

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Bulletin 2020-43-INS

In the matter of:

**MDHHS Emergency Order;
MIOSHA Emergency Rules:
Insurance Services Industries**

**Issued and entered
this 26th day of October 2020
by Anita G. Fox
Director**

This bulletin supersedes the following bulletins: 2020-12-INS; 2020-14-INS; and 2020-22-INS.

Bulletin 2020-12-INS referenced Governor Whitmer’s Executive Order 2020-04, which initially declared a state of emergency across the State of Michigan due to the COVID-19 pandemic and Governor Whitmer’s Executive Order 2020-21, which directed Michigan residents to remain at home with limited exceptions. Bulletin 2020-12-INS also stated that some workers in the insurance industry include critical infrastructure workers under Executive Order 2020-21, to the extent their work cannot be done by telephone or remotely, and provided guidance regarding to remote work, in-person work, and social distancing guidelines and other requirements. Bulletin 2020-14-INS extended Bulletin 2020-12-INS in accordance with Governor Whitmer’s Executive Order 2020-42, and Bulletin 2020-22-INS further extended Bulletin 2020-12-INS in accordance with Executive Order 2020-59.

In an emergency order issued October 9, 2020 (Emergency Order), the Michigan Department of Health and Human Services (MDHHS) concluded that the COVID-19 pandemic continues to constitute an epidemic in Michigan and continues to cause severe, widespread harm to Michigan residents. The Emergency Order also imposes certain gathering limitations, face covering requirements, and worker protection requirements for businesses, which includes businesses in the insurance industry subject to DIFS’ regulatory oversight. In addition, the Michigan Occupational Safety and Health Administration (MIOHSA) within the Department of Labor and Economic Opportunity issued Emergency Rules on October 14, 2020, titled “Coronavirus Disease 2019 (Covid-19)” (Emergency Rules). The Emergency Rules establish requirements for employers, including employers in the insurance industry subject to DIFS’ regulatory oversight, to control, prevent, and mitigate the spread of COVID-19 among employees. Regulated entities and individuals must comply with applicable provisions of the Emergency Order and Emergency Rules, and any other applicable law, rule, or regulation related to the public health emergency caused by the COVID-19 pandemic or other emergency issued or enacted at the federal, state, or local level.

Regulated entities and individuals shall also remain apprised of and in compliance with new or amended laws intended to address the public health emergency caused by the COVID-19 pandemic that require the entity

or individual to take or refrain from taking certain actions or otherwise impact the entity or individual. See, for example, PA 236 of 2020 (providing for certain protections against civil liability relating to the COVID-19 pandemic, prohibiting an employer from taking certain actions against an employee who does not report to work under certain circumstances related to COVID-19, and prohibiting an employee from reporting to work under certain circumstances related to COVID-19).

DIFS will continue to coordinate with the authorities charged with enforcing laws, rules, or regulations related to the COVID-19 pandemic and other emergencies as necessary to ensure compliance.

Any questions regarding this Bulletin should be directed to:

Department of Insurance and Financial Services
Office of General Counsel
530 W. Allegan Street – 7th Floor
P.O. Box 30220
Lansing, Michigan 48909-7720
Toll-Free: (877) 999-6442

/s/

Anita G. Fox
Director