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Gov. Beshear Provides Update on COVID-19

Court's unanimous decision Friday means all executive orders stay in place until final review, ruling by Supreme Court

Visit the Governor's [Facebook](#) page to watch today's news conference

FRANKFORT, Ky. (July 17, 2020) – Gov. Andy Beshear on Friday announced that the Kentucky Supreme Court has kept in place all executive orders related to the fight against COVID-19, including the mask order, until the court can hear full arguments from the Beshear administration and the attorney general's office and issue a final ruling.

“As many of you are aware, the attorney general had filed a motion to try to void every single order that had been put out to fight this pandemic,” the Governor said. “That would mean every single set of rules that keep people safe, but that also means workers’ compensation for our first responders when they’ve gotten quarantined because they’ve gotten the virus or been exposed

to the virus. It was also almost every bit of flexibility we've been able to offer to our schools during this pandemic."

Early this morning, a Boone Circuit Court Judge was expected to sign an injunction nullifying many of Gov. Beshear's executive orders on COVID-19. The attorney general challenged the orders put in place to protect Kentucky lives, keep Kentucky from losing more than \$10 billion in the economy and to help schools safely reopen this fall.

In [an order](#) issued this afternoon by unanimous decision, the Supreme Court stated, "Given the need for a clear and consistent statewide public health policy and recognizing that the Kentucky legislature has expressly given the Governor broad executive powers in a public health emergency, the court orders a stay of all orders of injunctive relief until such time as the various orders are properly before the court with a full record of any evidence and pleadings considered by the lower courts."

Gov. Beshear commended the Supreme Court's decision.

"Up until an hour ago, we faced a horribly uncertain future where a request had been made to have zero rules, the Wild West," he said. "No requirements to wear a mask even though Alabama and Colorado have both done it in the last couple of days. Without requiring businesses to do the cleaning that would make sure that you don't catch COVID-19. Without the requirement to even wash or sanitize your hands. It threatened all of the extra support that we've given to our first responders and it would be devastate our school systems."

Yesterday, the Governor reminded Kentuckians that in addition to seeking to invalidate the executive orders that keep us safe from COVID-19, the attorney general is also targeting other measures the Beshear administration has put in place to help during this global pandemic. The attorney general's actions include trying to void:

- Healthy at Work requirements;
- expanded NTI days for public schools, which give them the flexibility to cease in-person classes while continuing virtual instruction;

- expanded workers' compensation eligibility for workers – including first responders, active military and grocery store employees – who are ordered to quarantine as a result of exposure; and
- a measure that waives copays, deductibles, cost-sharing and diagnostic testing fees for private insurance.

If signed and allowed, the circuit court judge's injunction would have severely limited the governor's ability to protect Kentuckians from COVID-19, undoubtedly causing more people to suffer from a debilitating, preventable illness and killing many of our friends, family members and neighbors unnecessarily.

It would have threatened to overwhelm our hospitals, which risks the lives not just of COVID-19 patients and medical professionals, but the lives of anyone seeking care at a hospital for any reason.

The injunction would have increased the economic pain of our most vulnerable families and hindered the state's efforts to make COVID-19 molecular diagnostic testing free to all Kentuckians.

It also would have forced public schools into an impossible choice – to stay open unsafely, or to cease all instruction – because the order would have:

- limited schools to just 10 NTI days;
- limited school employees to just three emergency leave days;
- removed funding for any school that is not holding in-person classes;

In addition, the injunction would have called into question the diplomas and early graduation certificates issued to many students at the end of the 2019-20 school year, because it would void the temporary suspension of the civics test graduation requirement and end of course examinations for early graduates.

"I'm not excited because that is or could be perceived a win, I'm relieved. I'm relieved because I've sat up the last two nights not sleeping, worried about how many people would die if we didn't have any types of rules in place," Gov. Beshear said. "I've stayed up the last two nights not sleeping, wondering how many of our first responders would show up if we didn't have the

authority to help them when they're down or get hurt. I've stayed up the last two nights wondering what our school districts could do and could they make a real decision or would they be so financially strapped that they'd be forced to make one."

Case Information

As of 4 p.m. July 17, Gov. Beshear said there were at least 21,605 coronavirus cases in Kentucky, 531 of which were newly reported Friday.

"So the world that we have these 531 cases from is a world that is at least 10 days old," the Governor said. "That's why we want everybody to wear a facial covering. Hopefully it means 14 days from now we see very different numbers that are much lower."

Unfortunately, Gov. Beshear reported eight new deaths Friday, raising the total to 658 Kentuckians lost to the virus.

The deaths reported Friday include an 85-year-old man from Bell County; an 84-year-old man from Carroll County; a 70-year-old woman from Casey County; a 75-year-old man from Fayette County; an 83-year-old woman from Franklin County; a 60-year-old woman and a 73-year-old man from Jefferson County; and a 68-year-old man from Muhlenberg County.

