



Dear Governors:

A number of state and local governments are currently considering shelter-in-place orders to prevent the spread of coronavirus among their populations. Some governments have already issued such orders. To the extent shelter-in-place orders are issued, we believe they should include appropriate exemptions for employees of health care entities. In addition to health care facilities and providers, it is imperative that biopharmaceutical and medical device and diagnostics companies and distributors be allowed to operate so that prescription drugs and medical supplies remain accessible to those who need them.

To effectuate this intent, “healthcare operations” should be defined to include “companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, consumer health products, medical devices, diagnostics, equipment and services.” Below is an example of how this can be written:

*For purposes of this Order, individuals may leave their residence to work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, companies and institutions involved in the research and development, manufacture, distribution, warehousing, and supplying of pharmaceuticals, biotechnology therapies, consumer health products, medical devices, diagnostics, equipment, services and any other healthcare related supplies or services. This shall be broadly construed to include all other activities, supplies, and services required to maintain supply chain operations without disruption. “Healthcare Operations” does not include fitness and exercise gyms and similar facilities.*

If your state or local governments issue shelter-in-place orders, we ask that you include these provisions.

Sincerely,

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