



OBJECTIVE

Thousands of Michigan families are suffering from the results of government action in response to the threat of COVID-19. Many of them are struggling unnecessarily due to an arbitrary, one-size-fits-all approach and the absence of best practices adopted by other states. We must transition to a risk-based, regional approach with a priority on safety. A more nuanced and data-driven direction would give those impacted by recent actions an opportunity to recover and help the state as a whole begin to find the stronger economic and social footing necessary to move forward into the future.

STEP 1

Transitioning to a risk-based, regional approach

— THREE TIERS OF COUNTIES —

TIER 1 - HIGHEST RISK (Macomb, Oakland, and Wayne counties)

- The same restrictions as EO 2020-42 but with the most current CISA guidance and without the restrictions on retail stores above 50,000 square feet
- Authorize the DHHS Director to do the following when necessary to protect the public health:
 - Revert to the prior CISA guidance for a particular county; and
 - Reassign any Tier 2 or Tier 3 county to Tier 1.

TIER 2 - HEIGHTENED RISK

The same restrictions as Tier 1 but with the following changes and safety protocols:

- A heightened cap on necessary gatherings (e.g., for immediate family members at funerals)
- Relaxed travel restrictions (e.g., permit travel between residences) but continue to strongly urge residents to limit non-essential travel
- Allowance for businesses to perform remote and curbside sales with enhanced safety protocols
- Relaxed ban on elective, outpatient healthcare procedures so long as there is an adequate supply of personal protective equipment and personnel at regional facilities, as well as adequate testing for at-risk personnel
- Reduced restrictions on outdoor recreation so long as there is social distancing compliance

TIER 3 - STANDARD RISK

- "Stay Home, Stay Safe" provisions would not apply to the non-vulnerable, but public accommodation limitations (similar to EO 2020-43) would remain in effect with occupancy-based restrictions for "safe" businesses that are open to the public. Restrictions on outdoor recreation and non-essential travel would be lifted so long as proper protocols are followed.
- Any sectors or subsectors of industry that are not deemed "safe" by the Transition Task Force (see below) would be prohibited from opening to the public beyond remote and curbside sales with enhanced safety protocols
- The ban on elective healthcare procedures would not apply so long as there is an adequate supply of personal protective equipment and personnel at regional facilities, as well as adequate testing for at-risk personnel

— TRANSITION TASK FORCE —

THREE RESPONSIBILITIES

1. Determine which sectors or subsectors of industry are presently “safe” for Tier 3 counties based, in part, on OSHA risk classifications;
2. Recommend assignments/reassignments of counties as Tier 2 and Tier 3 to the Governor in a weekly, public report, including a recommendation of when to move to steps 2 and 3 (see below); and
3. Assist industry and trade groups in their development and dissemination of enhanced workplace safety protocols and best practices

NINE VOTING MEMBERS (in addition to four quadrant legislators as non-voting members)

- Chief Medical Officer
- MIOSHA Director
- One economist
- One epidemiologist
- One representative of a regionally diverse hospital system
- One representative of labor
- One representative of a small business owner
- One representative of a manufacturer headquartered in the state with operations in other states and or countries
- One representative of the public who became unemployed because of an executive order requiring the person’s employer to close or limit operations

COUNTY ASSIGNMENT CRITERIA

- Hospital admissions rate
- Rate of spread (e.g., doubling time)
- Positive tests relative to total tests and population density per county
- Ability to contain spread/contact tracing
- Reported deaths
- Percentage of growth in positive cases above positive case thresholds
- Preparedness (ICU bed capacity, overall bed capacity, ventilator capacity, PPE inventory, testing capacity, etc.)
- Rate of ICU patients being placed on ventilators
- Immunity rate (based on antibody tests, once available)
- Implementation of workplace best practices

STEP 2

Safely Reenergizing the Economy

Reassign Macomb, Oakland, and Wayne counties as “heightened risk” (i.e., Tier 2)

Reassign all other counties as “standard risk” (i.e., Tier 3) but with:

- Limited reopening of places of public accommodation (e.g., restaurants, gyms, and movie theaters) that can implement strict safety protocols;
- Elimination of the ban on parts of the travel industry and other tourism-related businesses so long as hosts/businesses implement enhanced safety protocols; and
- A broader list of “safe” sectors or subsectors of industry to reflect the further development of enhanced safety protocols by industry and trade groups

STEP 3

Returning to a New Normal

Transition from mandating to encouraging proper conduct and behavior as a general rule, and from governing by executive order back to legislation

- Codify necessary protections, like liability protections, unemployment provisions, education policies, and others
- Consider temporary continuations of certain commercial crowd control measures