last night, attached please find an order that we drafted regarding hospital powers we would be interested in expanded by the Governor's Office—just as a starting point. Also, copied on this message is the drafter, Jeff Levine. Let us know when you might be available for a conversation.

Maurice

Maurice Classen

Chief of Staff

Office of Mayor Lori E. Lightfoot

[Maurice.classen@cityofchicago.org](mailto:Maurice.classen@cityofchicago.org)

312-758-1827

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**From:** [Vaught, Laura C.](#)  
**To:** [Holman, Sydney](#); [Nickrent, Allison L.](#); [Carreon, Stacy](#)  
**Cc:** [Sachnoff, Joel](#); [Flores, Sol](#); [Crane, Anna](#)  
**Subject:** RE: [External] Nursing Home Challenge  
**Date:** Thursday, March 26, 2020 1:25:52 PM

---

[REDACTED]

---

**From:** Holman, Sydney  
**Sent:** Thursday, March 26, 2020 1:21 PM  
**To:** Vaught, Laura C. ; Nickrent, Allison L. ; Carreon, Stacy  
**Cc:** Sachnoff, Joel  
**Subject:** Fw: [External] Nursing Home Challenge

Hi,  
Just flagging for your awareness about a long-term facility in Rep. Kalish district.

[REDACTED]

---

**From:** Lim, Rena <[Rena.Lim@Illinois.gov](mailto:Rena.Lim@Illinois.gov)>  
**Sent:** Thursday, March 26, 2020 1:10 PM  
**To:** Holman, Sydney <[Sydney.Holman@Illinois.gov](mailto:Sydney.Holman@Illinois.gov)>  
**Subject:** Fwd: [External] Nursing Home Challenge  
Who is the point person for nursing homes?  
Get [Outlook for iOS](#)

---

**From:** Yehiel Kalish <[repymkalish@gmail.com](mailto:repymkalish@gmail.com)>  
**Sent:** Thursday, March 26, 2020 1:06:35 PM  
**To:** Lim, Rena <[Rena.Lim@Illinois.gov](mailto:Rena.Lim@Illinois.gov)>; Liam Harding <[REDACTED]>  
**Subject:** [External] Nursing Home Challenge

Hi Rena,  
I received this from a nursing home operator in my district:  
<https://blog.levinperconti.com/category/coronavirus>  
It's sites like this that have our nursing homes wary of taking in patients. Our medical facilities need protection from lawsuits at this time, they should be viewed as a profit center for trial attorneys right now. Who is the right person for me to address this concern?  
Thank you,  
YMK

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**From:** [Villagran, Diana](#)  
**To:** [Spillane, Ann](#)  
**Subject:** [External] RE: IHA availability for liability EO call  
**Date:** Thursday, March 26, 2020 11:45:25 AM

---

Thank you. Take care.  
Diana

---

**From:** Spillane, Ann  
**Sent:** Thursday, March 26, 2020 11:29 AM  
**To:** Gross, David ; Villagran, Diana ; Harris, Karen ; Crane, Anna  
**Cc:** Woods, Michael ; Caplan, Gary  
**Subject:** [EXTERNAL] RE: IHA availability for liability EO call  
1pm tomorrow would work for us for a conference call.  
Let us know if that still works.  
Thank you,  
Ann

---

**From:** Gross, David <[DGross@team-iha.org](mailto:DGross@team-iha.org)>  
**Sent:** Wednesday, March 25, 2020 10:04 PM  
**To:** Villagran, Diana <[DVillagran@team-iha.org](mailto:DVillagran@team-iha.org)>; Harris, Karen <[KHarris@team-iha.org](mailto:KHarris@team-iha.org)>; Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Cc:** Woods, Michael <[MWoods@team-iha.org](mailto:MWoods@team-iha.org)>  
**Subject:** [External] RE: IHA availability for liability EO call  
Thanks, Dianna  
IHA can also be available any time after regular office hours if these times don't work for the Gov's team.  
Dave

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**Sent:** Wednesday, March 25, 2020 9:55 PM  
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**Thurs, Mar 26: 3pm – 4pm**  
**Fri, Mar 27: 1pm – 2pm**  
Thank you.  
*Diana E. Villagran*  
Executive Assistant  
630-276-5464

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**To:** 'Ann.Spillane@Illinois.gov' <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; 'Anna.Crane@Illinois.gov' <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
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I look forward to speaking with you.  
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Diana – Can you please assist in coordinating a call? Thank you.

**Karen K. Harris** | Senior Vice President and General Counsel



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**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
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Dave –

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Thank you. I hope you are well and holding up ok in this crisis.

Ann

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**Dave Gross** | Senior Vice President | Government Relations

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**Illinois Health and Hospital Association**  
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**From:** [Gross, David](#)  
**To:** [Spillane, Ann](#); [Villagran, Diana](#); [Harris, Karen](#); [Crane, Anna](#)  
**Cc:** [Woods, Michael](#); [Caplan, Gary](#)  
**Subject:** [External] RE: IHA availability for liability EO call  
**Date:** Thursday, March 26, 2020 11:29:53 AM

---

Yes that works  
thanks

---

**From:** Spillane, Ann  
**Sent:** Thursday, March 26, 2020 11:29 AM  
**To:** Gross, David ; Villagran, Diana ; Harris, Karen ; Crane, Anna  
**Cc:** Woods, Michael ; Caplan, Gary  
**Subject:** [EXTERNAL] RE: IHA availability for liability EO call  
1pm tomorrow would work for us for a conference call.  
Let us know if that still works.  
Thank you,  
Ann

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**Illinois Health and Hospital Association**  
1151 E. Warrenville Road, Naperville, IL 60563  
See [IHA's Updates on COVID-19](#)

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**Sent:** Wednesday, March 25, 2020 1:14 PM  
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**Subject:** [EXTERNAL] RE: IHA request for liability EO  
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Thank you. I hope you are well and holding up ok in this crisis.

Ann

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**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** [External] IHA request for liability EO

Ann,

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Certainly appreciate all of the good work your team is putting in to help our members get through this extraordinary event.

Stay safe,

Dave

Harris, Karen [KHarris@team-ih.org](mailto:KHarris@team-ih.org) c:7732945862



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**From:** [Quinn, Jonathan S.](#)  
**To:** [Caplan, Gary](#); [Crane, Anna](#)  
**Subject:** [External] RE: liability issues  
**Date:** Thursday, March 26, 2020 11:25:55 AM  
**Attachments:** [nge001.png](#)

---

Getting ready to send to you. . .

**Jonathan S. Quinn**

Partner

Neal, Gerber & Eisenberg LLP



**p:** 312.269.8093 | **f:** 312.429.3531 | **e:** [jquinn@nge.com](mailto:jquinn@nge.com)

Two North LaSalle Street, Suite 1700, Chicago, IL 60602

[www.nge.com](http://www.nge.com)

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---

**From:** Caplan, Gary  
**Sent:** Thursday, March 26, 2020 11:22 AM  
**To:** Quinn, Jonathan S. ; Crane, Anna  
**Subject:** liability issues

**CAUTION EXTERNAL EMAIL**

---

Jon,

[REDACTED] before that?

Can we get your team's draft memo

Gary S. Caplan  
Deputy General Counsel  
Office of the Governor, JB Pritzker  
100 W. Randolph Street  
Suite 16-100  
Chicago, IL 60601  
[gary.caplan@illinois.gov](mailto:gary.caplan@illinois.gov)  
312.814.5154 (o)  
312.771.2587 (c)

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**From:** [Caplan, Gary](#)  
**To:** [Crane, Anna](#); [Spillane, Ann](#)  
**Subject:** RE: IHA availability for liability EO call  
**Date:** Thursday, March 26, 2020 11:21:08 AM

---

Great.

---

**From:** Crane, Anna  
**Sent:** Thursday, March 26, 2020 11:18 AM  
**To:** Spillane, Ann ; Caplan, Gary  
**Subject:** RE: IHA availability for liability EO call  
Works for me.

---

**From:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Sent:** Thursday, March 26, 2020 11:12 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Caplan, Gary <[Gary.Caplan@Illinois.gov](mailto:Gary.Caplan@Illinois.gov)>  
**Subject:** FW: IHA availability for liability EO call

Hi,

We need to set up a call with IHA – and they are now going to include the State Medical Society – to discuss liability. Any times tomorrow that don't work for you? I am thinking of going with the 1pm suggestion they made for tomorrow.

Ann

---

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**Cc:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [EXTERNAL] RE: IHA request for liability EO

Dave –

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Harris, Karen [KHarris@team-iha.org](mailto:KHarris@team-iha.org) c:7732945862



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**From:** [HWV PC](#)  
**To:** [Spillane, Ann](#)  
**Subject:** Re: [External] EO on liability  
**Date:** Thursday, March 26, 2020 11:16:16 AM

---

Thank you

Sent from my iPhone

> On Mar 26, 2020, at 11:08 AM, Spillane, Ann <Ann.Spillane@illinois.gov> wrote:

>

> Dave Gross at IHA just emailed to say ISMS wants to join in a call that we will have. I said that is fine.

>

> -----Original Message-----

> From: HWV PC <heather@wiervaught.com>

> Sent: Thursday, March 26, 2020 10:22 AM

> To: Spillane, Ann <Ann.Spillane@Illinois.gov>

> Subject: [External] EO on liability

>

> There's a rumor floating that you are having a conversation with the IHA about a possible EO that includes language limiting some liability of doctors and hospitals. I represent the IL State Medical Society and they asked me to reach out to see if we could get some information or be included in discussions about any EO related to the medical profession that may impact doctors.

>

> Thanks,

>

> Heather

>

>

>

>

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**From:** [Spillane, Ann](#)  
**To:** [Gross, David](#)  
**Cc:** [Crane, Anna](#)  
**Subject:** RE: IHA request for liability EO  
**Date:** Thursday, March 26, 2020 11:07:07 AM

---

That's fine.

---

**From:** Gross, David  
**Sent:** Thursday, March 26, 2020 10:57 AM  
**To:** Spillane, Ann  
**Cc:** Crane, Anna  
**Subject:** [External] RE: IHA request for liability EO

Ann,  
ISMS would like to participate on the call—they are getting calls from retired docs.  
Dave

---

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**From:** [Carl Bergetz](#)  
**To:** [Crane, Anna](#)  
**Cc:** [Spillane, Ann](#)  
**Subject:** [External] Re: COVID Regulatory Response Proposal  
**Date:** Wednesday, March 25, 2020 9:47:17 PM



Thank you for the update. Much appreciated.

Carl

**Carl Bergetz**

General Counsel

**RUSH** Legal | [1700 West Van Buren, Suite 301 | Chicago, IL 60612](#)

p: [\(312\) 942-6886](tel:(312)942-6886) | f: [\(312\) 942-4233](tel:(312)942-4233) | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)



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On Mar 25, 2020, at 20:53, Crane, Anna wrote:

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Carl –

Thanks very much for following up on these. Wanted to provide a few updates on the items you previously raised.

First, regarding DFPR processing, as of right now, the DFPR process does require approval before those with lapsed licenses are allowed to practice. Processing these licenses are a priority for DFPR – along with licensing recent graduates – to get these practitioners quickly into the field. We are monitoring the timeline for the approval of those licenses to make sure it is 48 hours or less, and if it starts to get longer or become a problem at all, we will determine quickly whether we need to move to a 'conditional' approval as you have suggested.

Second, DPH filed an emergency rule today with the below language, which instead just requires a notice 30 days after a change in bed capacity or reallocation of beds. HFSRB



and DPH are coordinating the notification processes at both agencies to ensure that this is streamlined and not standing in the way of any needed changes to existing facilities. Both agencies will be posting information about these procedures tomorrow.

Consistent with 77 Il. Adm. Code 1130.240(f)(4)(A) and so long as there is a gubernatorial disaster proclamation related to the Coronavirus Disease 2019 (COVID-19) pandemic, a health care facility licensed by the Department may increase bed capacity and/or re-allocate bed designations between clinical services to accommodate extraordinary needs in the service population due to the COVID-19 pandemic without prior authorization from the Department. The facility shall provide the Department with notification of the increase within 30 days after the bed increase decision. The facility shall also submit to the Department written notification that the temporarily increased bed capacity has been taken out of circulation. This additional notification shall be received by the Department within 30 days after the date the facility's normal bed capacity was resumed.

Lastly, we are working through the liability issues and appreciate your suggestion about an IEMA order or an alternative standard of care. We will have guidance very soon.

Thanks very much,

Anna

---

**From:** Carl Bergetz

**Sent:** Wednesday, March 25, 2020 5:36 AM

**To:** Spillane, Ann ; Crane, Anna

**Subject:** [External] Re: COVID Regulatory Response Proposal

Ann & Anna:

Regarding the issues in the below email: Yesterday Dr Omar Lateef spoke to the Governor at the press conference and mentioned the emergency funding idea. The Governor responded favorably and told him to send the proposal to him and Deputy Governor Dan Hynes. We will send it this AM and I will forward you a copy. Also the IHA and a large group of hospitals will be sending the Governor a letter on the liability issue noted in the email below.

If you have any more information on the other items, please give me a call. Thanks again for your help and consideration.

