



January 6, 2021

**Judge Blackburn Statement
in regard to the
Texas Dept of State Health Services Notification of Jan 5, 2021**

Good morning.

Late yesterday afternoon I received notification from the Texas Department of State Health Services, or 'DSHS'. The notification officially advised me that, under Governor Abbott's Executive Order GA-32, Trauma Service Area L had reached the threshold definition of a 'high hospitalization area'. Bell County is one of 6 counties that comprise Trauma Service Area L. Coryell, Hamilton, Lampasas, Milam, and Mills comprise the remainder of the counties in Trauma Service Area L.

A 'high hospitalization area', as defined by Governor Abbott's Executive Order, is 'any trauma service area that has had seven consecutive days in which the number of COVID-19 patients as a percentage of total hospital capacity exceeds 15%.

The impact of this designation is significant in several areas.

First and foremost, hospitals may no longer schedule elective surgeries. Our area hospitals have been so advised and have already implemented measures to be in compliance with the Governor's Order.

Another impact of the high hospitalization designation is on our bars. Shortly after receiving the DSHS notification, I received notification from the Texas Alcoholic Beverage Commission that I needed to amend my 'opt in' form, which I filed several months ago to allow bars to be open. The amended form that I filed late yesterday afternoon now does not allow certain bars to be open as a result of the State's designation of a 'high hospitalization area'. Bell County is now defined, per the Governor's Orders, as a county that is 'ineligible' for bar openings.

- But, please note that, according to the Texas Alcoholic Beverage Commission, bars that hold a mixed beverage permit may not open. However, bars that hold a wine & beer retailers permit may be open for 'To Go' service only. Of the over 300 bars in Bell County, it is my understanding that there are 43 bars that hold a 'mixed beverage permit'.
 - o I would urge bar owners and operators who have any questions about whether and how they may operate under the Governor's Order to contact TABC. The contact

information that I have been given is for Mr. Dexter Jones, Chief, Audit & Investigations, TABC. His email address is Dexter.Jones@tabc.texas.gov

Additional impacts of being designated as a high hospitalization area are:

- Any business establishment that would otherwise have an 75% occupancy operating limit , as allowed by the Governor's previous Orders, will now be allowed only a 50% occupancy operating limit...with certain exceptions that I will cover in a moment
 - o The affected business establishments include restaurants, retail stores, office buildings, gyms, museums, and libraries
 - o In essence, those businesses that the State has classified as 'non-essential' must return to 50% occupancy operating limits
- The Governor's Order provides for several exceptions to the occupancy and operating limits placed on 'non essential' businesses, for example:
 - o There are no occupancy limits for:
 - 'essential service' businesses
 - Churches
 - Government operations
 - Childcare services
 - Youth camps
 - Recreational sports programs
 - Schools
 - Cosmetology salons, hair salons, barber shops, and other establishments where licensed cosmetologists or barbers' practice, provided they operate with at least 6 feet of distance between workstations
 - o I would direct you to the Governor's Order for more detail and clarification of what businesses are identified and for the parameters of the operating guidelines that are set forth.
 - o I would also direct you to contact the Governor's Office thru the Texas Department of Emergency Management should individuals or businesses have a question about their operating status under the Governor's Order. The Texas Department of Emergency Management's website is www.tdem.texas.gov

So, in summary ... as of yesterday afternoon, Bell County and 5 of our neighboring counties have now been designated by the State as an 'area of high hospitalization'. This designation carries impacts for many of our businesses and residents.

I would continue to urge everyone practice social distancing, wear your face coverings when you cannot, and practice good personal hygiene, to include frequent washing of your hands. Continued vigilance in these practices will help us move thru this stage of the pandemic. I am confident there is light at the end of the tunnel, and it is not far.