



Kentucky Reopening Guidance Now Mandatory

Insights

5.11.20

While there had been some doubt whether Kentucky's various COVID-19 reopening "requirements" and "guidelines" had the force of law, the state largely removed that doubt today through an Order confirming that these releases are mandatory.

The Secretary of Kentucky's Cabinet for Health and Family Services' Order describes the previously published Minimum Requirements for All Entities, and the various industry- and sector-specific requirements, as "directives." The Order asserts Governor Beshear has designated the Cabinet's Secretary to deliver these directives and that all entities **must** comply with the directives as a condition of reopening (or remaining open).

The Order incorporates a somewhat modified version of most recent previous version of the Minimum Requirements for All Entities. The key takeaway is that you now have little ground to argue the directives are not mandatory. For this reason, you should follow them without exception, including ensuring you are complying with some meaningful changes to the requirements.

Conclusion

Please visit [Kentucky Releases Industry-Specific Reopening Guidelines \(Updated\)](#) and [Post-Pandemic Back-To-Business FAQs For Kentucky And Indiana Employers \(UPDATED\)](#) for additional information. Fisher Phillips will continue to monitor the rapidly developing COVID-19 situation and provide updates as appropriate. Make sure you are subscribed to [Fisher Phillips' Alert System](#) to get the most up-to-date information.

For further information, contact your Fisher Phillips attorney, any attorney in our [Louisville](#) office, or any member of our [Post-Pandemic Strategy Group Roster](#). You can also review our [FP BEYOND THE CURVE: Post-Pandemic Back-To-Business FAQs For Employers](#) and our [FP Resource Center For Employers](#).

This Legal Alert provides an overview of a specific developing situation. It is not intended to be, and should not be construed as, legal advice for any particular fact situation.

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