Carl

**Carl Bergetz**

General Counsel

**RUSH** Legal | [1700 West Van Buren, Suite 301 | Chicago, IL 60612](#)

p: [\(312\) 942-6886](tel:(312)942-6886) | f: [\(312\) 942-4233](tel:(312)942-4233) | [Carl.Bergetz@rush.edu](mailto:Carl.Bergetz@rush.edu)



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you have received this communication in error, please notify the sender via phone or email at the above number or address. Also, if you are not the intended recipient, please delete this communication without forwarding to other individuals or entities, or retaining a copy in any form.

On Mar 23, 2020, at 23:41, Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)> wrote:

Ann:

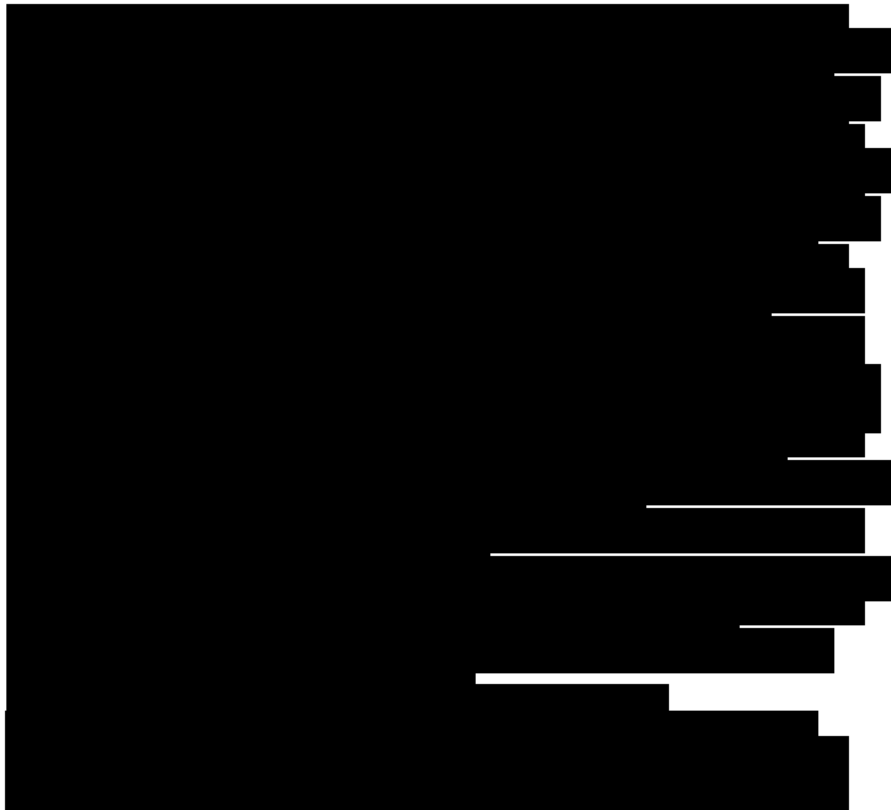
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Ann, any help you could provide on this would be most appreciated. Let me know what you think and if you can help arrange something. Your office has been incredibly helpful already and we thank you for that as we meet the pandemic head on.

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---

**From:** Spillane, Ann [<mailto:Ann.Spillane@Illinois.gov>]

**Sent:** Monday, March 23, 2020 2:07 PM

**To:** Carl Bergetz; Crane, Anna

**Subject:** RE: COVID Regulatory Response Proposal

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Carl,

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Let's discuss the liability issue when you have a chance to send more info. We are researching that on our end as well.

Thank you again,

Ann

---

**From:** Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)>

**Sent:** Monday, March 23, 2020 10:10 AM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] COVID Regulatory Response Proposal

Ann:

Please see the attached presentation we assembled providing an overview of our data analytics team's projections of the COVID-19 situation and the impact on Illinois hospitals and the public, as well as some proposals we are making relative to regulatory waivers and logistical assistance. We understand the IHA is also advancing some similar ideas and we are on the same page. If you would like, our leadership would like to host a Webex to go over these slides with your office and IDPH.

Thank you for your help and consideration, and please take care.

Carl

**Carl Bergetz**

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**From:** [Spillane, Ann](#)  
**To:** [Carl Bergetz](#); [Crane, Anna](#)  
**Subject:** RE: COVID Regulatory Response Proposal  
**Date:** Wednesday, March 25, 2020 8:33:14 PM

---

Carl,

Thanks for sending this. I gave Dan Hynes and our Chief of Staff, Anne Caprara, a heads up earlier today that you would be sending it. I'll get it to Anne now. Let me know if you want me to follow up on this at any point.

Ann

---

**From:** Carl Bergetz  
**Sent:** Wednesday, March 25, 2020 8:01 PM  
**To:** Spillane, Ann ; Crane, Anna  
**Subject:** [External] RE: COVID Regulatory Response Proposal  
Attached is the letter and white paper on emergency funding that Dr Omar Lateef sent to the Governor and delivered to Deputy Governor Hynes as he suggested. Also the IHA will be submitting a letter regarding the liability issue mentioned below. Thanks.

Carl

**Carl Bergetz**

General Counsel

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**To:** Spillane, Ann; Crane, Anna  
**Subject:** Re: COVID Regulatory Response Proposal

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On Mar 23, 2020, at 23:41, Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)> wrote:

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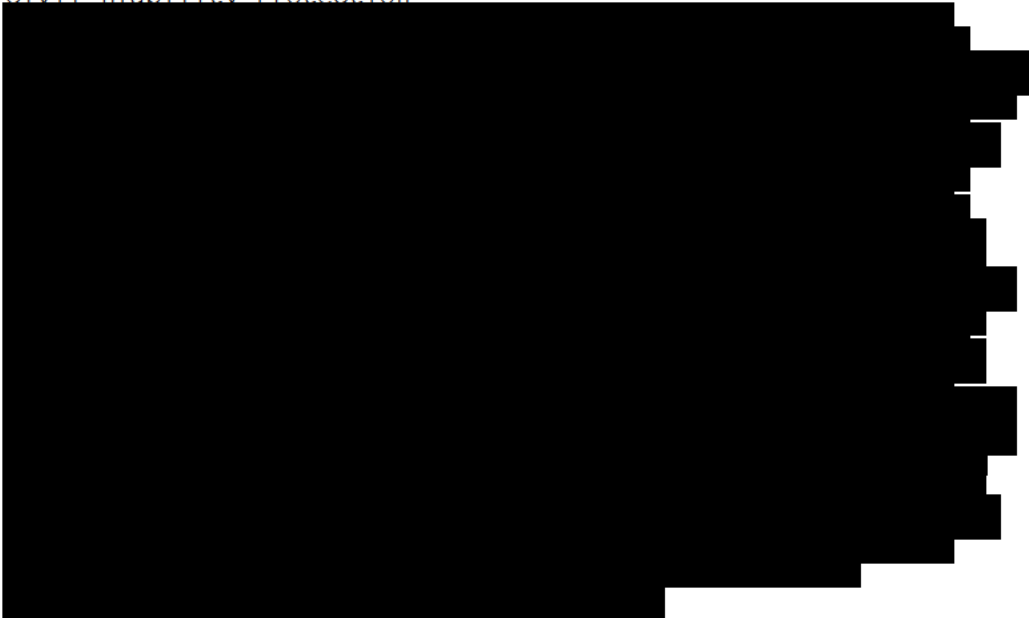
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Additional Request

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**Sent:** Monday, March 23, 2020 2:07 PM

**To:** Carl Bergetz; Crane, Anna

**Subject:** RE: COVID Regulatory Response Proposal

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Let's discuss the liability issue when you have a chance to send more info. We are researching that on our end as well.

Thank you again,

Ann

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**Sent:** Monday, March 23, 2020 10:10 AM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

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**From:** [Carl Bergetz](#)  
**To:** [Spillane, Ann](#); [Crane, Anna](#)  
**Subject:** [External] RE: COVID Regulatory Response Proposal  
**Date:** Wednesday, March 25, 2020 8:01:10 PM  
**Attachments:** [Rush Letter to Governor Pritzker 032520.pdf](#)

---

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**Sent:** Monday, March 23, 2020 2:07 PM

**To:** Carl Bergetz; Crane, Anna

**Subject:** RE: COVID Regulatory Response Proposal

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p: (312) 942-6886 | f: (312) 942-4233 | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)

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**From:** [Spillane, Ann](#)  
**To:** [Hynes, Dan](#); [Lerner, Scott](#)  
**Subject:** RE: Executive Order to protect Healthcare Workers  
**Date:** Wednesday, March 25, 2020 8:00:47 PM  
**Attachments:** [image001.png](#)

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Thanks, Dan. [REDACTED]

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**From:** Hynes, Dan  
**Sent:** Wednesday, March 25, 2020 2:26 PM  
**To:** Spillane, Ann ; Lerner, Scott  
**Subject:** Fwd: Executive Order to protect Healthcare Workers  
For legal team consideration.  
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**From:** Atkinson, John <[John.Atkinson@WillisTowersWatson.com](mailto:John.Atkinson@WillisTowersWatson.com)>  
**Sent:** Tuesday, March 24, 2020 7:10:39 PM  
**To:** Hynes, Dan <[Dan.Hynes@Illinois.gov](mailto:Dan.Hynes@Illinois.gov)>  
**Cc:** Duarte, Lisa <[Lisa.Duarte@Illinois.gov](mailto:Lisa.Duarte@Illinois.gov)>  
**Subject:** [External] Executive Order to protect Healthcare Workers

Dan:

I know the team is taxed but you guys are doing an amazing job under tough circumstances. This is affecting so many people as you know. Our 25 year old has it, hopefully a mild case. She is isolated at home.

Wanted to flag this for you. At some point Illinois should consider what a few states have done which is make healthcare workers and organizations who are on the front lines immune from tort/civil liability as they fight aggressively and standards of care evolve.

Below is what Cuomo did yesterday , and under the US Prep Act HHS Secretary made a declaration that intends to do that but leaves out certain healthcare workers (attached).

This may be on your radar already, but thought I would forward.

Best,

**John Atkinson**

Executive Vice President, Managing Director

**Willis Towers Watson**

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## EXECUTIVE ORDER

### **Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency**

**WHEREAS**, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

**WHEREAS**, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

**WHEREAS**, ensuring the State of New York has adequate bed capacity, supplies, and providers to treat patients affected with COVID-19, as well as patients afflicted with other maladies, is of critical importance; and

**WHEREAS**, eliminating any obstacle to the provision of supplies and medical treatment is necessary to ensure the New York healthcare system has adequate capacity to provide care to all who need it;

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 22, 2020 the following:

- Section 2803 of the Public Health Law, and Parts 400, 401, 405, 409, 710, 711 and 712 of Title 10 of the NYCRR, to the extent necessary to permit and require general hospitals to take all measures necessary to increase the number of beds available to patients, in accordance with the directives set forth in this Executive Order;
- Section 3001, 3005-a, 3008, and 3010 of the Public Health Law to the extent necessary to modify the definition of “emergency medical services” to include emergency, non-emergency and low acuity medical assistance; to eliminate any restrictions on an approved ambulance services or providers operating outside of the primary territory listed on such ambulance service’s operating certificate with prior approval by the Department of Health; to permit the Commissioner of Health to issue provisional emergency medical services provider certifications to qualified individuals with modified certification periods as approved; and to allow emergency medical services to transport patients to locations other than healthcare facilities with prior approval by Department of Health;
- Section 3002, 3002-a, 3003, and 3004-a of Public Health Law to the extent necessary to allow any emergency medical treatment protocol development or modification to

occur solely with the approval of the Commissioner of Health;

- Sections 405.13 and 755.4 of Title 10 of the NYCRR to the extent necessary to permit an advanced practice registered nurse with a doctorate or master's degree specializing in the administration of anesthesia administering anesthesia in a general hospital or free-standing ambulatory surgery center without the supervision of a qualified physician in these health care settings;
- Paragraph 1 of Section 6542 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a physician assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Paragraph 1 of Section 6549 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a specialist assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Subdivision (3) of Section 6902 of Education Law, and any associated regulations, including, but not limited to, Section 64.5 of Title 10 of the NYCRR, to the extent necessary to permit a nurse practitioner to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician;|
- Subdivision (15) of section 3001, and Sections 800.3, 800.15 and 800.16 of Title 10 of the NYCRR with approval of the department, to the extent necessary to define “medical control” to include emergency and non-emergency direction to all emergency medical services personnel by a regional or state medical control center and to permit emergency medical services personnel to operate under the advice and direction of a nurse practitioner, physician assistant, or paramedic, provided that such medical professional is providing care under the supervision of a physician and pursuant to a plan approved by the Department of Health;
- **Subdivision (2) of section 6527, Section 6545, and Subdivision (1) of Section 6909 of the Education Law, to the extent necessary to provide that all physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing**

**medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional;**

- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice as a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- Notwithstanding any law or regulation to the contrary, health care providers are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to, requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirements to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records under Subdivision 32 of Section 6530 of the Education Law, Paragraph (3) of Subdivision (a) of Section 29.2 of Title 8 of the NYCRR, and Sections 58-1.11, 405.10, and 415.22 of Title 10 of the NYCRR, or any other such laws or regulations are suspended or modified to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak;
- Section 405.45 of Title 10 of the NYCRR to the extent necessary to permit the Commissioner of Health to designate a health care facility as a trauma center, or extend or modify the period for which a health care facility may be designated as a trauma center, or modify the review team for assessment of trauma center;
- Sections 800.3, 800.8, 800.9, 800.10, 800.12, 800.17, 800.18, 800.23, 800.24, and 800.26 of Title 10 of the NYCRR to the extent necessary to extend all existing emergency medical services provider certifications for one year; to permit the Commissioner of Health to modify the examination or recertification requirements for emergency medical services provider certifications; to suspend or modify, at the discretion of the Commissioner of Health, any requirements for the recertification of previously certified emergency medical services providers; and, at the discretion of the Commissioner of Health, develop a process determined by the Department of Health, to permit any emergency medical services provider certified or licensed by another State to provide emergency medical services within New York state; at the discretion of the Commissioner of Health, to suspend or modify equipment or

- vehicle requirements in order to ensure sustainability of EMS operations;
- Paragraph (6) of subdivision (b) of part 405.4 of Title 10 of the NYCRR to the extent necessary to remove limits on working hours for physicians and postgraduate trainees;
  - Subparagraph (ii) of paragraph (2) of subdivision (g) of 10 N.Y.C.R.R. section 405.4, to the extent necessary to allow graduates of foreign medical schools having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education;
  - Subdivision (e) of section 405.2 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals affected by the disaster emergency to maintain adequate staffing;
  - Subdivision (b) of section 405.3 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals to use qualified volunteers or personnel affiliated with different general hospitals, subject to the terms and conditions established by the Commissioner of Health;
  - Section 3507 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
  - Sections 3502 and 3505 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in any state in the United State to practice in New York State without civil or criminal penalty related to lack of licensure;
  - Sections 8502, 8504, 8504-a, 8505, and 8507 of the Education Law and Subpart 79-4 of Title 8 of the NYCRR, to the extent necessary to allow respiratory therapists licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure;
  - Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow physician's assistants licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
  - Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow registered professional nurses, licensed practical nurses and nurse practitioners licensed and in current good standing in New York State but not registered in New

York State to practice in New York State without civil or criminal penalty related to lack of registration;

- Subdivision (2-b) of Section 4002 of the Public Health Law to the extent necessary to allow a hospice residence to designate any number of beds within such facility as dually certified inpatient beds;
- Title V of Article 5 of the Public Health Law and subparts 19 and 58 of Title 10 of the NYCRR, to the extent necessary to allow laboratories holding a Clinical Laboratory Improvement Acts (CLIA) certificate and meeting the CLIA quality standards described in 42 CFR Subparts H, J, K and M, to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection;
- Article 139 of the Education Law, Section 576-b of the Public Health Law and Section 58-1.7 of Title 10 of the NYCRR, to the extent necessary to permit registered nurses to order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and
- Subdivision (1) of Section 6801 of the Education Law, Section 6832 of the Education Law and Section 29.7(a)(21)(ii)(b)(4) of Title 8 of the NYCRR, to the extent necessary to permit a certified or registered pharmacy technician, under the direct personal supervision of a licensed pharmacist, to assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders for a home infusion provider licensed as a pharmacy in New York, compliant with the United States Pharmacopeia General Chapter 797 standards for Pharmaceutical Compounding – sterile preparations, and providing home infusion services through a home care agency licensed under Article 36 of the Public Health Law.

**IN ADDITION**, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through April 22, 2020:

- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- The Commissioner of Health is authorized to direct, and shall so direct, all general hospitals, ambulatory surgery centers, office-based surgery practices and diagnostic and treatment centers to increase the number of beds available to patients,

including by canceling all elective surgeries and procedures, as the Commissioner of Health shall define. General hospitals shall comply with such order by submitting COVID-19 Plans to the New York State Department of Health (NYSDOH), on a schedule to be determined by NYSDOH, to accomplish this purpose;

- The Commissioner of Health is authorized to suspend or revoke the operating certificate of any general hospital should they be unable to meet the requirements of the necessary capacity directives; and notwithstanding any law to the contrary the Commissioner may appoint a receiver to continue the operations on 24 hours' notice to the current operator, in order to preserve the life, health and safety of the people of the State of New York.
- No pharmacist shall dispense hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; or as part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19, with such test result documented as part of the prescription. No other experimental or prophylactic use shall be permitted, and any permitted prescription is limited to one fourteen day prescription with no refills.
- Any licensed health insurance company shall deliver to the Superintendent, no later than March 24, 2020 a list of all persons who have a professional licensure or degree, whether physician's assistant, medical doctor, licensed registered nurse, licensed nurse practitioner or licensed practical nurse, and whether or not the person has a currently valid, or recently (within past five years) expired license in the state of New York. The Department of Financial Services shall poll such individuals to determine whether or not such professionals would serve in the COVID-19 response effort.
- Non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations or other social events) are canceled or postponed at this time.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twenty-third day of March in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

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**From:** [Spillane, Ann](#)  
**To:** [Crane, Anna](#)  
**Subject:** FW: Executive Order to protect Healthcare Workers  
**Date:** Wednesday, March 25, 2020 8:00:37 PM  
**Attachments:**  [Image001.png](#)  
 [Declaration.pdf](#)

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FYI

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**From:** Hynes, Dan  
**Sent:** Wednesday, March 25, 2020 2:26 PM  
**To:** Spillane, Ann ; Lerner, Scott  
**Subject:** Fwd: Executive Order to protect Healthcare Workers  
For legal team consideration.  
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**From:** Atkinson, John <[John.Atkinson@WillisTowersWatson.com](mailto:John.Atkinson@WillisTowersWatson.com)>  
**Sent:** Tuesday, March 24, 2020 7:10:39 PM  
**To:** Hynes, Dan <[Dan.Hynes@Illinois.gov](mailto:Dan.Hynes@Illinois.gov)>  
**Cc:** Duarte, Lisa <[Lisa.Duarte@Illinois.gov](mailto:Lisa.Duarte@Illinois.gov)>  
**Subject:** [External] Executive Order to protect Healthcare Workers

Dan:

I know the team is taxed but you guys are doing an amazing job under tough circumstances. This is affecting so many people as you know. Our 25 year old has it, hopefully a mild case. She is isolated at home.

Wanted to flag this for you. At some point Illinois should consider what a few states have done which is make healthcare workers and organizations who are on the front lines immune from tort/civil liability as they fight aggressively and standards of care evolve.

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**John Atkinson**

Executive Vice President, Managing Director

**Willis Towers Watson**

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## EXECUTIVE ORDER

### **Continuing Temporary Suspension and Modification of Laws Relating to the Disaster Emergency**

**WHEREAS**, on March 7, 2020, I issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York;

**WHEREAS**, both travel-related cases and community contact transmission of COVID-19 have been documented in New York State and are expected to be continue;

**WHEREAS**, ensuring the State of New York has adequate bed capacity, supplies, and providers to treat patients affected with COVID-19, as well as patients afflicted with other maladies, is of critical importance; and

**WHEREAS**, eliminating any obstacle to the provision of supplies and medical treatment is necessary to ensure the New York healthcare system has adequate capacity to provide care to all who need it;

**NOW, THEREFORE**, I, Andrew M. Cuomo, Governor of the State of New York, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to temporarily suspend or modify any statute, local law, ordinance, order, rule, or regulation, or parts thereof, of any agency during a State disaster emergency, if compliance with such statute, local law, ordinance, order, rule, or regulation would prevent, hinder, or delay action necessary to cope with the disaster emergency or if necessary to assist or aid in coping with such disaster, I hereby temporarily suspend or modify, for the period from the date of this Executive Order through April 22, 2020 the following:

- Section 2803 of the Public Health Law, and Parts 400, 401, 405, 409, 710, 711 and 712 of Title 10 of the NYCRR, to the extent necessary to permit and require general hospitals to take all measures necessary to increase the number of beds available to patients, in accordance with the directives set forth in this Executive Order;
- Section 3001, 3005-a, 3008, and 3010 of the Public Health Law to the extent necessary to modify the definition of “emergency medical services” to include emergency, non-emergency and low acuity medical assistance; to eliminate any restrictions on an approved ambulance services or providers operating outside of the primary territory listed on such ambulance service’s operating certificate with prior approval by the Department of Health; to permit the Commissioner of Health to issue provisional emergency medical services provider certifications to qualified individuals with modified certification periods as approved; and to allow emergency medical services to transport patients to locations other than healthcare facilities with prior approval by Department of Health;
- Section 3002, 3002-a, 3003, and 3004-a of Public Health Law to the extent necessary to allow any emergency medical treatment protocol development or modification to

occur solely with the approval of the Commissioner of Health;

- Sections 405.13 and 755.4 of Title 10 of the NYCRR to the extent necessary to permit an advanced practice registered nurse with a doctorate or master's degree specializing in the administration of anesthesia administering anesthesia in a general hospital or free-standing ambulatory surgery center without the supervision of a qualified physician in these health care settings;
- Paragraph 1 of Section 6542 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a physician assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Paragraph 1 of Section 6549 of the Education Law and Subdivisions (a) and (b) of Section 94.2 of Title 10 of the NYCRR to the extent necessary to permit a specialist assistant to provide medical services appropriate to their education, training and experience without oversight from a supervising physician without civil or criminal penalty related to a lack of oversight by a supervising physician;
- Subdivision (3) of Section 6902 of Education Law, and any associated regulations, including, but not limited to, Section 64.5 of Title 10 of the NYCRR, to the extent necessary to permit a nurse practitioner to provide medical services appropriate to their education, training and experience, without a written practice agreement, or collaborative relationship with a physician, without civil or criminal penalty related to a lack of written practice agreement, or collaborative relationship, with a physician;|
- Subdivision (15) of section 3001, and Sections 800.3, 800.15 and 800.16 of Title 10 of the NYCRR with approval of the department, to the extent necessary to define “medical control” to include emergency and non-emergency direction to all emergency medical services personnel by a regional or state medical control center and to permit emergency medical services personnel to operate under the advice and direction of a nurse practitioner, physician assistant, or paramedic, provided that such medical professional is providing care under the supervision of a physician and pursuant to a plan approved by the Department of Health;
- **Subdivision (2) of section 6527, Section 6545, and Subdivision (1) of Section 6909 of the Education Law, to the extent necessary to provide that all physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly as a result of an act or omission by such medical professional in the course of providing**

**medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence of such medical professional;**

- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice as a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- Notwithstanding any law or regulation to the contrary, health care providers are relieved of recordkeeping requirements to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak, including, but not limited to, requirements to maintain medical records that accurately reflect the evaluation and treatment of patients, or requirements to assign diagnostic codes or to create or maintain other records for billing purposes. Any person acting reasonably and in good faith under this provision shall be afforded absolute immunity from liability for any failure to comply with any recordkeeping requirement. In order to protect from liability any person acting reasonably and in good faith under this provision, requirements to maintain medical records under Subdivision 32 of Section 6530 of the Education Law, Paragraph (3) of Subdivision (a) of Section 29.2 of Title 8 of the NYCRR, and Sections 58-1.11, 405.10, and 415.22 of Title 10 of the NYCRR, or any other such laws or regulations are suspended or modified to the extent necessary for health care providers to perform tasks as may be necessary to respond to the COVID-19 outbreak;
- Section 405.45 of Title 10 of the NYCRR to the extent necessary to permit the Commissioner of Health to designate a health care facility as a trauma center, or extend or modify the period for which a health care facility may be designated as a trauma center, or modify the review team for assessment of trauma center;
- Sections 800.3, 800.8, 800.9, 800.10, 800.12, 800.17, 800.18, 800.23, 800.24, and 800.26 of Title 10 of the NYCRR to the extent necessary to extend all existing emergency medical services provider certifications for one year; to permit the Commissioner of Health to modify the examination or recertification requirements for emergency medical services provider certifications; to suspend or modify, at the discretion of the Commissioner of Health, any requirements for the recertification of previously certified emergency medical services providers; and, at the discretion of the Commissioner of Health, develop a process determined by the Department of Health, to permit any emergency medical services provider certified or licensed by another State to provide emergency medical services within New York state; at the discretion of the Commissioner of Health, to suspend or modify equipment or

