

ALABAMA HOUSE OF REPRESENTATIVES
Montgomery, Alabama

Representative Danny Garrett

Representative Joe Lovvorn

April 6, 2020

The Honorable Kay Ivey
Office of the Governor
Montgomery, Alabama

Dear Governor Ivey:

At the request of Speaker Mac McCutcheon, we have been asked to regularly update and inform the leadership of the House of Representatives about concerns and recommendations from the Alabama business community as we all work through the Coronavirus crisis. Alabama businesses very much appreciate the support you and your administration have always provided, and especially for your leadership during this difficult period. We want to let you know that the business community stands ready and is eager to help.

We are also members of the Emergency Small Business Task Force you established to address concerns specific to the small businesses. The Task Force also appreciates your leadership during this unprecedented time and support the decisions you and Dr. Harris have made to make to take precautions necessary to prevent the spread of the virus and to safeguard the health of our citizens.

Although we support the Administration's and Department of Health's orders, we are concerned that the *communication* and *implementation* of these orders have created *unnecessary* angst, hardship and confusion among individuals and businesses across the state. We also believe the goal of limiting spread of the virus has been unintentionally compromised.

In the future, we urge you to involve members of the business and health services communities in discussions of how best to communicate and implement decisions *before* orders are executed. We also request that you have a meeting with representatives of the business communities to hear their ideas on what can be done *now* to address unintended consequences that are occurring.

Although there have been many instances, we want to mention three examples to show why we are concerned about communication and implementation.

- First, it was not clear in the initial order that “nonessential” businesses could continue to operate online or that they could utilize pick-up and curbside services. It took more than a week for this matter to be clarified and eliminate the confusion. Many individuals and businesses were unnecessarily harmed during this time.

- Second, the initial order restricted visitors to hospitals. After the first order, we are aware of a situation where a hospital did not allow a family member to speak with medical personnel when their elderly mother – who has numerous health issues and limited ability to communicate— was admitted by ambulance to the hospital at 11:00 PM on a Friday. The family was not able to speak with the hospital personnel until 12 hours later, and only after a representative of ADPH intervened and clarified the order.
- Third, the most recent order drastically reduced the number of people who can be inside an essential business. The affected large stores were not given advance notice of the decision and did not have time to adequately prepare for the ensuing chaos. On Friday night and Saturday before 5:00 PM, these stores were packed to capacity with people inside and outside who were confused about the Stay at Home Order and who were not practicing social distancing. In addition, we understand from several big box managers that merely reducing the numbers of customers inside the store based upon square footage is not an adequate solution.

In each of the above examples, had a team of business and health care services representatives been involved before the orders were issued, a more effective and workable solution could have accompanied each order and provided clarity and less confusion. In addition, we could have potentially offered suggestions for optimal prevention of spreading the virus.

We urge you to, *now* and *in the future*, please involve members of the affected businesses and health providers in developing implementation plans for executive orders. The members of the Legislature also stand willing to help and assist with planning and communication.

Again, thank you for your leadership and all you are doing to protect the citizens of Alabama.

Respectfully,

Representative Danny Garrett and Representative Joe Lovvorn

cc: Rosemary Elebash, National Federation of Independent Business
Katie Britt, Business Council of Alabama
Speaker Mac McCutcheon
Leader Nathaniel Ledbetter
William Filmore
Parker Harris