4/27 Update from Jake Posey: Governor Greg Abbott today announced the first phase of the State of Texas' ongoing plan to safely and strategically open Texas while minimizing the spread of COVID-19. Under Phase I, certain services and activities are allowed to open with limited occupancy, and the Texas Department of State Health Services (DSHS) is issuing minimum standard health protocols for all businesses and individuals to follow.

As a result of the progress Texas is seeing, in containing the spread of COVID-19, Governor Abbott stated that it was now time to take steps to “safely” open up as many “non-essential” businesses as possible, thanking the members of the Strike Force for their work on creating the attached strategic plan. At the same time, Abbott expressed concern and regret that it was not prudent to open-up all businesses at the same time without running undue risks of a second, stronger wave of the virus.

Abbott’s systematic plan for reopening the Texas economy, emphasizes that businesses are “allowed” to open, but not required “re-open”. Phases 1-2 are outlined below, with more details on Phase 3 expected soon:

PHASE ONE is set to begin on May 1st and will allow retail stores, restaurants, movie theaters, and malls to open-up with a restriction that they operate at up to 25% of their occupancy capacity. In addition, museums and libraries may also re-open with no more than 25% occupancy and no hands-on exhibits. Further, Governor Abbott announced that outdoor sports like golf and tennis could return on May 1st, if there are no more than four participants and that participants maintain appropriate social distancing protocols. In addition, other licensed healthcare professionals, such as doctors, nurses, and dentists may return to work and hospitals could open their operations, provided that they reserve at least 15% of their capacity for COVID-19 patients. To protect rural counties, different standards will apply to counties with less than five cases of COVID-19 (must adhere to the safety standards outlined in the report), but can increase capacity and open businesses to 50%. There are still some conditions that must be met by counties with less than five cases. If there is an outbreak, for instance, that would require that county to move back to more limited capacity. The 25% occupancy rule will be enforced by a $1,000 fine or up to 180 days in jail. In addition, if businesses violate the law, businesses that do so, may be subject to a suspension or loss of their license.

PHASE TWO. In order to move into Phase Two, the state must have at least two weeks of data to ensure that there is no new surge or rebound in the number of cases occurring after the implementation of Phase One. Gov. Abbott’s hope is that businesses can begin Phase Two as early as May 18th. Under Phase Two, it is contemplated that even more types of businesses will be authorized to re-open and that authorized Phase One businesses will be able to expand the capacity from 25% to 50%. However, Governor Abbot reiterated that it is essential to continue to meet certain COVID-19 data points on testing, decreased caseloads, reductions in hospitalizations and increased recoveries before being able to move forward with Phase Two.
Businesses like barber shops and salons, bars and gyms were not included in the group of businesses that can re-open as part of Phase One, based on doctors advising the Governor against those businesses opening-up at this time. Abbott went on to say that the Strike Force is working diligently with health experts and industry leaders to find responsible ways to reopen business like gyms, salons, barbershops, and summer camps. As of right now, those business are not part of the non-essential businesses permitted to reopen on May 1st. The Governor also explained that ongoing essential service businesses or any of the newly allowed reopened services and businesses starting May 1, be expected to follow the minimum standard health protocols recommended by DSHS and the CDC, including the wearing of face masks. In other words, the order does not require the use of facemasks statewide, but it is strongly recommended and encouraged.

**TESTING AND TRACING.** Finally, Governor Abbott outlined three parts of a newly created COVID-19 tracing program. The first segment, which has already been completed, mobilized 1,157 state and local contact tracers. Part two, starting on April 27, will add an additional 1,000 contact tracers, while the 3rd part, starting May 11, aims to build a team of 4,000 contact tracers. These contact tracers test those who may be affected, help isolate those who test positive and contact those who have been in contact with those people, effectively boxing in the virus, according to Governor Abbott.

**Phase I - May 1st**

- Most important element: protecting vulnerable Texans such as seniors and immune compromised
- Most retail businesses can reopen on May 1st, including movie theaters, restaurants and malls – 25% maximum capacity for now
- Museums, libraries, etc. can open, too, but interactive areas must remain closed
- Sole practitioners may return to work, too
- Business owners do not have to open – “this is permission to open, not a requirement”
- Churches/places of worship may expand their capacity, but with emphasis on safe distancing practices
- Sporting activities may also resume, so long as no more than four people are involved at any given time
- All licensed healthcare workers are now allowed to return to work, with fewer restrictions
- Farmers and ranchers, grocery stores, hardware stores, banks, gas stations, car dealers, etc. are all allowed to continue operating as they have been
- “Unfortunately, medical experts have advised” that we should not yet open salons, barber shops, gyms and bars – goal is mid-May
- The same concern applies to summer camps – “we’re working on this as swiftly as possible”
- These directives supersede local ordinances, but note: in counties w/fewer than five COVID-19 cases can open businesses at 50% capacity during Phase I

**Phase II - May 19th**

- State needs to see two weeks of date without flare-ups before we can get here
- All businesses outlined above may go to 50% capacity in Phase II
- Goal will be for all closed businesses to be opened during Phase II