- vehicle requirements in order to ensure sustainability of EMS operations;
- Paragraph (6) of subdivision (b) of part 405.4 of Title 10 of the NYCRR to the extent necessary to remove limits on working hours for physicians and postgraduate trainees;
  - Subparagraph (ii) of paragraph (2) of subdivision (g) of 10 N.Y.C.R.R. section 405.4, to the extent necessary to allow graduates of foreign medical schools having at least one year of graduate medical education to provide patient care in hospitals, is modified so as to allow such graduates without licenses to provide patient care in hospitals if they have completed at least one year of graduate medical education;
  - Subdivision (e) of section 405.2 of Title 10 of the NYCRR, to the extent necessary to permit general hospitals affected by the disaster emergency to maintain adequate staffing;
  - Subdivision (b) of section 405.3 of Title 10 of the NYCRR, to the extent necessary to allow general hospitals to use qualified volunteers or personnel affiliated with different general hospitals, subject to the terms and conditions established by the Commissioner of Health;
  - Section 3507 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
  - Sections 3502 and 3505 of the Public Health Law and Part 89 of Title 10 of the NYCRR to the extent necessary to permit radiologic technologists licensed and in current good standing in any state in the United State to practice in New York State without civil or criminal penalty related to lack of licensure;
  - Sections 8502, 8504, 8504-a, 8505, and 8507 of the Education Law and Subpart 79-4 of Title 8 of the NYCRR, to the extent necessary to allow respiratory therapists licensed and in current good standing in any state in the United States to practice in New York State without civil or criminal penalty related to lack of licensure;
  - Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow physician's assistants licensed and in current good standing in New York State but not registered in New York State to practice in New York State without civil or criminal penalty related to lack of registration;
  - Section 6502 of the Education Law and 8 NYCRR 59.8, to the extent necessary to allow registered professional nurses, licensed practical nurses and nurse practitioners licensed and in current good standing in New York State but not registered in New

York State to practice in New York State without civil or criminal penalty related to lack of registration;

- Subdivision (2-b) of Section 4002 of the Public Health Law to the extent necessary to allow a hospice residence to designate any number of beds within such facility as dually certified inpatient beds;
- Title V of Article 5 of the Public Health Law and subparts 19 and 58 of Title 10 of the NYCRR, to the extent necessary to allow laboratories holding a Clinical Laboratory Improvement Acts (CLIA) certificate and meeting the CLIA quality standards described in 42 CFR Subparts H, J, K and M, to perform testing for the detection of SARS-CoV-2 in specimens collected from individuals suspected of suffering from a COVID-19 infection;
- Article 139 of the Education Law, Section 576-b of the Public Health Law and Section 58-1.7 of Title 10 of the NYCRR, to the extent necessary to permit registered nurses to order the collection of throat or nasopharyngeal swab specimens from individuals suspected of being infected by COVID-19, for purposes of testing; and
- Subdivision (1) of Section 6801 of the Education Law, Section 6832 of the Education Law and Section 29.7(a)(21)(ii)(b)(4) of Title 8 of the NYCRR, to the extent necessary to permit a certified or registered pharmacy technician, under the direct personal supervision of a licensed pharmacist, to assist such licensed pharmacist, as directed, in compounding, preparing, labeling, or dispensing of drugs used to fill valid prescriptions or medication orders for a home infusion provider licensed as a pharmacy in New York, compliant with the United States Pharmacopeia General Chapter 797 standards for Pharmaceutical Compounding – sterile preparations, and providing home infusion services through a home care agency licensed under Article 36 of the Public Health Law.

**IN ADDITION**, by virtue of the authority vested in me by Section 29-a of Article 2-B of the Executive Law to issue any directive during a disaster emergency necessary to cope with the disaster, I hereby issue the following directives for the period from the date of this Executive Order through April 22, 2020:

- Any healthcare facility is authorized to allow students, in programs to become licensed in New York State to practice a healthcare professional, to volunteer at the healthcare facility for educational credit as if the student had secured a placement under a clinical affiliation agreement, without entering into any such clinical affiliation agreement;
- The Commissioner of Health is authorized to direct, and shall so direct, all general hospitals, ambulatory surgery centers, office-based surgery practices and diagnostic and treatment centers to increase the number of beds available to patients,

including by canceling all elective surgeries and procedures, as the Commissioner of Health shall define. General hospitals shall comply with such order by submitting COVID-19 Plans to the New York State Department of Health (NYSDOH), on a schedule to be determined by NYSDOH, to accomplish this purpose;

- The Commissioner of Health is authorized to suspend or revoke the operating certificate of any general hospital should they be unable to meet the requirements of the necessary capacity directives; and notwithstanding any law to the contrary the Commissioner may appoint a receiver to continue the operations on 24 hours' notice to the current operator, in order to preserve the life, health and safety of the people of the State of New York.
- No pharmacist shall dispense hydroxychloroquine or chloroquine except when written as prescribed for an FDA-approved indication; or as part of a state approved clinical trial related to COVID-19 for a patient who has tested positive for COVID-19, with such test result documented as part of the prescription. No other experimental or prophylactic use shall be permitted, and any permitted prescription is limited to one fourteen day prescription with no refills.
- Any licensed health insurance company shall deliver to the Superintendent, no later than March 24, 2020 a list of all persons who have a professional licensure or degree, whether physician's assistant, medical doctor, licensed registered nurse, licensed nurse practitioner or licensed practical nurse, and whether or not the person has a currently valid, or recently (within past five years) expired license in the state of New York. The Department of Financial Services shall poll such individuals to determine whether or not such professionals would serve in the COVID-19 response effort.
- Non-essential gatherings of individuals of any size for any reason (e.g. parties, celebrations or other social events) are canceled or postponed at this time.

G I V E N under my hand and the Privy Seal of the State in the City of Albany this twenty-third day of March in the year two thousand twenty.

BY THE GOVERNOR

Secretary to the Governor

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**From:** [Spillane, Ann](#)  
**To:** [Crane, Anna](#)  
**Subject:** RE: COVID Regulatory Response Proposal  
**Date:** Wednesday, March 25, 2020 7:32:39 PM

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Hi,

I'll read the draft to Carl in just a minute.

I'm in a meeting with the Governor and the City. [REDACTED]

[REDACTED]

Thank you,

Ann

---

**From:** Crane, Anna  
**Sent:** Wednesday, March 25, 2020 6:57 PM  
**To:** Spillane, Ann  
**Subject:** FW: COVID Regulatory Response Proposal

*Hi Ann* – [REDACTED]

Carl –

[REDACTED]



[REDACTED]

Thanks very much,  
Anna

---

**From:** Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)>  
**Sent:** Wednesday, March 25, 2020 5:36 AM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** [External] Re: COVID Regulatory Response Proposal

Ann & Anna:  
Regarding the issues in the below email: Yesterday Dr Omar Lateef spoke to the Governor at the press conference and mentioned the emergency funding idea. The Governor responded favorably and told him to send the proposal to him and Deputy Governor Dan Hynes. We will send it this AM and I will forward you a copy. Also the IHA and a large group of hospitals will be sending the Governor a letter on the liability issue noted in the email below.  
If you have any more information on the other items, please give me a call. Thanks again for your help and consideration.  
Carl

**Carl Bergetz**  
General Counsel  
**RUSH** Legal | [1700 West Van Buren, Suite 301 | Chicago, IL 60612](#)  
p: [\(312\) 942-6886](tel:(312)942-6886) | f: [\(312\) 942-4233](tel:(312)942-4233) | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)



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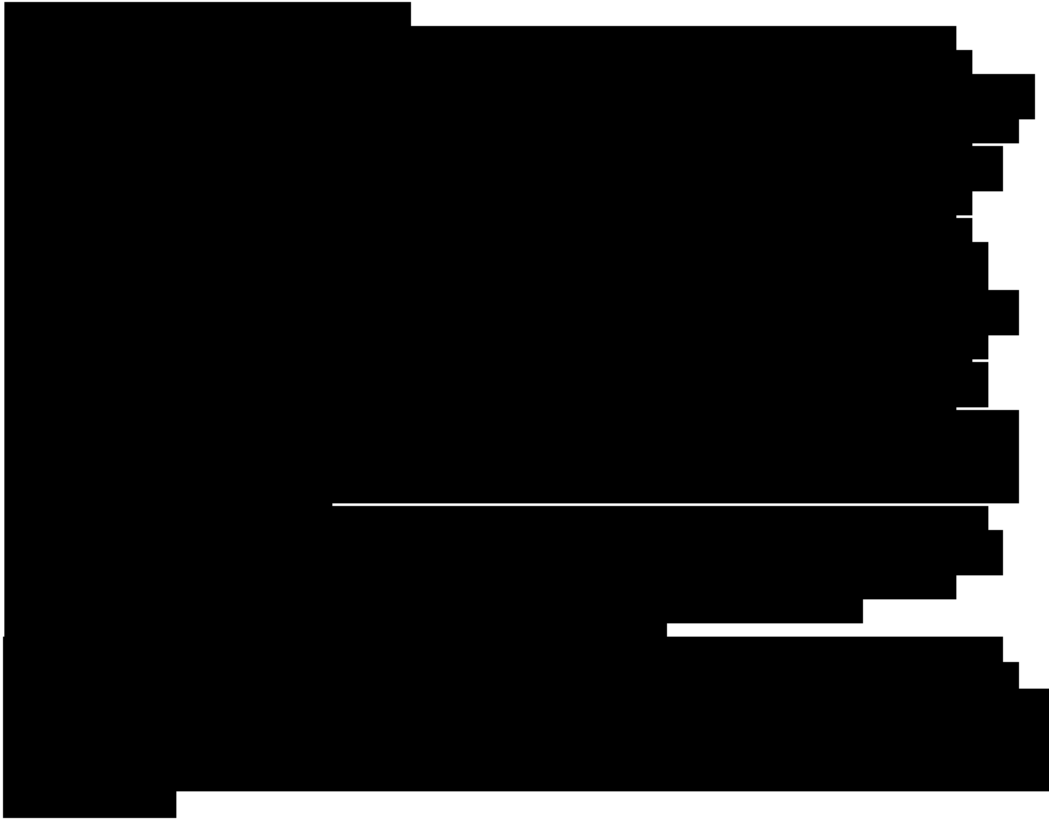
On Mar 23, 2020, at 23:41, Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)> wrote:

Ann:  
Following up on our call, here are some explanations and questions relative to your email below and the regulatory proposal we sent this AM:  
[Reciprocal Licensing](#)  
Under the IDFPR change, retired providers or providers whose license lapsed are being allowed to practice, but they still need to fill out an application and get licensed. While

it says the applications will be expedited, we are not sure what that means. It would be more effective for purposes of the crisis to have them able to practice while this is pending or have 90 days after they start practicing to get licensed.

Waivers on Facilities

For the IDPH waiver piece, is IDPH still requiring change notifications but reviewing them once received from existing facilities within 24 hours? We just want to clarify if we are expected to keep updating IDPH every time we change something, e.g. add beds or change the type of bed, as it would be far more effective during the crisis to have a broader waiver that would allow such relatively minor changes within certain parameters for some longer period of time.



Additional Request

As to the general requests for emergency funding assistance we have made (like the IHA and others), we have an idea relative to Medicaid arrearage and private payer reimbursements. Payments from public and private payers are dramatically down during this period, yet private payers still collect premiums and Medicaid is around 300 days in arrears. We have some ideas relating to that dynamic and imbalance and how the Governor could help address the funding problem for hospitals and providers during the crisis. Our current CEO, Dr Omar Lateef, a critical care pulmonologist, and our former CEO, Dr Larry Goodman, an infectious disease specialist, would like to see if they could WebEx with the Governor and your office and discuss the data and projections and this emergency funding idea.

Ann, any help you could provide on this would be most appreciated. Let me know what you think and if you can help arrange something. Your office has been incredibly helpful already and we thank you for that as we meet the pandemic head on.

Carl

**Carl Bergetz**

General Counsel

**RUSH** Legal | 1700 West Van Buren, Suite 301 | Chicago, IL 60612

p: (312) 942-6886 | f: (312) 942-4233 | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)

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**From:** Spillane, Ann [<mailto:Ann.Spillane@Illinois.gov>]

**Sent:** Monday, March 23, 2020 2:07 PM

**To:** Carl Bergetz; Crane, Anna

**Subject:** RE: COVID Regulatory Response Proposal

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Carl,

Thank you for sending this – it's incredibly helpful to have Rush's issues all in one place. As I mentioned when we called a few minutes ago, our office is also working with IHA on the longer list of issues.

Just to follow up on a few of the issues you raised:

The reciprocal licensing (page 11) is done, with the temporary application available on IDFPR's website. If your colleagues think what we've done does not fully address this issue, please let us know so we can follow up. The issues relating to waiver of specific hospital facility requirements (page 13) are currently being worked on at IDPH. They should be at a 24-hour turnaround for changes to existing facilities and will keep moving faster on that as needed. Anna will follow up with IDPH on the issues around new/temporary locations. With regard to the long term acute care/skilled nursing facilities issue (page 17), it's my understanding that the long term care association and hospitals have started to discuss this. We expect to get updates and will dive in as needed. Finally, on telehealth (page 18), I just asked two of my colleagues to look right away at the requested expansion of the telehealth changes in EO-7.

Let's discuss the liability issue when you have a chance to send more info. We are researching that on our end as well.

Thank you again,

Ann

**From:** Carl Bergetz <[Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)>

**Sent:** Monday, March 23, 2020 10:10 AM

**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** [External] COVID Regulatory Response Proposal

Ann:

Please see the attached presentation we assembled providing an overview of our data analytics team's projections of the COVID-19 situation and the impact on Illinois hospitals and the public, as well as some proposals we are making relative to regulatory waivers and logistical assistance. We understand the IHA is also advancing some similar ideas and we are on the same page. If you would like, our leadership would like to host a Webex to go over these slides with your office and IDPH.

Thank you for your help and consideration, and please take care.

