STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7O

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – FLEXIBILITY IN DPH LICENSING RENEWAL REQUIREMENTS AND PROVIDER ASSIGNMENT, EXPANDED HAND SANITIZER PRODUCTION, WAIVER OF BIRTH-TO-THREE FEES

WHEREAS, on March 10, 2020, I issued declarations 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, my Executive Order No. 7, dated March 12, 2020, among other things, prohibited gatherings of 250 people or more for social and recreational activities, including but not limited to, community, civic, leisure, and sporting events; parades; concerts; festivals; movie screenings; plays or performances; conventions; and similar activities, and suspended various statutes and regulations to protect public health and safety; and

WHEREAS, my Executive Order No. 7A, dated March 13, 2020, authorized the Commissioner of Public Health to restrict entrance into nursing homes and similar facilities to protect people who are most vulnerable to COVID-19; and

WHEREAS, my Executive Order No. 7B, dated March 14, 2020, among other things, modified in-person open meetings requirements, waived certain rules to mitigate the critical shortage of hand sanitizer and personal protective equipment (PPE), maintain and increase the availability of childcare, and provide for increased healthcare resources and facilities; and

WHEREAS, my Executive Order No. 7C, dated March 15, 2020, among other things, cancelled classes in public schools for at least two weeks, provided for closure and remote conduct of business at Department of Motor Vehicle branches, extended deadlines for municipal budget preparations, and suspended or modified laws and regulations governing health care data and visitation at certain health care and congregate care settings; and

WHEREAS, my Executive Order No. 7D, dated March 16, 2020, restricted social and recreational gatherings of all types to fewer than 50 people, closed bars and restaurants to all service except food and non-alcoholic beverage takeout and delivery, closed gyms,

fitness centers and movie theaters, and prohibited on-site operations at off-track betting facilities; and

WHEREAS, my Executive Order No. 7E, dated March 17, 2020, among other things, waived the requirement for an 180-day school year, limited fingerprinting availability to that for critical requirements, extended the duration of various licenses and permits under the authority of the Commissioner of Emergency Services and public protection, and suspended certain requirements for recoupment of overpayment and hearings conducted by the Department of Social Services; and

WHEREAS, my Executive Order No. 7F, dated March 18, 2020, ordered the closure of Large Shopping Malls, the closure of places of public amusement except public parks and open recreation areas, expanded Medicaid telehealth coverage, waived in-person service, hearing, and screening requirements for certain Probate Court proceedings in vulnerable group care settings, and clarified my order cancelling school classes; and

WHEREAS, my Executive Order No. 7G, dated March 19, 2020, ordered the postponement of the presidential primary, suspended non-critical court operations, expanded the availability of telehealth services, and enacted additional public health measures; and

WHEREAS, my Executive Order No. 7H, dated March 20, 2020, limited the workplace operations of non-essential businesses and non-profits, created a process to designate those that are essential, and provided for consistency across the state in governmental response to the COVID-19 pandemic; and

WHEREAS, my Executive Order No. 7I, dated March 21, 2020, among other things, granted various forms of financial relief to recipients of public health and economic assistance, enacted measures to protect the health of children in the care of the Department of Children and Families, and enacted a series of measures to allow municipalities and their administrative bodies to conduct essential business while reducing the risk of COVID-19 transmission; and

WHEREAS, my Executive Order No. 7J, dated March 22, 2020, among other things, expanded the availability of temporary retired workers to fill critical staffing needs, provided authority to expedite acquisition and leasing of property to meet emergency response needs, and clarified restrictions on the operations of non-essential businesses; and

WHEREAS, my Executive Order No. 7K, dated March 23, 2020, among other things, suspended non-critical operations of the Probate Court and the Workers' Compensation Commission, authorized remote notarization, and provided the Commissioner of Public Health with additional authority to expedite the public health response to the COVID-19 pandemic; and

WHEREAS, my Executive Order No. 7L, dated March 24, 2020, among other things, extended the cancellation of public school classes through April 20, 2020, opened fishing season early to provide a safe recreational activity during this period of limited availability

of other options, provided for continued availability of medical marijuana for patients with debilitating conditions, eased the ability for certain patients to transfer between nursing homes, and provided for increased availability of vital records services; and

WHEREAS, my Executive Order No. 7M, dated March 25, 2020, preserved the rights of the public in certain proceedings under the Connecticut Freedom of Information Act and authorized commissioners of state agencies to suspend or modify administrative deadlines and other requirements of Chapter 54 of the Connecticut General Statutes and other agency-specific administrative requirements; and

WHEREAS, my Executive Order No. 7N, dated March 26, 2020, restricted social and recreational gatherings to no more than five (5) people, imposed additional distancing measures on restaurants, eating establishments, and retail operations, suspended the tax on single-use plastic checkout bags and allowed employees to decline to bag items in reusable bags, suspended the 21-month limit on Temporary Family Assistance, and suspended school testing assessments for the current school year; 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, confirmed COVID-19 infections and resulting hospitalizations have increased significantly in recent days, at the same time that residents of areas with high infection rates have arrived in Connecticut, creating a need to enact further mandatory distancing measures to limit the rate of spread of the disease; and

