STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 9S

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC – REVISIONS TO TRAVEL ADVISORY; TEMPORARY SUSPENSION OF LICENSURE REQUIREMENTS FOR CERTAIN OUT-OF-STATE HEALTHCARE PROVIDERS

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

WHEREAS, on September 1, 2020, I renewed the March 10, 2020 declaration of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies, which new and renewed emergencies shall remain in effect until February 9, 2021, unless earlier terminated; and

WHEREAS, pursuant to such declarations, I have issued eighty-six (86) 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 (the "COVID-19 Orders"); 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, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including limitation on the size of gatherings, maintaining a safe distance from others, and wearing masks or face coverings; and

WHEREAS, Executive Order No. 7III, as amended most recently by Executive Order No. 9I, required the Commissioner of Public Health to issue a travel advisory requiring certain travelers arriving to Connecticut from states with high rates of COVID-19 infection to self-quarantine or provide evidence of a negative test for the disease; and

WHEREAS, while all residents are encouraged to limit their interstate travel because of increasing rates of COVID-19 throughout the country and the region, significant restrictions on travel by our neighbors on or near Connecticut's borders would create unacceptable disruptions to essential business and daily life; and

WHEREAS, in recognition of the essential nature and high volume of commerce, family connections, and travel with our neighboring states, and the practical difficulty in enforcement and unacceptable disruption that would result from restricting travel between them and Connecticut, I have worked with the Governors of New York, New Jersey, and Rhode Island to coordinate our approach to our states' travel advisories and self-quarantine requirements; and

WHEREAS, pursuant to an order from the Commissioner of Public Health, healthcare providers from outside Connecticut have greatly enhanced the provision of healthcare services in Connecticut during the COVID-19 pandemic and thereby fundamentally improved the state's ability to protect public health at a critical time; and

WHEREAS, the statutory limitation that allows the Commissioner of Public Health to authorize such providers to practice without licensure or certification in Connecticut for only 60 days inhibits the state's ability to provide sufficient healthcare resources in response to the COVID-19 pandemic and prepare for any possible resurgence of COVID-19 infections;

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, and pursuant to the public health and civil preparedness emergencies declared on March 10, 2020 and renewed on September 1, 2020 and the new public health and civil preparedness emergencies declared on September 1, 2020, do hereby **ORDER AND DIRECT**:

1. **Amendments to Mandatory Self-Quarantine for Travelers from States with High COVID-19 Levels**. Section 1 of Executive Order No. 9I is hereby repealed and replaced in its entirety by the following: Section 2 of Executive Order No. 7III is hereby amended to provide that for travel into Connecticut occurring on and after 12:01 a.m. on Saturday, December 19, 2020, the additional subsection (g) of Section 19a-131a of the Connecticut General Statutes created by that order shall read as follows:

   (g) (1) **Definitions**. For purposes of this subsection, an "Affected State" means a state or territory, other than New York, New Jersey, or Rhode Island; an "Affected Country" means a country other than the United States; and an "Affected Traveler" means a person entering into or returning to the State of Connecticut who has spent twenty-four hours or longer in an Affected State or an Affected Country within ten days prior to arriving in Connecticut, but does not include an individual remaining in Connecticut for less than twenty-four hours.

   (2) **Self-Quarantine for Affected Travelers**. All Affected Travelers shall self-quarantine for a period of ten days from the time of last contact with such Affected State or such Affected Country, for any portion of such ten-day period they spend in Connecticut, or for the duration of such Affected Travelers' stay in Connecticut, whichever is shorter, and shall comply with any further federal requirements applicable to such traveler.

      (A) **Testing Alternative**. An Affected Traveler is exempt from the self-quarantine requirement if (i) he or she has had a test for COVID-19 in the seventy-two hours prior to arrival in Connecticut or at any time following arrival in Connecticut, (ii)

the result of such COVID-19 test is negative, and (iii) such Affected Traveler submits written proof of such negative test result to the Commissioner or her designee. All COVID-19 tests, other than COVID-19 antibody tests, shall be acceptable for this purpose. From time to time, as she deems necessary, the Commissioner may expand or modify the type or types of tests that are acceptable for such testing alternative by modifying the travel advisory issued pursuant to subdivision (5) of this subsection. If a test was obtained in the seventy-two hours prior to arrival in Connecticut, or following arrival in Connecticut, and such Affected Traveler has not yet received his or her test results, such Affected Traveler shall remain in self-quarantine while in Connecticut until a negative test result is submitted to the Commissioner or her designee.

(B) **Essential Workers**. Affected Travelers traveling to, or returning to, Connecticut from Affected States or Affected Countries who work in critical infrastructure as designated by the Cybersecurity and Infrastructure Security Agency, including students in exempt health care professions, are exempt from the self-quarantine requirement when such travel is related to their work. This includes any state, local, and federal officials and employees traveling in their official capacities on government business. If such worker was in an Affected State or an Affected Country for a reason other than work (e.g., vacation), such worker shall be required to self-quarantine in accordance with this subdivision 2.