Carl

**Carl Bergetz**

General Counsel

**RUSH** Legal | 1700 West Van Buren, Suite 301 | Chicago, IL 60612

p: (312) 942-6886 | f: (312) 942-4233 | [Carl\\_Bergetz@rush.edu](mailto:Carl_Bergetz@rush.edu)

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**From:** [Gross, David](#)  
**To:** [Spillane, Ann](#)  
**Subject:** [External] RE: IHA request for liability EO  
**Date:** Wednesday, March 25, 2020 1:15:07 PM

---

Sounds good—thanks

---

**From:** Spillane, Ann  
**Sent:** Wednesday, March 25, 2020 1:14 PM  
**To:** Gross, David  
**Cc:** Crane, Anna  
**Subject:** [EXTERNAL] RE: IHA request for liability EO

Dave –

I think the best next step is for Karen Harris to email me and Anna Crane, Associate General Counsel in the Governor's Office (and cc'd here), and we can set up a call. We are actively looking into this issue and would welcome a chance to talk through the legal analysis and background info with Karen.

Thank you. I hope you are well and holding up ok in this crisis.

Ann

---

**From:** Gross, David <[DGross@team-ih.org](mailto:DGross@team-ih.org)>  
**Sent:** Wednesday, March 25, 2020 9:10 AM  
**To:** Spillane, Ann <[Ann.Spillane@Illinois.gov](mailto:Ann.Spillane@Illinois.gov)>  
**Subject:** [External] IHA request for liability EO

Ann,

Our hospitals want the IHA to request an EO liability waiver from the administration. If possible, I would like to have Karen Harris (IHA's GC) reach out to you to discuss. Karen has been holding conference calls with our academic and large system members on the subject and she can explain their serious concerns.

Certainly appreciate all of the good work your team is putting in to help our members get through this extraordinary event.

Stay safe,

Dave

Harris, Karen [KHarris@team-ih.org](mailto:KHarris@team-ih.org) c:7732945862



**Dave Gross** | Senior Vice President | Government Relations  
T 217-541-1161 | M 217-836-3303 | [dgross@team-ih.org](mailto:dgross@team-ih.org)  
**Illinois Health and Hospital Association**  
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**From:** [Berger-White, Juliet](#)  
**To:** [Locke, Jeffrey](#)  
**Cc:** [Lerner, Scott](#); [Crane, Anna](#); [Dedon, Lauren](#); [Collier, Pat](#); [Ramos, Maribel](#); [Varn, Jake](#); [Ott, Mary Catherine](#); [Block, Lauren](#)  
**Subject:** RE: [EXTERNAL] Follow up from NGA  
**Date:** Wednesday, March 25, 2020 7:29:14 AM

---

Jeff – Thank you for this quick and very helpful response. We are very appreciative.

---

**From:** Locke, Jeffrey

**Sent:** Wednesday, March 25, 2020 7:13 AM

**To:** Berger-White, Juliet

**Cc:** Lerner, Scott ; Crane, Anna ; Dedon, Lauren ; Collier, Pat ; Ramos, Maribel ; Varn, Jake ; Ott, Mary Catherine ; Block, Lauren

**Subject:** [External] RE: [EXTERNAL] Follow up from NGA

Juliet,

Thanks again for reaching out. Here's a few updates while we await further information on a couple points:

1. Health care liability. Not sure if you've seen the attached from Network for Public Health Law (2017), but it's a pretty good overview of liability protections in non-emergencies and emergency periods. The paper highlights relevant federal and state statutes and highlights some examples. The attached piece may be helpful in reviewing federal and state statutes/examples that may be helpful. I've rolled up some the more pertinent state examples below:
  - a. Some states may deem volunteers to be employees for liability purposes, extending coverage under EMAC to all volunteers deployed under the compact. See, .e.g., UTAH CODE ANN. § 26-49-301(2).
  - b. As of 2011, 40 states and DC had enacted legislation based on MSEHPA with 24 enacting § 804 of MSEHPA providing immunity for state and private actors. For example, Louisiana's LA. REV. STAT. ANN. § 29:771(B)(2)(c) provides that during a public health emergency, governmental entities, their agents and officials, and individuals, entities, and employees of entities that render assistance or advice at the request of a government entity or perform acts under a contract or at the direction of a governmental entity are not liable for damage and injury resulting from emergency response efforts. See also New Jersey's N.J. Stat. Ann. § 26:13- 19 including public entity volunteers.
  - c. Arizona's ARIZ. REV. STAT. § 36-790 provides civil and criminal immunity to HCWs participating in quarantine or isolation procedures if they act in good faith.
  - d. CAL. GOV. CODE § 8659. California Emergency Services Act protects hospitals, physicians, pharmacists, and dentists from civil liability for services provided during a state of war, emergency, or local emergency at the express or implied request of a state or local official or agency.
  - e. Nevada's NEV. REV. STAT. § 415A.270 adopts the UEVHPA and protects from liability all Volunteer Health Professionals who provide health services, absent willful, wanton, grossly negligent, reckless, or criminal conduct. UEVHPA protects the entities hosting or deploying volunteers from vicarious liability.
  - f. WYO. STAT. ANN. § 35-4-114. "Health care providers who are retired, who have an inactive license or who are licensed in another state without a valid Wyoming license and while performing as a volunteer" are immune from liability arising from compliance with instructions of the state health officer during a declared public health emergency.
  - g. Federal Volunteer Protection Act, 42 U.S.C. § 14503(a) (2000), provides liability protection

to uncompensated volunteers for nonprofit organizations and governmental entities for acts within volunteer's scope of duty and licensure (if applicable). Liability protections do not apply to "willful or criminal misconduct, gross negligence, [or] reckless conduct" or harm caused by operation of motor vehicles.

- h. New Hampshire has also opted out of the Federal VPA.
- i. California's CAL. HEALTH & SAFETY CODE § 1799.106 provides that individuals (firefighters, police officers, other law enforcement, EMTs, and RNs and public agencies employing them) who provide emergency medical services are not liable for actions performed in good faith. Delaware's DEL. CODE ANN. tit. 16, § 6801(a) provides liability protections to members or employees of nonprofit volunteer or governmental ambulance, rescue, or emergency units.
- j. New York's N.Y. EXEC. LAW § 29-b(1) provides state, county, and city emergency management directors, personnel, and their agents, and disaster emergency response personnel (including agencies, public officers, employees, and volunteers) the same broad immunities as participants in civil defense drills during official disaster preparedness and response efforts.
- k. Maine's ME. REV. STAT. ANN. tit. 22, § 816(1) provides immunity from civil liability for private institutions and their employees or agents as if they were a state agency or employees for actions related to the control of communicable diseases during a declared extreme public health emergency.
- l. New Jersey's N.J. STAT. ANN. § 26:13-19 provides that public entities and their agents, employees, and volunteers are granted civil immunity for injuries caused in connection with a public health emergency. Immunity also applies to persons or private entities that own property used in response to a public health emergency. Missouri's MO. ANN. STAT. § 44.023 immunizes volunteer architects, professional engineers, construction contractors, equipment dealers and others as needed during an emergency.

2. Re: expenditures. [REDACTED]

We'll be in touch. Let us know if there's additional questions as you review.  
Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Sent:** Tuesday, March 24, 2020 1:59 PM  
**To:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>  
**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Dedon, Lauren

<[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>

**Subject:** RE: [EXTERNAL] Follow up from NGA

Great, thank you!

---

**From:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>

**Sent:** Tuesday, March 24, 2020 12:59 PM

**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Dedon, Lauren <[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>

**Subject:** [External] RE: [EXTERNAL] Follow up from NGA

Juliet,

Thanks for this. Let me loop with folks and get back with you on these questions.

Jeff

---

**From:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Sent:** Tuesday, March 24, 2020 1:16 PM

**To:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>

**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** FW: [EXTERNAL] Follow up from NGA

Jeff:

I hope you are hanging in there. I have a few follow up questions for you.

1. Issue #1 addressed below is "Assessing whether other states have pursued specific liability protections/sovereign immunity protections for health care providers with COVID responses." We are working through that issue now and wanted to know if you have any additional resources or information on this point from other states.

2. [REDACTED]

We greatly appreciate your partnership during this time. Please let me know if you have questions about any of the above.

Sincerely,

Juliet

---

**From:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>

**Sent:** Wednesday, March 18, 2020 4:28 PM

**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>

**Cc:** Dedon, Lauren <[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>; McLeod, Jeffrey <[JMcLeod@NGA.ORG](mailto:JMcLeod@NGA.ORG)>; Ott, Mary Catherine <[mcott@nga.org](mailto:mcott@nga.org)>; Collier, Pat <[Pat.Collier@Illinois.gov](mailto:Pat.Collier@Illinois.gov)>; Singh, Aditi <[Aditi.Singh@Illinois.gov](mailto:Aditi.Singh@Illinois.gov)>; Jacobus, Reeve <[jreeve@nga.org](mailto:jreeve@nga.org)>

**Subject:** [External] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] FW: NGA CALL WITH GOVERNORS' LEGAL COUNSEL TUESDAY, MARCH 17 12:00 P.M (EST)



Juliet,

Thanks again for our discussion this morning. Adding back some colleagues and Pat and Aditi to the chain.

For next steps, I had the following asks in my notes, with our responses in bullets:

1. Assessing whether other states have pursued specific liability protections/sovereign immunity protections for health care providers with COVID responses
  - We are working on evaluating the liability protection question with colleagues.
2. Providing an update on what we've seen on criminal justice-related responses from states around COVID
  - Please see the attached memorandum with our tracker of justice-related activities in this space. We are also sending Additi a roll-up email tonight/tomorrow am with notes from our corrections and COVID call yesterday.
3. Identifying points of contact for potential follow-up in CA, NY, MA, and WA. The following persons can connect you with specific counsels and advisors in their respective state governments:
  - CA: Katie Mathews, Director  
Governor Gavin Newsom  
Washington Office of the Governor  
444 North Capitol Street NW #134  
Washington, D.C. 20001  
202-624-5275  
Cell: 202-716-2100  
Fax: 202-624-5280  
[katie.wheelermathews@wdc.ca.gov](mailto:katie.wheelermathews@wdc.ca.gov)
  - NY: Alexander Cochran, Special Counsel  
Governor Andrew Cuomo  
Washington Office of the Governor  
444 North Capitol Street NW #301  
Washington, D.C. 20001  
202-434-7100  
[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
  - MA: Kevin McColaugh, Director  
Governor Charlie Baker  
Washington Office of the Governor  
44 North Capitol Street NW #315  
202-624-3616  
[kevin.mccolaugh@state.ma.us](mailto:kevin.mccolaugh@state.ma.us)
  - WA: Casey Katims, Director  
Governor Jay Inslee  
Washington Office of the Governor  
444 North Capitol Street NW #372  
Washington, D.C. 20001  
202-624-3546  
CELL: 360-999-0155  
[casey.katims@gov.wa.gov](mailto:casey.katims@gov.wa.gov)
4. Highlighting state actions on sick time, unemployment, and health insurance
  - There's some health care and related roll-ups by states that might be helpful. Here is a new KFF state action tracker: <https://www.kff.org/health-costs/issue-brief/state-data-and-policy->

[actions-to-address-coronavirus/?utm\\_campaign=KFF-2020-Global-Health-Policy-GHP&utm\\_source=hs\\_email&utm\\_medium=email&utm\\_content=84930378&hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ](https://www.nga.org/coronavirus/?utm_campaign=KFF-2020-Global-Health-Policy-GHP&utm_source=hs_email&utm_medium=email&utm_content=84930378&hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ).

The chart includes sick leave, free vaccine (when available), waiving copays, submitted/approved 1135 waivers, etc. – it's fairly comprehensive from a health care perspective.

- I'm attaching an America's Health Insurance Plans (AHIP) tracker from 3/13 of state actions re: health insurance (e.g. waiving co-pays for COVID-19 testing and treatment, removing prior authorization requirements for COVID-19 services, issuing early refills for prescriptions, prohibiting balance billing by out of network providers) as well.
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**To:** [Berger-White, Juliet](#)  
**Cc:** [Lerner, Scott](#); [Crane, Anna](#); [Dedon, Lauren](#); [Collier, Pat](#); [Ramos, Maribel](#); [Varn, Jake](#); [Ott, Mary Catherine](#); [Block, Lauren](#)  
**Subject:** [External] RE: [EXTERNAL] Follow up from NGA  
**Date:** Wednesday, March 25, 2020 7:13:31 AM  
**Attachments:** [Link to Trump Congress Don't make our drivers employees - POLITICO PRO.pdf](#)  
[Legal-Liability-Protections-for-Emergency-Medical-and-Public-Health-Responses.docx](#)

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  - c. Arizona's ARIZ. REV. STAT. § 36-790 provides civil and criminal immunity to HCWs participating in quarantine or isolation procedures if they act in good faith.
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  - f. WYO. STAT. ANN. § 35-4-114. "Health care providers who are retired, who have an inactive license or who are licensed in another state without a valid Wyoming license and while performing as a volunteer" are immune from liability arising from compliance with instructions of the state health officer during a declared public health emergency.
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  - h. New Hampshire has also opted out of the Federal VPA.
  - i. California's CAL. HEALTH & SAFETY CODE § 1799.106 provides that individuals (firefighters,

police officers, other law enforcement, EMTs, and RNs and public agencies employing them) who provide emergency medical services are not liable for actions performed in good faith. Delaware's DEL. CODE ANN. tit. 16, § 6801(a) provides liability protections to members or employees of nonprofit volunteer or governmental ambulance, rescue, or emergency units.

