



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Executive Order 2021-12

An order to address the current hospital capacity surge.

WHEREAS, a convergence of several factors including the ongoing COVID-19 pandemic and the winter surge has caused a significant strain on New Hampshire's healthcare system, and currently, access to urgent or emergent care for residents is in jeopardy; and

WHEREAS, on March 3, 2020, Commissioner Lori Shibinette on behalf of the Department of Health and Human Services declared a Public Health Incident which was amended on June 11, 2021; and

WHEREAS, all levels of care are currently critically impacted, hospitals frequently are at or above capacity in both inpatient units and emergency rooms; and

WHEREAS, the entire country is facing a healthcare worker shortage, which is adding to the capacity challenges of all healthcare providers; and

WHEREAS, with the advent of winter and the onset of its seasonal illnesses and related emergencies, an increase in capacity is urgently needed at hospitals, nursing facilities, urgent care facilities and other community based settings; and

WHEREAS, immediate access to emergent, urgent, and routine care is critical to the health and well-being of all New Hampshire residents as well as to the vitality of our schools, businesses, and communities.

NOW, THEREFORE, I, CHRISTOPHER T. SUNUNU, Governor of the State of New Hampshire, by the authority vested in me pursuant to part II, article 41 of the New Hampshire Constitution, do hereby order, effective immediately, that:

1. The State of New Hampshire take immediate, targeted, and direct action to ensure all steps are taken to help individuals receive medical care in a timely and appropriate way.
2. The Department of Health and Human Services is hereby authorized and directed to take all lawful and appropriate actions to assist with reducing hospital capacity challenges. Actions at a minimum should include: establishing temporary acute care centers inside the walls of hospitals pursuant to RSA 141-C; increasing bed capacities at other licensed institutional facilities to address surge needs within the state as allowable under state and federal law; and conducting a review of regulations to determine what

additional flexibilities are available to effectively combat the current and any future surge.

3. The Department of Health and Human Services is hereby authorized and directed to work with providers and stakeholders to identify additional immediate actions and resources available under state and federal law necessary to increase healthcare capacity statewide.
4. The Department of Health and Human Services is hereby authorized and directed to continue to identify ways federal funding may be utilized to expand hospital capacity. The Commissioner of the Department of Health and Human Services is encouraged to seek expedited Governor and Executive Council and Joint Legislative Fiscal Committee approval on items related to hospital capacity.
5. The Office of Professional Licensure and Certification and boards that license healthcare professionals, including but not limited to the Board of Nursing, are hereby authorized and directed to identify all tools available to streamline licensing, increase eligibility, and implement any other strategies that will assist the healthcare system in the coming months.
6. The Board of Nursing is hereby directed to use all means necessary to meet on a weekly basis from November 29, 2021 until December 23, 2021 in order to identify efficiencies and resources to rapidly increase healthcare workforce.
7. The Office of Professional Licensure and Certification shall identify any and all resources necessary to expedite processing of applications and background checks to comply with this Order no later than December 6, 2021.
8. The Department of Health and Human Services, the Office of Professional Licensure and Certification, and the Board of Nursing are to provide written reports to the Governor on all actions completed in order to increase licensed healthcare workforce and hospital capacity no later than December 23, 2021. The reports should identify all additional actions needed to address this crisis including proposed legislative and regulatory reform.

Given under my hand and seal at the Executive Chambers in Concord, this 23rd day of November, in the year of Our Lord, two thousand and twenty-one, and the independence of the United States of America, two hundred and forty-five.


GOVERNOR OF NEW HAMPSHIRE