STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7V

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – SAFE WORKPLACES, EMERGENCY EXPANSION OF THE HEALTHCARE WORKFORCE

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed spread in Connecticut; and

WHEREAS, pursuant to such declaration, I have issued twenty-two (22) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, the risk of severe illness and death from COVID-19 appears to be higher for individuals who are 60 years of age or older and for those who have chronic health conditions; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention and the Connecticut Department of Public Health recommend implementation of community mitigation strategies to increase containment of the virus and to slow transmission of the virus, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, the critical need to limit the spread of COVID-19 requires the enforcement of distancing and other protective measures in all workplaces; and

WHEREAS, numerous medical professionals, after having completed the educational requirements for their profession, are permitted to temporarily practice their profession under the supervision of a licensed practitioner prior to being licensed; and

WHEREAS, such professionals' ability to temporarily practice their profession may expire prior to the end of the public health and civil preparedness emergency; and

WHEREAS, necessary public health protective measures enacted in response to the COVID-19 pandemic may prevent such professionals from completing their licensing requirements during the public health and civil preparedness emergency; and

WHEREAS, to maintain and expand the healthcare workforce capacity for COVID-19 response and mitigation efforts, it is necessary to allow such professionals to continue to work in such temporary, supervised status for the duration of the declared civil preparedness and public health emergency; and

WHEREAS, as a result of the dire economic effects of the necessary public health protective measures enacted in response to the COVID-19 pandemic, an unprecedented number of Connecticut residents have filed for unemployment benefits; and

WHEREAS, to reduce burdens on contributing employers whose employees have had to file unemployment claims as a result of COVID-19, it is necessary to relieve those employers of the amount of benefit payments charged to an employer's experience account; and

WHEREAS, there exists a compelling state interest in rapidly expanding the capacity of health care professionals and facilities to provide care during the COVID-19 pandemic; and

WHEREAS, providing relief from liability for such health care professionals for good faith efforts to provide care during the COVID-19 pandemic will greatly increase the state's ability to achieve such an expansion;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Safe Workplaces in Essential Businesses.** Every workplace in the State of Connecticut shall take additional protective measures to reduce the risk of transmission of COVID-19 between and among employees, customers, and other persons such as delivery drivers, maintenance people or others who may enter the workplace. The Commissioner of Economic and Community Development, in consultation with the Commissioner of Public Health, shall issue legally binding statewide rules prescribing such additional protective measures no later than 5:00 p.m. on April 7, 2020. Such rules shall be mandatory throughout the state, for essential businesses and nonprofits and any other business or nonprofit permitted to operate, and shall supersede and preempt any current or future municipal order. Nothing in such rules or this order shall supersede Executive Order No. 7S, Section 1, or the "Safe Stores" rules promulgated thereunder.

2. **Temporary Permits for Certain Health Care Providers Extended and Fees Waived.** Sections 20-65k, 20-12b(b), 20-74d, 20-162o(c) and 20-195t of the Connecticut General Statutes are modified to waive any application fees for temporary permits and to extend the duration of the temporary permits for the health care professions governed thereunder (Athletic Trainer, Respiratory Care Practitioner, Physician Assistant, Occupational, Therapist/Assistants, Master Social Worker), for

the duration of the public health and civil preparedness emergency, unless earlier modified or terminated. The Commissioner may issue any implementing order she deems necessary to effectuate this order.

3. **Practice Before Licensure for Certain Health Care Profession Applicants and Graduates.** The provisions in Sections 20-70(b)(1), 20-70(b)(2), 20-74bb(f), and 20-101 of the Connecticut General Statutes that permit practice prior to licensure by applicants and graduates for the health care professions governed thereunder (Physical Therapist, Physical Therapy Assistant, Radiographer, Registered Nurse, Nurse Practitioner, Clinical Nurse Specialist, Nurse Anesthetist), are modified to permit such practice for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated. The Commissioner of Public Health may issue any implementing orders she deems necessary to effectuate this order.

4. **Practice Before Licensure for Marital and Family Therapy Associates.** Section 20-195f of the Connecticut General Statutes is modified to provide that, for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated, no license shall be required to practice as a marital and family therapy associate, as defined in Section 20-195a(4), for a person who has completed a graduate degree program specializing in marital and family therapy offered by a regionally accredited institution of higher education or a postgraduate clinical training program accredited by the Commission on Accreditation for Marriage and Family Therapy Education and offered by a regionally accredited institution of higher education. The Commissioner may issue any implementing orders she deems necessary to effectuate this order.

5. **Practice Before Licensure for Professional Counselor Associates.** Section 20-195bb(c) of the Connecticut General Statutes is modified to permit a person who has completed the requirements in Section 20-195dd(b) to practice as a professional counselor associate without obtaining a license for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated. The Commissioner may issue any implementing orders she deems necessary to effectuate this order.

6. **Executive Order No. 7U, Section 1, Superseded - Protection from Civil Liability for Actions or Omissions in Support of the State's COVID-19 Response.** Section 1 of my prior Executive Order No. 7U concerning protection from civil liability for actions or omissions in support of the State’s COVID-19 response is hereby superseded and replaced in its entirety by the following:

   Notwithstanding any provision of the Connecticut General Statutes or any other state law, including the common law, or any associated regulations, rules, policies, or procedures, any health care professional or health care facility shall be immune from suit for civil liability for any injury or death alleged to have been sustained because of the individual's or health care facility's acts or omissions undertaken in good faith while providing health care services in support of the State's COVID-19 response, including

but not limited to acts or omissions undertaken because of a lack of resources, attributable to the COVID-19 pandemic, that renders the health care professional or health care facility unable to provide the level or manner of care that otherwise would have been required in the absence of the COVID-19 pandemic and which resulted in the damages at issue, provided that nothing in this order shall remove or limit any immunity conferred by any provision of the Connecticut General Statutes or other law. Such immunity shall not extend to acts or omissions that constitute a crime, fraud, malice, gross negligence, willful misconduct, or would otherwise constitute a false claim or prohibited act pursuant to Section 4-275 et seq. of the Connecticut General Statutes or 31 U.S.C. §§3729 et seq. The term "health care professional" means an individual who is licensed, registered, permitted, or certified in any state in the United States to provide health care services and any retired professional, professional with an inactive license, or volunteer approved by the Commissioner of the Department of Public Health or her designee. The term "health care facility" means a licensed or state approved hospital, clinic, nursing home, field hospital or other facility designated by the Commissioner of the Department of Public Health for temporary use for the purposes of providing essential services in support of the State's COVID-19 response. The immunity conferred by this order applies to acts or omissions subject to this order occurring at any time during the public health and civil preparedness emergency declared on March 10, 2020, including any period of extension or renewal, including acts or omissions occurring prior to the issuance of this order attributable to the COVlD-19 response effort.

Unless otherwise specified herein, this order shall take effect immediately and shall remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 7th day of April, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State