- j. New York's N.Y. EXEC. LAW § 29-b(1) provides state, county, and city emergency management directors, personnel, and their agents, and disaster emergency response personnel (including agencies, public officers, employees, and volunteers) the same broad immunities as participants in civil defense drills during official disaster preparedness and response efforts.
- k. Maine's ME. REV. STAT. ANN. tit. 22, § 816(1) provides immunity from civil liability for private institutions and their employees or agents as if they were a state agency or employees for actions related to the control of communicable diseases during a declared extreme public health emergency.
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We'll be in touch. Let us know if there's additional questions as you review.  
Jeff

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**Sent:** Tuesday, March 24, 2020 1:59 PM  
**To:** Locke, Jeffrey  
**Cc:** Lerner, Scott ; Crane, Anna ; Dedon, Lauren  
**Subject:** RE: [EXTERNAL] Follow up from NGA  
Great, thank you!

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**Sent:** Tuesday, March 24, 2020 12:59 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Dedon, Lauren

<[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>

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**Sent:** Tuesday, March 24, 2020 1:16 PM

**To:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>

**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** FW: [EXTERNAL] Follow up from NGA

Jeff:

I hope you are hanging in there. I have a few follow up questions for you.

1. Issue #1 addressed below is "Assessing whether other states have pursued specific liability protections/sovereign immunity protections for health care providers with COVID responses." We are working through that issue now and wanted to know if you have any additional resources or information on this point from other states.

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**Subject:** [External] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] FW: NGA CALL WITH GOVERNORS' LEGAL COUNSEL TUESDAY, MARCH 17 12:00 P.M (EST)

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For next steps, I had the following asks in my notes, with our responses in bullets:

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  - We are working on evaluating the liability protection question with colleagues.
2. Providing an update on what we've seen on criminal justice-related responses from states around

## COVID

- Please see the attached memorandum with our tracker of justice-related activities in this space. We are also sending Additi a roll-up email tonight/tomorrow am with notes from our corrections and COVID call yesterday.
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- CA: Katie Mathews, Director  
Governor Gavin Newsom  
Washington Office of the Governor  
444 North Capitol Street NW #134  
Washington, D.C. 20001  
202-624-5275  
Cell: 202-716-2100  
Fax: 202-624-5280  
[katie.wheelermathews@wdc.ca.gov](mailto:katie.wheelermathews@wdc.ca.gov)
  - NY: Alexander Cochran, Special Counsel  
Governor Andrew Cuomo  
Washington Office of the Governor  
444 North Capitol Street NW #301  
Washington, D.C. 20001  
202-434-7100  
[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
  - MA: Kevin McColaugh, Director  
Governor Charlie Baker  
Washington Office of the Governor  
44 North Capitol Street NW #315  
202-624-3616  
[kevin.mccolaugh@state.ma.us](mailto:kevin.mccolaugh@state.ma.us)
  - WA: Casey Katims, Director  
Governor Jay Inslee  
Washington Office of the Governor  
444 North Capitol Street NW #372  
Washington, D.C. 20001  
202-624-3546  
CELL: 360-999-0155  
[casey.katims@gov.wa.gov](mailto:casey.katims@gov.wa.gov)
4. Highlighting state actions on sick time, unemployment, and health insurance
- There's some health care and related roll-ups by states that might be helpful. Here is a new KFF state action tracker: [https://www.kff.org/health-costs/issue-brief/state-data-and-policy-actions-to-address-coronavirus/?utm\\_campaign=KFF-2020-Global-Health-Policy-GHP&utm\\_source=hs\\_email&utm\\_medium=email&utm\\_content=84930378&\\_hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ](https://www.kff.org/health-costs/issue-brief/state-data-and-policy-actions-to-address-coronavirus/?utm_campaign=KFF-2020-Global-Health-Policy-GHP&utm_source=hs_email&utm_medium=email&utm_content=84930378&_hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ).  
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Governor Gavin Newsom  
Washington Office of the Governor  
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Washington, D.C. 20001  
202-624-5275  
Cell: 202-716-2100  
Fax: 202-624-5280  
[katie.wheelermathews@wdc.ca.gov](mailto:katie.wheelermathews@wdc.ca.gov)
  - NY: Alexander Cochran, Special Counsel  
Governor Andrew Cuomo  
Washington Office of the Governor  
444 North Capitol Street NW #301  
Washington, D.C. 20001  
202-434-7100  
[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
  - MA: Kevin McColaugh, Director  
Governor Charlie Baker  
Washington Office of the Governor  
44 North Capitol Street NW #315  
202-624-3616  
[kevin.mccolaugh@state.ma.us](mailto:kevin.mccolaugh@state.ma.us)
  - WA: Casey Katims, Director  
Governor Jay Inslee  
Washington Office of the Governor  
444 North Capitol Street NW #372  
Washington, D.C. 20001  
202-624-3546  
CELL: 360-999-0155  
[casey.katims@gov.wa.gov](mailto:casey.katims@gov.wa.gov)
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Juliet,

Thanks again for reaching out. Here's a few updates while we await further information on a couple points:

1. Health care liability. Not sure if you've seen the attached from Network for Public Health Law (2017), but it's a pretty good overview of liability protections in non-emergencies and emergency periods. The paper highlights relevant federal and state statutes and highlights some examples. The attached piece may be helpful in reviewing federal and state statutes/examples that may be helpful. I've rolled up some the more pertinent state examples below:
  - a. Some states may deem volunteers to be employees for liability purposes, extending coverage under EMAC to all volunteers deployed under the compact. See, .e.g., UTAH CODE ANN. § 26-49-301(2).
  - b. As of 2011, 40 states and DC had enacted legislation based on MSEHPA with 24 enacting § 804 of MSEHPA providing immunity for state and private actors. For example, Louisiana's LA. REV. STAT. ANN. § 29:771(B)(2)(c) provides that during a public health emergency, governmental entities, their agents and officials, and individuals, entities, and employees of entities that render assistance or advice at the request of a government entity or perform acts under a contract or at the direction of a governmental entity are not liable for damage and injury resulting from emergency response efforts. See also New Jersey's N.J. Stat. Ann. § 26:13- 19 including public entity volunteers.
  - c. Arizona's ARIZ. REV. STAT. § 36-790 provides civil and criminal immunity to HCWs participating in quarantine or isolation procedures if they act in good faith.
  - d. CAL. GOV. CODE § 8659. California Emergency Services Act protects hospitals, physicians, pharmacists, and dentists from civil liability for services provided during a state of war, emergency, or local emergency at the express or implied request of a state or local official or agency.
  - e. Nevada's NEV. REV. STAT. § 415A.270 adopts the UEVHPA and protects from liability all Volunteer Health Professionals who provide health services, absent willful, wanton, grossly negligent, reckless, or criminal conduct. UEVHPA protects the entities hosting or deploying volunteers from vicarious liability.
  - f. WYO. STAT. ANN. § 35-4-114. "Health care providers who are retired, who have an inactive license or who are licensed in another state without a valid Wyoming license and while performing as a volunteer" are immune from liability arising from compliance with instructions of the state health officer during a declared public health emergency.
  - g. Federal Volunteer Protection Act, 42 U.S.C. § 14503(a) (2000), provides liability protection to uncompensated volunteers for nonprofit organizations and governmental entities for acts within volunteer's scope of duty and licensure (if applicable). Liability protections do not apply to "willful or criminal misconduct, gross negligence, [or] reckless conduct" or harm caused by operation of motor vehicles.
  - h. New Hampshire has also opted out of the Federal VPA.
  - i. California's CAL. HEALTH & SAFETY CODE § 1799.106 provides that individuals (firefighters,

police officers, other law enforcement, EMTs, and RNs and public agencies employing them) who provide emergency medical services are not liable for actions performed in good faith. Delaware's DEL. CODE ANN. tit. 16, § 6801(a) provides liability protections to members or employees of nonprofit volunteer or governmental ambulance, rescue, or emergency units.

- j. New York's N.Y. EXEC. LAW § 29-b(1) provides state, county, and city emergency management directors, personnel, and their agents, and disaster emergency response personnel (including agencies, public officers, employees, and volunteers) the same broad immunities as participants in civil defense drills during official disaster preparedness and response efforts.
- k. Maine's ME. REV. STAT. ANN. tit. 22, § 816(1) provides immunity from civil liability for private institutions and their employees or agents as if they were a state agency or employees for actions related to the control of communicable diseases during a declared extreme public health emergency.
- l. New Jersey's N.J. STAT. ANN. § 26:13-19 provides that public entities and their agents, employees, and volunteers are granted civil immunity for injuries caused in connection with a public health emergency. Immunity also applies to persons or private entities that own property used in response to a public health emergency. Missouri's MO. ANN. STAT. § 44.023 immunizes volunteer architects, professional engineers, construction contractors, equipment dealers and others as needed during an emergency.

2. Re: expenditures. [REDACTED]

[m/2020/3/23/21190806/uber-coronavirus-driver-protections-economic-stimulus](https://www.illinois.gov/2020/3/23/21190806/uber-coronavirus-driver-protections-economic-stimulus)

We'll be in touch. Let us know if there's additional questions as you review.  
Jeff

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**From:** Berger-White, Juliet  
**Sent:** Tuesday, March 24, 2020 1:59 PM  
**To:** Locke, Jeffrey  
**Cc:** Lerner, Scott ; Crane, Anna ; Dedon, Lauren  
**Subject:** RE: [EXTERNAL] Follow up from NGA  
Great, thank you!

---

**From:** Locke, Jeffrey <[JLocke@NGA.ORG](mailto:JLocke@NGA.ORG)>  
**Sent:** Tuesday, March 24, 2020 12:59 PM  
**To:** Berger-White, Juliet <[Juliet.Berger-White@Illinois.gov](mailto:Juliet.Berger-White@Illinois.gov)>  
**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Dedon, Lauren

<[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>

**Subject:** [External] RE: [EXTERNAL] Follow up from NGA

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Jeff

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**Sent:** Tuesday, March 24, 2020 1:16 PM

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**Cc:** Lerner, Scott <[Scott.Lerner@Illinois.gov](mailto:Scott.Lerner@Illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>

**Subject:** FW: [EXTERNAL] Follow up from NGA

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Sincerely,

Juliet

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**Sent:** Wednesday, March 18, 2020 4:28 PM

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**Cc:** Dedon, Lauren <[LDedon@NGA.ORG](mailto:LDedon@NGA.ORG)>; McLeod, Jeffrey <[JMcLeod@NGA.ORG](mailto:JMcLeod@NGA.ORG)>; Ott, Mary Catherine <[mcott@nga.org](mailto:mcott@nga.org)>; Collier, Pat <[Pat.Collier@Illinois.gov](mailto:Pat.Collier@Illinois.gov)>; Singh, Aditi <[Aditi.Singh@Illinois.gov](mailto:Aditi.Singh@Illinois.gov)>; Jacobus, Reeve <[jreeve@nga.org](mailto:jreeve@nga.org)>

**Subject:** [External] RE: [EXTERNAL] RE: [EXTERNAL] RE: [EXTERNAL] FW: NGA CALL WITH GOVERNORS' LEGAL COUNSEL TUESDAY, MARCH 17 12:00 P.M (EST)

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## COVID

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Washington Office of the Governor  
444 North Capitol Street NW #134  
Washington, D.C. 20001  
202-624-5275  
Cell: 202-716-2100  
Fax: 202-624-5280  
[katie.wheelermathews@wdc.ca.gov](mailto:katie.wheelermathews@wdc.ca.gov)
  - NY: Alexander Cochran, Special Counsel  
Governor Andrew Cuomo  
Washington Office of the Governor  
444 North Capitol Street NW #301  
Washington, D.C. 20001  
202-434-7100  
[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
  - MA: Kevin McColaugh, Director  
Governor Charlie Baker  
Washington Office of the Governor  
44 North Capitol Street NW #315  
202-624-3616  
[kevin.mccolaugh@state.ma.us](mailto:kevin.mccolaugh@state.ma.us)
  - WA: Casey Katims, Director  
Governor Jay Inslee  
Washington Office of the Governor  
444 North Capitol Street NW #372  
Washington, D.C. 20001  
202-624-3546  
CELL: 360-999-0155  
[casey.katims@gov.wa.gov](mailto:casey.katims@gov.wa.gov)
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- There's some health care and related roll-ups by states that might be helpful. Here is a new KFF state action tracker: [https://www.kff.org/health-costs/issue-brief/state-data-and-policy-actions-to-address-coronavirus/?utm\\_campaign=KFF-2020-Global-Health-Policy-GHP&utm\\_source=hs\\_email&utm\\_medium=email&utm\\_content=84930378&\\_hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ](https://www.kff.org/health-costs/issue-brief/state-data-and-policy-actions-to-address-coronavirus/?utm_campaign=KFF-2020-Global-Health-Policy-GHP&utm_source=hs_email&utm_medium=email&utm_content=84930378&_hsenc=p2ANqtz-7J2vINCCevuWhF9K67rV6zYReFZ).  
The chart includes sick leave, free vaccine (when available), waiving copays, submitted/approved 1135 waivers, etc. – it's fairly comprehensive from a health care perspective.
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authorization requirements for COVID-19 services, issuing early refills for prescriptions, prohibiting balance billing by out of network providers) as well.