(C) **Additional Protocols**. The Commissioner of Public Health may issue additional protocols for other extraordinary circumstances or when a self-quarantine is not possible, provided such measures continue to safeguard public health.

(3) **Travel Health Forms Required**. All Affected Travelers, prior to or no later than upon the day of arrival in Connecticut, shall complete a Travel Health Form developed by the Commissioner requiring such persons to disclose their name, the last Affected State or Affected Country in which such Affected Traveler has spent twenty-four hours or longer, last date of stay in such Affected State or such Affected Country, date of arrival in Connecticut, address of designated self-quarantine location in Connecticut, length of stay, address in home state or country, cell phone number, contact phone number while in Connecticut, method of travel into Connecticut and information regarding accompanying minors. All Affected Travelers shall complete a Travel Health Form and submit it either electronically at ct.gov/travelform or to any location or person designated by the Commissioner. Such Travel Health Form may be modified by the Commissioner as she deems necessary.

(4) **Self-Quarantine Enforcement Provisions**.

(A) Any Affected Traveler who violates this subsection by refusing or failing to self-quarantine, refusing or failing to submit the Travel Health Form, or refusing or failing to complete the Travel Health Form truthfully and accurately shall be subject to a civil penalty of five hundred dollars for each such violation. Nothing in this

Section shall be construed to limit, alter, modify or suspend any other existing penalties that otherwise apply to violations of orders issued pursuant to a civil preparedness or public health emergency.

(B) The Department of Public Health (the "Department") may impose the civil penalty authorized by this subsection by providing the Affected Traveler with a written notice of civil penalty. The Commissioner may delegate to local or district health directors the authority to issue a written notice of civil penalty authorized by this subsection.

(C) Any person assessed with a notice of civil penalty authorized by this subsection may, within ten business days of the date of the notice of civil penalty, request a hearing before the Commissioner, which hearing shall be held within thirty business days of receipt of the request. At any such hearing, the Department shall be required to prove, by a preponderance of the evidence, that the Affected Traveler (i) refused or failed to self-quarantine, (ii) refused or failed to submit the Travel Health Form, or (iii) refused or failed to truthfully and accurately complete the Travel Health Form. The Department shall have the authority to issue subpoenas, compel testimony and order the production of books, records and documents in order to put on its case.

(D) Failure to make a timely request for a hearing shall result in the civil penalty being a final order imposing the civil penalty. A hearing request, to be timely, shall be submitted to the Department electronically or mailed and postmarked within ten business days of the date of the notice of civil penalty.

(E) A hearing under this section shall be deemed a contested case in accordance with Chapter 54 of the General Statutes. A final order of the Department assessing a civil penalty shall be subject to appeal as set forth in section 4-183 of the General Statutes.

(F) The Department may waive or modify the civil penalty upon such terms and conditions as, in its discretion, it deems proper or necessary.

(5) **Travel Advisory**. The Commissioner shall issue a travel advisory, which shall be communicated widely at all major points of entry into Connecticut, including on highway message boards and Connecticut airports, communicating the requirements of this subsection. Such travel advisory may include additional protocols for other extraordinary circumstances or when self-quarantine is not possible, provided such measures continue to safeguard the public health.

2. **Authorization for Continued Temporary Suspension of the Requirements for Licensure, Certification or Registration of Out-of-State Providers**. Section 19a-131j(a) of the Connecticut General Statutes is hereby modified to allow the Commissioner of Public Health to temporarily suspend, for the duration of the public health and civil preparedness emergency, the requirements for licensure, certification or registration

pursuant to sections 19a-512 and 19a-513 of the Connecticut General Statutes (Nursing Home Administrators), and chapters 368d (Emergency Medical Services), 370 (Medicine and Surgery), 376 (Physical Therapists), 376a (occupational therapist), 376b (alcohol and drug counselor), 376c (radiographer, radiologic technologist, radiologist assistant and nuclear medicine technologist), 378 (Nursing), 378a (Nurse's Aides), 379 (dentist), 379a (dental hygienist), 381a (Respiratory Care Practitioners), 382a (behavior analyst), 383 (Psychologists), 383a (Marital and Family Therapists), 383b (Clinical Social Workers and Master Social Workers), 383c (Professional Counselors), 383d (genetic counselor), 383f (music therapist), 383g (art therapist), 384b (dietician-nutritionist), 384d (Emergency Medical Services Personnel), 385 (Embalmers and Funeral Directors), 399 (speech and language pathologist); and 400j (Pharmacy), to allow persons who are appropriately licensed, certified or registered in another state or territory of the United States or the District of Columbia, to render temporary assistance in Connecticut within the scope of the profession for which a provider is licensed, certified or registered. This order shall supersede Section 1 of Executive Order No. 7HHH.

Unless otherwise provided herein, this order shall take effect immediately and shall remain in effect for the duration of the existing renewed and newly declared civil preparedness and public health emergencies, unless earlier modified or terminated by me.

Dated at Hartford, Connecticut, this 18th day of December, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State