

# STATE OF DISASTER EMERGENCY PROCLAMATION

Executive Department  
State of Kansas  
Topeka, Kansas

## By the Governor

By virtue of the authority vested in me by the Kansas Constitution Article I, Section 3, the Kansas Emergency Management Act, Chapter 48, Article 9, of the Kansas Statutes Annotated (“KEMA”), other relevant Kansas statutes, and any common law authorities to meet the inherent dangers of disasters or the imminent threats of disasters to which the State and its citizens are exposed, and upon advice of the State Adjutant General as the Director of the Division of Emergency Management, I hereby proclaim a State of Disaster Emergency as follows:

### **NATURE OF THE DISASTER:**

Hospitals, skilled nursing facilities, and long-term care facilities throughout the state are seeing an increased need for direct patient care due to increased COVID-19 infections and hospitalizations. The increase in positive COVID-19 cases affects Kansas healthcare staff since, for patient safety, they are isolated from being able to provide healthcare while they wait out their isolation and quarantine period causing additional strain on medical professionals and limiting the availability of staff.

### **DATE THAT DISASTER AFFECTED THE AREA:**

January 6, 2022 and continuing

### **AREA AFFECTED BY THE DISASTER:**

All 105 counties and all federally recognized Indian Tribes in Kansas.

I hereby proclaim, direct and order the Adjutant General of the State of Kansas to activate the disaster response and recovery portions of the Kansas Response Plan. The Adjutant General shall coordinate local and inter-jurisdictional disaster plans applicable to the political subdivisions of areas affected by this Proclamation.

Any or all of the powers conferred upon the Governor by the Kansas Emergency Management Act may be delegated to the Adjutant General as deemed appropriate during this period of proclaimed State of Disaster Emergency. This may be delegated by written orders, or oral orders subsequently reduced to writing with reference to this Proclamation.

I hereby suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the order or rules and regulations of any state agency which implements such statute, if strict compliance with the provisions of such statutes, order or rule and regulation would prevent, hinder, or delay in any way necessary action in coping with the disaster as set forth in KSA 48-925(c)(1).

I hereby direct state agencies to implement necessary continuity activities to ensure the delivery of essential functions that include continuity of operations (COOP) planning with pandemic considerations applied.

If a court of competent jurisdiction declares that any provision of this Proclamation, any order issued under the authority it invokes, or any section or subsection of any order issued under the authority it invokes is to any extent invalid, illegal, or incapable of being enforced, such provision shall be excluded to the extent of such invalidity, illegality, or unenforceability, all other terms hereof shall remain in full force and effect to ensure the activation of the disaster response and recovery portions of the Kansas Response Plan to assist and protect Kansans during this disaster.

This Proclamation shall be filed promptly with the Division of Emergency Management, the Office of the Secretary of State and each city clerk or county clerk, as appropriate, in the area to which this Proclamation applies. Further dissemination of this Proclamation shall occur by means calculated to bring its contents to the attention of the general public.

DONE At the Capitol in  
Topeka Under the Great Seal  
of the State this 6<sup>h</sup>, day of  
January  
A.D., 2022

**FILED**  
JAN 06 2022  
SCOTT SCHWAB  
SECRETARY OF STATE

THE GOVERNOR: *Laura Kelly*

*Scott Schwab*  
Secretary of State

*Jennifer Pook*  
Assistant Secretary of State