"Let's turn on those green lights. Every night I look out the window I see the Capitol dome lit up in green, and it's a reminder that we are still in this and that people are still dying," the Governor said. "This is still serious, and we need to put fighting this virus ahead of us, ahead of anything personal. We just have to get the right thing done."

As of Friday, there have been at least 522,267 coronavirus tests performed in Kentucky. The positivity rate currently stands at 4.19%. At least 6,772 Kentuckians have recovered from the virus.

For additional information, including up-to-date lists of positive cases and deaths, as well as breakdowns of coronavirus infections by county, race and ethnicity, [click here](#).

Retailers Require Masks, Support Statewide Face Coverings Mandate

Today, the Governor highlighted many national retailers and small businesses that are now

requiring customers to wear masks while shopping to protect the health and safety of all customers and staff members.

Kroger, an invaluable partner in the commonwealth's testing efforts, [announced their decision on Wednesday](#).

"We fully support the executive order from last week here in Kentucky, and have been working closely with our store teams to take every reasonable effort to ensure customer and associate compliance," said Kroger Corporate Affairs Manager Erin Grant. "We remain committed to continually evaluating our preventive measures to help protect the safety and health of associates, customers and communities."

[Kroger](#) joins many other national retailers now requiring masks in all stores, including: [American Eagle and Aerie](#), [Apple](#), [AT&T](#), [Best Buy](#), [BJ's Wholesale](#), [Costco](#), [CVS](#), [Harris Teeter](#), [H-E-B](#), [Kohl's](#), [Menards](#), [Publix](#), [Sam's Club](#), [Starbucks](#), [Target](#), [Verizon](#), [Walgreens](#) and [Walmart](#), the world's largest retailer. [Trader Joe's](#) also requests that all customers wear face masks; [Whole Foods](#) requests that customers wear masks and provides masks at their entrances for those who do not have one.

The [Retail Industry Leaders Association](#) encouraged more statewide mask requirements in a [July 6 letter to the National Governors Association](#): "We encourage every governor to require customers who are not encumbered by a medical condition to wear masks when shopping or in public places."

In a July 2 [letter](#) to the [Trump Administration](#) and [National Governors Association](#), the [U.S. Chamber of Commerce](#), [Business Roundtable](#), [National Association of Manufacturers](#), [National Retail Federation](#), [American Council of Life Insurers](#), [Chamber of Commerce Committee of 100](#) and the [Council of Manufacturing Associations](#) asked that, "For the sake of public health and our economy, we request that the White House Coronavirus Task Force and the National Governors Association work together to establish guidance on the appropriate metrics (e.g. positive tests, hospitalizations) for imposing location-based mandatory mask requirements in all public spaces; and develop model mandatory mask policies that are simple and do not impose the enforcement

burden on organizations without such expertise, such as businesses and non-profits.” To read the full letter, [click here](#).

In addition to national retailers, [many local business owners support](#) Gov. Beshear’s mask requirement, and have expressed relief that it might help keep their doors open by curbing an increase in COVID-19 cases in Kentucky and across the United States.

Safety Reporting Hotline

Gov. Beshear reminded Kentuckians that the COVID-19 reporting hotline is available to help keep everyone safe.

People who witness dangerous non-compliance with coronavirus mandates, including requirements for mask wearing, social distancing and sanitation, at Kentucky businesses are encouraged to call the COVID-19 reporting hotline at 833-KY SAFER (833-597-2337). Labor Cabinet personnel will monitor the line from 8 a.m. to 6 p.m. Monday through Friday. To file a complaint online, [click here](#).

Testing Update

Responding to some reports that some seeking coronavirus testing still are being asked to provide a doctor’s order, administration officials reiterated Thursday that the Cabinet for Health and Family Services, Department for Public Health (DPH) issued an [order](#) removing any such requirement to receive a COVID-19 test.

Gov. Beshear continues to highlight free, drive-through testing that is available through the state’s partnership with Kroger.

Kentuckians can sign up for COVID-19 molecular diagnostic testing at Kroger sites [online](#). Tests are being conducted at the following Kroger sites this week and next:

- Summit View Academy, 5006 Madison Pike, Independence, KY 41051
- Louisville Southern High School, 8620 Preston Highway, Louisville, KY 40219
- Bluegrass Community and Technical College, 500 Newtown Pike, Lexington, KY 40508

Kentuckians can also sign up for molecular diagnostic testing at more than 200 other locations throughout the state, listed by county at kycovid19.ky.gov.

More Information

Read about other key updates, actions and information from Gov. Beshear and his administration at governor.ky.gov, kycovid19.ky.gov and the Governor's official social media accounts [Facebook](#), [Twitter](#) and [YouTube](#).

Kentuckians can also access translated COVID-19 information and daily summaries of the Governor's news conference at tinyurl.com/kygovespanol (Spanish) and tinyurl.com/kygovtranslations (more than 20 additional languages).

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