WHEREAS, the Department of Public Health is required by statute and regulations to license certain individuals and facilities and, in the interest of limiting person-to-person contact and continuing to provide adequate healthcare resources and ensure the continuity of other licensed work, it is necessary to suspend license renewal activities and certain inspections during the declared public health and civil preparedness emergency; and

WHEREAS, the continued operation of health care facilities or institutions, as defined by Section 19a-905 of the Connecticut General Statutes, is critical to the response to the declared public health and civil preparedness emergency; and

WHEREAS, Connecticut may experience a shortage of health care providers, as defined in such statute, because of the spread of COVID-19; and

WHEREAS, the maintenance of staffing levels at such facilities or institutions may require certain health care providers to work at multiple health care facilities or institutions during the response to COVID-19; and

WHEREAS, the issuance and maintenance by such health care facilities or institutions of identification badges, in complete conformance with Section 19a-905 of the Connecticut General Statutes, for health care providers who provide direct patient care at such facility or institution, may hinder flexible and responsive deployment of healthcare resources during the emergency; and

WHEREAS, the state has experienced widespread shortages of hand sanitizer which is critical for the prevention of COVID-19 related transmission when access to hand washing is not available, and certain manufacturers of other products, including liquor, are able and willing to produce it; and

WHEREAS, there is a critical lack of supply for certain medical devices, including personal protective equipment, which is needed to reduce the transmission of COVID-19 and to keep healthcare workers safe in the workplace; and

WHEREAS, the Office of Early Childhood wishes to ensure continuity of care for infants and toddlers with disabilities, and required family cost participation fees for early intervention services pose a barrier to participation for families experiencing financial hardship due to COVID-19; and

WHEREAS, upon a proclamation that a public health or civil preparedness emergency exists, Section 28-9(b) of the Connecticut General Statutes authorizes the modification or suspension in whole or in part by executive order of any statute or regulation or requirement or part thereof that conflicts with the efficient and expeditious execution of civil preparedness functions or the protection of public health;

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. **Suspension of Requirements for License Renewal and Inspections by the Department of Public Health.** Pursuant to Section 19a-131j(e) of the Connecticut General Statutes and my emergency powers under Sections 19a-131j and 28-9, any statute, regulation or requirement or part thereof relating to license renewals and inspections by the Department of Public Health is hereby modified to authorize the Commissioner of Public Health to waive licensing, renewal, and inspection requirements pursuant to Sections 19a-131j(b), (c) and (d), and as she otherwise deems necessary to ensure the provision of adequate healthcare during, and mitigate the effects of, this public

health and civil preparedness emergency, and to issue any implementing orders she deems necessary.

2. **Modification of Health Care Provider Identification Badge Requirements.** Section 19a-905 of the Connecticut General Statutes is hereby modified to allow healthcare providers to provide direct patient care at a healthcare facility or institution, with the permission of such facility or institution, with an identification badge displaying the name of a different healthcare facility or institution, provided all other information on such identification badge conforms to the requirements of such section. This section is further modified to authorize the Commissioner of Public Health to establish policies and procedures regarding the badging of COVID-19 response personnel should she or her designee deem it necessary to rapidly move staff due to the need for mass care in a circumstance of limited resources, and to issue any related orders she deems necessary.

3. **Allowing Non-traditional Manufacturers to Make Alcohol-Based Hand Sanitizers and Medical Devices.** Section 21a-70 (b) of the Connecticut General Statutes as it pertains to the compounding of alcohol-based hand sanitizer production and the production of medical devices, including personal protective equipment used to assist in the treatment of COVID-19 is modified to permit such activities without registering as a manufacturer. The manufacturing of alcohol-based hand sanitizer shall follow Food and Drug Administration (FDA) guidance issued by the FDA and which is available on its website. All manufacturers of medical devices, including personal protective equipment, shall follow the requirements issued by the FDA and the Center for Disease Control and Prevention (CDC), which guidance is available on those agencies' websites, comply with the requirements of the National Institute for Occupational Safety and Health (NIOSH), and comply with any registration requirements imposed by those agencies, including any modifications to such requirements issued by such agencies in response to the COVID-19 pandemic. The Commissioner of Consumer Protection may issue any implementing orders or guidance that she deems necessary to effectuate the intent of this order.

4. **Waiver of Birth-to-Three Family Cost Participation Fees.** Section 17a-248g (e) of the Connecticut General Statutes, and Section 17a-248-13 (g) of the Regulations of Connecticut State Agencies are modified to authorize the Commissioner of Early Childhood to waive the fees required to be paid by the parents or legal guardians of children eligible

for remote early intervention services, waive any resulting suspension of services due to non-payment of such fees, and issue any implementing orders she deems necessary.

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 27th day of March, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State