- We're attempting to track as many state actions on COVID as possible at the NGA website: <https://www.nga.org/coronavirus/>.

5. Potential case law questions/legal issues around shelter in places and businesses, litigation, etc.

- We will continue to look at this question and loop back when we have more.

Please let us know if you have additional questions or technical assistance requests as you move through this period.

Jeff

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**From:** [Gibson, Benjamin \[UCH\]](#)  
**To:** [Flores, Sol](#)  
**Subject:** [External] immunity language  
**Date:** Tuesday, March 24, 2020 4:23:33 PM

---

Hi Deputy Governor, if the Governor is considering an executive order regarding enhancing the bed supply, our attorneys suggested the language below to cover the immunity issue.  
Thanks, Ben

Pursuant to the Illinois Emergency Management Agency Act (20 ILCS 3305 et seq.), all health care facilities and health care providers, including but not limited to, physicians, physician assistants, medical assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses shall be immune from civil liability for any injury or death alleged to have been sustained directly or indirectly as a result of an act or omission by such facility or health care provider in the course of providing medical services in support of the State's response to the COVID-19 outbreak, unless it is established that such injury or death was caused by the gross negligence or willful misconduct of such facility or medical professional.

---

**From:** [Berger-White, Juliet](#)  
**To:** [Locke, Jeffrey](#)  
**Cc:** [Lerner, Scott](#); [Crane, Anna](#); [Dedon, Lauren](#)  
**Subject:** RE: [EXTERNAL] Follow up from NGA  
**Date:** Tuesday, March 24, 2020 12:59:06 PM

---

Great, thank you!

**From:** Locke, Jeffrey  
**Sent:** Tuesday, March 24, 2020 12:59 PM  
**To:** Berger-White, Juliet  
**Cc:** Lerner, Scott ; Crane, Anna ; Dedon, Lauren  
**Subject:** [External] RE: [EXTERNAL] Follow up from NGA

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2. [REDACTED]

We greatly appreciate your partnership during this time. Please let me know if you have questions about any of the above.

Sincerely,

Juliet

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[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
  - MA: Kevin McColaugh, Director  
Governor Charlie Baker  
Washington Office of the Governor  
44 North Capitol Street NW #315  
202-624-3616  
[kevin.mccolaugh@state.ma.us](mailto:kevin.mccolaugh@state.ma.us)
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**To:** [Berger-White, Juliet](#)  
**Cc:** [Lerner, Scott](#); [Crane, Anna](#); [Dedon, Lauren](#)  
**Subject:** [External] RE: [EXTERNAL] Follow up from NGA  
**Date:** Tuesday, March 24, 2020 12:58:43 PM

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[alexander.cochran@exec.ny.gov](mailto:alexander.cochran@exec.ny.gov)
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**From:** [Berger-White, Juliet](#)  
**To:** [Acharya, Snigdha](#)  
**Subject:** Fed HHS  
**Date:** Tuesday, March 24, 2020 9:34:00 AM  
**Attachments:**  [1d-6d Targeted liability protections for pandemic and epidemic products and se.pdf](#)  
 [18 Declaration.pdf](#)  
 [20-05484 \(1\).pdf](#)

---

Here are docs I referenced on our call.

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**From:** [Vaught, Laura C.](#)  
**To:** [Crane, Anna](#)  
**Subject:** RE: Message from WIRELESS CALLER (+13123506225)  
**Date:** Tuesday, March 24, 2020 9:08:54 AM

---

Hi Anna,

I have these as the follow up questions:

[REDACTED]

I'm putting together all the emails into answers. I'll send you what I have.

Thanks

-Laura

---

**From:** Crane, Anna  
**Sent:** Monday, March 23, 2020 8:51 PM  
**To:** Vaught, Laura C.  
**Subject:** FW: Message from WIRELESS CALLER (+13123506225)

Hi Laura - [REDACTED] Just want to follow-up if there are things I need to close the loop on tomorrow before the call.

---

**From:** Crane, Anna  
**Sent:** Monday, March 23, 2020 12:03 PM  
**To:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Subject:** RE: Message from WIRELESS CALLER (+13123506225)

I guess so - [REDACTED]

---

**From:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Sent:** Monday, March 23, 2020 11:18 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** FW: Message from WIRELESS CALLER (+13123506225)

Did you get what you needed from this thread?

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Sent:** Monday, March 23, 2020 10:48 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Cc:** Logan, George <[George.Logan@illinois.gov](mailto:George.Logan@illinois.gov)>; Jacobs, Kevin <[Kevin.Jacobs@Illinois.gov](mailto:Kevin.Jacobs@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Re: Message from WIRELESS CALLER (+13123506225)

I might suggest [REDACTED]

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 23, 2020 10:45 AM  
**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Cc:** Logan, George <[George.Logan@illinois.gov](mailto:George.Logan@illinois.gov)>; Jacobs, Kevin <[Kevin.Jacobs@Illinois.gov](mailto:Kevin.Jacobs@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** RE: Message from WIRELESS CALLER (+13123506225)  
If that is the case, [REDACTED]

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Sent:** Monday, March 23, 2020 10:29 AM  
**To:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Cc:** Logan, George <[George.Logan@illinois.gov](mailto:George.Logan@illinois.gov)>; Jacobs, Kevin <[Kevin.Jacobs@Illinois.gov](mailto:Kevin.Jacobs@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** Re: Message from WIRELESS CALLER (+13123506225)

[REDACTED]

Debra, is that what you heard?  
Deb Burdsall

---

**From:** Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Sent:** Monday, March 23, 2020 10:26 AM  
**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Cc:** Logan, George <[George.Logan@illinois.gov](mailto:George.Logan@illinois.gov)>; Jacobs, Kevin <[Kevin.Jacobs@Illinois.gov](mailto:Kevin.Jacobs@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Subject:** RE: Message from WIRELESS CALLER (+13123506225)  
Connecting this chain with another.

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Sent:** Saturday, March 21, 2020 9:17 AM  
**To:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Crane, Anna <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** Re: Message from WIRELESS CALLER (+13123506225)

[REDACTED]

**From:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Sent:** Saturday, March 21, 2020 8:21 AM

**To:** Crane, Anna <[Anna.Crane@illinois.gov](mailto:Anna.Crane@illinois.gov)>

**Cc:** Burdsall, Deborah <[Deborah.Burdsall@illinois.gov](mailto:Deborah.Burdsall@illinois.gov)>

**Subject:** RE: Message from WIRELESS CALLER (+13123506225)

It was most likely Deb, she was the one speaking for Health Care Reg. I've cc'ed her here.  
Thanks!

**From:** Crane, Anna <[Anna.Crane@illinois.gov](mailto:Anna.Crane@illinois.gov)>

**Sent:** Saturday, March 21, 2020 8:03 AM

**To:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Subject:** Re: Message from WIRELESS CALLER (+13123506225)

Thanks, Laura. [REDACTED]

Get [Outlook for iOS](#)

**From:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Sent:** Saturday, March 21, 2020 7:54 AM

**To:** Crane, Anna

**Subject:** FW: Message from WIRELESS CALLER (+13123506225)

It was either Pat or Donna, no one from our staff.  
Thanks,  
-Laura

**From:** Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>

**Sent:** Friday, March 20, 2020 6:16 PM

**To:** Acharya, Snigdha <[Snigdha.Acharya2@illinois.gov](mailto:Snigdha.Acharya2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@illinois.gov](mailto:Deborah.Burdsall@illinois.gov)>; Isham, Aimee D. (DPH) <[Aimee.Isham2@illinois.gov](mailto:Aimee.Isham2@illinois.gov)>

**Cc:** Bryars, Debra <[Debra.Bryars@illinois.gov](mailto:Debra.Bryars@illinois.gov)>

**Subject:** RE: Message from WIRELESS CALLER (+13123506225)

If I recall correctly, [REDACTED]

**From:** Acharya, Snigdha <[Snigdha.Acharya2@illinois.gov](mailto:Snigdha.Acharya2@illinois.gov)>

**Sent:** Friday, March 20, 2020 5:59 PM

**To:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@illinois.gov](mailto:Deborah.Burdsall@illinois.gov)>; Isham, Aimee D. (DPH) <[Aimee.Isham2@illinois.gov](mailto:Aimee.Isham2@illinois.gov)>

**Cc:** Bryars, Debra <[Debra.Bryars@illinois.gov](mailto:Debra.Bryars@illinois.gov)>; Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>

**Subject:** Re: Message from WIRELESS CALLER (+13123506225)

not ringing a bell. sorry.

Snigdha Acharya

General Counsel

Illinois Department of Public Health

---

**From:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Sent:** Friday, March 20, 2020 5:51 PM

**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Isham, Aimee D. (DPH) <[Aimee.Isham2@illinois.gov](mailto:Aimee.Isham2@illinois.gov)>

**Cc:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>

**Subject:** FW: Message from WIRELESS CALLER (+13123506225)

Who on the call mentioned [REDACTED]

Please listen to Anna's vm.

Thanks

-Laura








**From:** Cisco Unity Connection Messaging System <[unityconnection@il084sprcxnprim.illinois.gov](mailto:unityconnection@il084sprcxnprim.illinois.gov)>

**Sent:** Friday, March 20, 2020 5:37 PM

**To:** [laura\\_vaught@il084sprcxnprim.illinois.gov](mailto:laura_vaught@il084sprcxnprim.illinois.gov)

**Subject:** Message from WIRELESS CALLER (+13123506225)

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**From:** [Caplan, Gary](#)  
**To:** [Quinn, Jonathan S.](#)  
**Subject:** FW: immunity  
**Date:** Monday, March 23, 2020 3:08:50 PM  
**Attachments:**  [Image001.png](#)  
 [Image006.png](#)  
 [Image008.png](#)  
 [Image010.png](#)  
 [19-6d Targeted liability protections for pandemic and epidemic products and se.pdf](#)  
 [8 Declaration.pdf](#)  
 [20-05484 \(1\).pdf](#)

---

**From:** Berger-White, Juliet  
**Sent:** Monday, March 23, 2020 2:15 PM  
**To:** GOV.Legal  
**Subject:** immunity  
See attached for federal HHS's Declaration Under the Public Readiness and Emergency Preparedness Act for Medical Countermeasures Against COVID-19, which provides liability immunity for certain activities related to medical "countermeasures" against COVID-19. Countermeasure is defined on page 15199.

---

**From:** Donna Kaner Socol  
**Sent:** Monday, March 23, 2020 11:57 AM  
**To:** Berger-White, Juliet  
**Cc:** Marge Scheve  
**Subject:** [External] FW: Covid-19

Juliet,

I know you must be overwhelmed with work. I hope all is well. I am forwarding some legislation to you, which I am sure you are aware of, that might assist medical centers, health care workers and physicians. I am hopeful that Plaintiff's attorney will not sue over this...

My one question to you is whether there is any legislation or guidelines for hospitals and physicians regarding their notification to patients who MAY have been exposed to a healthcare worker or another patient in a hospital, clinic or office setting who tested positive for covid-19.

Thank you , your team and our Fantastic Governor of all you have done and our doing to protect our health. Mike is working as well and I hope this pandemic resolves in the near future. Please let me know if I can assist you in any way.

My best and Be Well,

Donna

---





**From:** Marge Scheve <[MScheve@HSPLEGAL.COM](mailto:MScheve@HSPLEGAL.COM)>  
**Sent:** Monday, March 23, 2020 10:33 AM  
**To:** Donna Kaner Socol <[DSocol@HSPLEGAL.COM](mailto:DSocol@HSPLEGAL.COM)>  
**Subject:** Covid-19

Good morning,

Here you go. You can send all three at the same time.

**Marge Scheve**, *Legal Assistant*  
HUGHES SOCOL PIERS RESNICK & DYM, LTD.  
70 W Madison St., Suite 4000  
Chicago, IL 60602  
Dir **312.604.2696** Fax **312.604.2697**



[mscheve@hsplegal.com](mailto:mscheve@hsplegal.com)      
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**From:** [Crane, Anna](#)  
**To:** [Acharya, Snigdha](#); [Trimberger, Karen](#); [Burdsall, Deborah](#); [Conover, Craig](#)  
**Cc:** [Bryars, Debra](#); [Jensen, Connie](#); [DeWitt, Justin](#); [Ezike, Ngozi O.](#); [Ealy, Michelle](#); [Vaught, Laura C.](#)  
**Subject:** RE: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework  
**Date:** Monday, March 23, 2020 2:50:25 PM  
**Attachments:** [REDACTED]

---

Some additional questions/comments attached.

Thank you!

