

Sen. Nass: Extension of the safer at home DHS order to May 26th

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Senator Steve Nass (R-Whitewater) issued the following statement in response to Governor Tony Evers announcement that the Department of Health Services (DHS) would be extending the Safer At Home Order from April 24, 2020 until at least May 26, 2020.

“Since the beginning of Wisconsin’s Covid-19 response we have repeatedly witnessed an uneven leadership from Governor Tony Evers and DHS Secretary-Designee Andrea Palm in regards to their use of public health orders. In early March, they utilized modeling developed by DHS with dire projections of cases and deaths to justify enactment of harsh restrictions on the people and businesses of Wisconsin. That model was proven to be flawed since it relied heavily on questionable data from China and Italy.

Each passing week, Secretary-Designee Palm increasingly stoked fears in her briefings of pending and unavoidable spikes in Covid-19 cases statewide, even though actual data on Covid-19 has been stable and the so-called “curve” has flattened.

Governor Evers and DHS have shown no concerns regarding the highly negative impacts of their orders on the economy and the ability of the public to access health care treatments for other serious medical concerns. That lack of addressing broader health care access for non-Covid-19 issues in fact jeopardizes the health of many citizens in need of care.

Today, Governor Evers and Secretary-Designee Palm extended the order

but claimed there were significant loosening of the rules. However, upon closer inspection of the new order it has key parts that are in reality tightening of the current rules for many businesses. The new order even seems to encourage local governments to close their parks and public spaces if a small number of citizens don't cooperate.

It is now abundantly clear that Governor Evers' administration will not act reasonably in developing a phased plan to safely reopen Wisconsin without being forced to by the people, the legislature and the courts.

I recommend the following actions should be taken in response:

1.) Impacted citizens, businesses and the legislature should consider filing lawsuits challenging elements of the order and the constitutionality of provisions of Chapter 252 of the Wisconsin Statutes (the power of DHS and local health departments to issue public health orders).

2.) An extraordinary session of the legislature should be convened to pass legislation limiting the expansive powers of the DHS and local health departments in issuing public health orders without proper justification and a process for reasonable legislative oversight and ability to end orders by joint resolution.

3.) During the same extraordinary session the State Senate should consider the executive appointment of Andrea Palm as DHS Secretary and reject it.

4.) Call upon Governor Evers to work with the legislature to craft a plan to address public health in response to Covid-19 and safely reopen Wisconsin utilizing CDC guidelines on social distancing, operation of businesses, K-12/higher education and churches/religious entities. The plan should prioritize compliance with constitutional limitations on government, provide the necessary Covid-19 testing resources and enhancing the supply of PPE."