Anna

---

**From:** Acharya, Snigdha  
**Sent:** Monday, March 23, 2020 12:00 PM  
**To:** Trimberger, Karen ; Burdsall, Deborah ; Conover, Craig  
**Cc:** Bryars, Debra ; Jensen, Connie ; DeWitt, Justin ; Ezike, Ngozi O. ; Ealy, Michelle ; Vaught, Laura C. ; Crane, Anna  
**Subject:** RE: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework  
See attached. [REDACTED]  
Thanks,  
SA

---

**From:** Acharya, Snigdha  
**Sent:** Monday, March 23, 2020 11:10 AM  
**To:** Trimberger, Karen <[Karen.Trimberger@Illinois.gov](mailto:Karen.Trimberger@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>  
**Cc:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Anna Crane <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)> <[Anna.Crane@Illinois.gov](mailto:Anna.Crane@Illinois.gov)>  
**Subject:** RE: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework  
+ Anna  
Most recent draft attached.

---

**From:** Trimberger, Karen <[Karen.Trimberger@Illinois.gov](mailto:Karen.Trimberger@Illinois.gov)>  
**Sent:** Monday, March 23, 2020 10:21 AM  
**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>  
**Cc:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework  
[REDACTED]  
[REDACTED]  
[REDACTED]



[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
Karen

---

**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Sent:** Monday, March 23, 2020 9:59 AM

**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Subject:** RE: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

Thanks! I'll add my comments and get back to you shortly.

-Snigdha

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>

**Sent:** Monday, March 23, 2020 9:03 AM

**To:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

Here is the most recent draft.

Deb

---

**From:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>

**Sent:** Monday, March 23, 2020 8:59 AM

**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

If Deb can send latest version with her updates, that would be great.

Based on the comments to date, I think I may not have been clear about my intent.

[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

CC

---

**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Sent:** Monday, March 23, 2020 8:43 AM

**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>; Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>

**Subject:** RE: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

Hi all, just following up on the guidance. Will you please share the latest draft so that I may add a few things the GO has asked me to address?

Also, when do you anticipate sending out this guidance? Thanks!

Thanks much,

Snigdha

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>

**Sent:** Sunday, March 22, 2020 1:08 PM

**To:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>

**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

I'm working on the presentation for health departments for tomorrow. I will share for input later tonight. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]

Deb Burdsall

---

**From:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>

**Sent:** Sunday, March 22, 2020 12:58 PM

**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>

**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>

**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

[REDACTED]

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Sent:** Sunday, March 22, 2020 12:36 PM  
**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

I just re-read: Is this reasonable?

- [REDACTED]
  - [REDACTED]
- [REDACTED]

---

**From:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Sent:** Sunday, March 22, 2020 12:18 PM  
**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

I might suggest [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Suggestions gratefully received.  
Deb Burdsall

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**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Sent:** Sunday, March 22, 2020 9:04 AM  
**To:** Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Cc:** Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

I don't think [REDACTED]

[REDACTED] Thanks!

Snigdha Acharya

General Counsel  
Illinois Department of Public Health  
Sent from my iPhone - please excuse any typos.

On Mar 21, 2020, at 11:22 PM, Burdsall, Deborah <[Deborah.Burdsall@illinois.gov](mailto:Deborah.Burdsall@illinois.gov)> wrote:

I will look again in the AM. I agree with Karen, but I like how this is presented.  
Deb Burdsall

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**From:** Trimberger, Karen <[Karen.Trimberger@Illinois.gov](mailto:Karen.Trimberger@Illinois.gov)>  
**Sent:** Saturday, March 21, 2020 9:43 PM  
**To:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Cc:** Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

[REDACTED]

Karen

---

**From:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>  
**Sent:** Saturday, March 21, 2020 5:25 PM  
**To:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>  
**Cc:** Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; DeWitt, Justin <[Justin.Dewitt@Illinois.gov](mailto:Justin.Dewitt@Illinois.gov)>; Trimberger, Karen <[Karen.Trimberger@Illinois.gov](mailto:Karen.Trimberger@Illinois.gov)>; Ezike, Ngozi O. <[Ngozi.Ezike@illinois.gov](mailto:Ngozi.Ezike@illinois.gov)>; Ealy, Michelle <[Michelle.Ealy2@illinois.gov](mailto:Michelle.Ealy2@illinois.gov)>  
**Subject:** Re: ATTORNEY CLIENT PRIVILEGED COMMUNICATION --LTC preparedness and response framework

Debra and Deb:

Here is a draft 2.5 page document outlining [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[Redacted]

[Redacted]

Craig C

---

**From:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>  
**Sent:** Saturday, March 21, 2020 11:49 AM  
**To:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Trimmerger, Karen <[Karen.Trimmerger@Illinois.gov](mailto:Karen.Trimmerger@Illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Uhles, Jennifer <[Jennifer.Uhles@Illinois.gov](mailto:Jennifer.Uhles@Illinois.gov)>  
**Cc:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>; Isham, Aimee D. (DPH) <[Aimee.Isham2@illinois.gov](mailto:Aimee.Isham2@illinois.gov)>; Jensen, Connie <[Connie.Jensen@Illinois.gov](mailto:Connie.Jensen@Illinois.gov)>; Jorn, Becky <[Becky.Jorn@illinois.gov](mailto:Becky.Jorn@illinois.gov)>  
**Subject:** ATTORNEY CLIENT PRIVILEGED COMMUNICATION  
ATTORNEY CLIENT PRIVILEGED COMMUNICATION:

[Redacted]

**From:** Abbott, Amy (DSHS/AL TSA/RCS) <[amy.abbott@dshs.wa.gov](mailto:amy.abbott@dshs.wa.gov)>  
**Sent:** Friday, March 20, 2020 4:41 PM  
**To:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>  
**Subject:** [External] State response to NH refusal of admissions

Hi Debra,

[Redacted]

[Redacted]

**From:** Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>  
**Sent:** Friday, March 20, 2020 6:30 PM  
**To:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>; Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>  
**Cc:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>; Uhles, Jennifer <[Jennifer.Uhles@Illinois.gov](mailto:Jennifer.Uhles@Illinois.gov)>  
**Subject:** Re: Today's LTC call

[Redacted]

**From:** Acharya, Snigdha <[Snigdha.Acharya2@Illinois.gov](mailto:Snigdha.Acharya2@Illinois.gov)>  
**Sent:** Friday, March 20, 2020 6:24 PM  
**To:** Bryars, Debra <[Debra.Bryars@Illinois.gov](mailto:Debra.Bryars@Illinois.gov)>  
**Cc:** Vaught, Laura C. <[Laura.Vaught@illinois.gov](mailto:Laura.Vaught@illinois.gov)>; Burdsall, Deborah <[Deborah.Burdsall@Illinois.gov](mailto:Deborah.Burdsall@Illinois.gov)>; Conover, Craig <[Craig.Conover@illinois.gov](mailto:Craig.Conover@illinois.gov)>; Nickrent, Allison L. <[Allison.Nickrent@illinois.gov](mailto:Allison.Nickrent@illinois.gov)>; Uhles, Jennifer <[Jennifer.Uhles@Illinois.gov](mailto:Jennifer.Uhles@Illinois.gov)>  
**Subject:** Today's LTC call

Hi Debra,

As we discussed on the 5:00 pm call, [Redacted]

[Redacted]

- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]
- [Redacted]

To those copied on the email, please fill in the blanks related to what was asked for and what should be in the guidance (because I know I'm missing things).

Thanks!

Snigdha Acharya

General Counsel

## Illinois Department of Public Health

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**From:** [Rebecca Shi](#)  
**To:** [Rebecca Shi](#)  
**Bcc:** [Flores, Sol](#)  
**Subject:** [External] [Stimulus + Action Alert] Cloture Failed  
**Date:** Sunday, March 22, 2020 5:52:59 PM



Dear ABIC Members and Partners,

A few moments ago, Senate cloture to move forward on debate failed. This means that the Senate shell bill isn't moving. 5 Senate Republicans are in quarantine. And more may enter quarantine overnight. House is expected to file its own alternative language any minute and might move quicker.

**[Action Alert]** Urge House Leadership and Members to incorporate the same small business and worker language as the Rubio/Cardin bill.

**[THANK]** Chairman Rubio, Sens. Cardin, Collins, Schumer, Durbin and Shaheen

**[THANK and CALL]** Speaker Pelosi, Chairwoman Velasquez, and Your House Member

*Dear Representative: I appreciate your bipartisan leadership to assist small businesses and all workers suffering from the Coronavirus pandemic. As you negotiate towards the final phase 3 stimulus package, I urge you to please consider the following definitions to ensure that your plan will assist as many small businesses, workers and not-for-profits as possible, and to make sure the negative impacts of this crisis are as short-lived as possible.*

**\$350B Small Business Relief Plan (Rubio/Cardin)**

1) "Business": In order to reach the largest percentage of workers as possible, we agree that the expanded definition of small business should not discriminate based upon how these businesses are formed – whether they're an S corp, a C corp, non-profit, partnership, sole practitioner, LLC, etc. – everyone needs help surviving this international crisis.

2) "Bank" -- While using many of the guidelines and infrastructure of the 7(a) program, businesses should not be calling a government agency for this help. It should be handled by a bank, credit union, CDFI or other lender in their community. Toward that end, the list of lenders should be expanded rapidly so that, ideally, small businesses are able to do all this with their own bank if they choose.

3) "WORKER" (in any section): any relief for businesses (large or small) to cover independent contractors and 1099 employees that work with/for them.



4) *With respect to the requirement set forth in any final bill that a qualifying business have 500 or less employees, please consider the following clarifying language. "In determining whether or not a business has 500 or less employees, for clarification, (i) independent contractors and employees working less than X hours per week (i.e., part-time employees) shall not be counted, and (ii) the number of employees shall be measured and determined on an individual entity basis, with respect to each entity that actually employs the employee, and for greater clarification, not any aggregation of employees at a parent-company level or with any affiliated or subsidiary entities*

**\$500B unemployment relief for laid-off workers (Trump/Mnuchin, Pelosi/Schumer)**

*Please consider the following definition for stimulus payment for laid-off workers*





Thank you, ARVIND

Arvind K. Goyal, MD, MPH, MBA

Medical Director, IL Dept. of Healthcare & Family Services

312-793-5277 (Chicago Office); 847-921-3683 (24/7 iPhone)

[Arvind.Goyal@illinois.gov](mailto:Arvind.Goyal@illinois.gov)

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**From:** [Crane, Anna](#)  
**To:** [Flores, Sol](#)  
**Cc:** [DeWitt, Justin](#)  
**Subject:** RE: Urgent Request  
**Date:** Saturday, March 21, 2020 9:50:45 AM

---

Thanks, Sol.

On point one, [REDACTED]

---

**From:** Flores, Sol

**Sent:** Saturday, March 21, 2020 9:30 AM

**To:** Crane, Anna

**Cc:** DeWitt, Justin

**Subject:** Fwd: Urgent Request

Anna adding you to the note, for follow up point two as well.

Justin- [REDACTED]

[REDACTED] Thanks

Sol Flores

Deputy Governor

Office of Illinois Governor JB Pritzker

---

**From:** Pat Comstock <[PComstock@HCCIL.Org](mailto:PComstock@HCCIL.Org)>

**Sent:** Friday, March 20, 2020 10:56 PM

**To:** [jb.pritzker@illinois.gov](mailto:jb.pritzker@illinois.gov); JB Pritzker

**Cc:** Flores, Sol; Rapelyea, Sean; DeWitt, Justin; Vaught, Laura C.; Matt Hartman; Riva Kirk; Donna Ginther; Amanda Ginther; Eric Lane; Ashley Snavelly; Kimberly Palermo

**Subject:** [External] Urgent Request

Governor Pritzker:

We are renewing our request for a direct communication between our collective leadership and you. We must partner with you to save Illinoisans' lives. Yes, we are now having regular calls with your staff and various state agencies where we are given updates, but too often the information is nonexistent, contradictory, woefully inadequate, or simply misses the mark.

The call today illustrated how critical the situations is. We cannot afford to have another day to go by without the administration and nursing homes at a common table (video conference) to identify the problems and arrive at agreed solutions.

We presented two problems to your staff on Thursday:

1) Problem: Hospitals requesting facility to set aside wings or units to accept the hospitals' overflow of individuals with the diagnosed COVID-19 virus. We asked this to be thoughtfully managed by DPH to include criteria, medical supplies, staffing directives, and liability relief. Today, it became apparent those leading the call on Thursday did not understand the issue. They thought we were talking about residents who were sent to a hospital, diagnosed, stabilized and being discharged back to their home facility. Not so, the patients in question were admitted to the hospital from the community.

2) Problem: Life Scan vendors refusing to enter nursing homes to fingerprint new residents. We asked for background checks on new admissions to be suspended. Agency staff on the call thought we were talking about applicants for employment who could go to the vendor's place of business. In both instance staff time was wasted and valuable response time was lost, because the response did not fit the problem.

We, like you, are working 24/7 on these issues. Please do not let more time lapse to address the critical issues facing nursing homes. As you have said on your press conferences the lives of hundreds of thousands of Illinoisan are at stake.

Sincerely,

Pat Comstock, HCCI COVID-19 Director

Donna Ginther, Senior Advisor to the HCCI Board

Matt Hartman, Executive Director, Illinois Health Care Association

Kirk Riva, VP Public Policy, LeadingAge of Illinois

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