STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7L

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – EXTENSION OF SCHOOL CANCELLATION, MUNICIPAL RETIREE REEMPLOYMENT, OPEN FISHING SEASON AND ADDITIONAL PUBLIC HEALTH MEASURES

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 on-profit, 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, 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 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 fifty people or more and social distancing in smaller gatherings; and

WHEREAS, if COVID-10 is transmitted to an elderly person, there is a high risk of serious illness or mortality; and

WHEREAS, fishing is a healthy outdoor activity and an opportunity to enjoy Connecticut's natural resources, provided that anglers practice social distancing by standing at least six feet apart, and not traveling in groups; and

WHEREAS, opening the fishing season early in inland waters will help to limit community spread of COVID-19 by eliminating the large crowds that often accompany the traditional Opening Day of fishing in April; and

WHEREAS, Section 7-438(b) of the Connecticut General Statutes restricts reemployment of participants in the Connecticut Municipal Employees Retirement System (CMERS) to no more than 20 hours each week or 90 days each calendar year if they are to continue to receive pension benefits; and

WHEREAS, the COVID-19 pandemic has created staffing disruptions in municipalities and increased the need for services provided by municipalities such as police and public safety support, resulting in critical skills shortages in vital municipal operational areas; and

WHEREAS, people who have retired from municipal service already have the requisite knowledge, experience and/or licenses and are willing to return to work to help municipalities mitigate such staffing shortages by performing critical services; and

WHEREAS, Connecticut's Medical Marijuana Program is used by approximately 41,000 patients who have been diagnosed with a debilitating condition and who rely on the program for the palliative treatment of their debilitating condition; and

WHEREAS, it is anticipated that increased demand on the healthcare system resulting from the COVID-19 pandemic and heightened protocols to prevent the spread of the virus will create a shortage of medical personnel and limit the availability of in-person care, making it difficult, if not impossible, for patients to schedule timely appointments to be certified or recertified as medical marijuana patients or to receive follow-up care; and

WHEREAS, employees working in the medical marijuana industry may be adversely affected by COVID-19 and unable to work due to illness, exposure or potential exposure to COVID-19, or childcare and other familial obligations, causing staffing shortages in the industry; and

WHEREAS, there exists a present need to encourage, facilitate and expedite patient transfers from nursing homes that are subject to closure under the provisions of Section 19a-533(h) of the Connecticut General Statutes; and

WHEREAS, due to the closure of some local offices of the registrars of vital statistics throughout the state, which offices, in accordance with section 7-42 of the Connecticut General Statutes, are responsible, inter alia, for ascertaining as accurately as each such registrar can, all marriages, deaths and fetal deaths, and all births in such registrar's town and recording the same in such form and with such particulars as are prescribed by the Department of Public Health; and

WHEREAS, members of the public, genealogical societies and others desire copies of and access to such vital records; and

WHEREAS, marriage licenses must be readily obtainable and valid for a longer period; and

WHEREAS, upon a proclamation that a 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. **Continued Cancellation of School Classes.** To promote and secure the safety and protection of children in schools related to the risks of COVID-19, Section 1 of my Executive Order 7C, canceling all public-school classes, is continued through April 20, 2020, unless earlier extended, modified, or terminated by me. Private schools and other non-public schools are encouraged to follow the same schedule. Connecticut Unified School District 1, established pursuant to Section 18-99a of the Connecticut General Statutes, Unified School District 2, established pursuant to Section 17 a-37, and Connecticut Department of Mental Health and Addiction Services inpatient facilities providing school classes or programs are exempt from this section.

2. **Early Opening of Fishing Season.** Notwithstanding Section 26-112 of the Connecticut General Statutes and any associated regulations, effective immediately and through the remainder of the 2020 fishing season, unless earlier modified or terminated by the Commissioner of Energy and Environmental Protection, there is no closed season for fishing in the inland waters of Connecticut. The Commissioner of Energy and Environmental Protection may extend or modify the open seasons for inland waters fishing without notice and public hearing and issue any implementing orders she deems necessary consistent with this order. All other regulations for fishing, including, but not limited to, licensing, stamps, methods, catch-and-release areas, creel limits and length limits shall remain in effect. Anglers shall practice social distancing measures, such as remaining six feet apart.

3. **Suspension of Restrictions on Reemployment of Municipal Retirees.** In order to enable municipalities to meet critical staffing needs caused by COVID-19 with skilled and experienced employees who require little to no additional training, the restrictions set forth in Conn. Gen. Stat. § 7-438(b) are suspended for the duration of the public health and civil preparedness emergency, unless such suspension is modified or terminated by me, to allow any retired member who is participating in the municipal retirement system, except those who are receiving a disability retirement pursuant to this chapter, to work without any hourly or durational limitation while also continuing to receive retirement allowances while so employed.

4. **Flexibility to Maintain Adequate Medical Marijuana Access for Patients.** The provisions of Sections 21a-408c and 21a408d of the Connecticut General Statutes, 21a-408-2, 21a-408-18, 21a-408-24, 21a-408-29(2), 21a-408-42 and 21a-408-43 of the Regulations of Connecticut State Agencies and any associated statutes, regulations, rules and policies regarding the certification of medical marijuana patients, the expiration of medical marijuana patient certifications or registrations, and staffing requirements at dispensary facilities are hereby modified to: (1) permit a physician or APRN to certify a patient and provide any follow-up care using telehealth services so long as all other requirements for the patient certification and all recordkeeping requirements are met; (2) extend the expiration date for any patient or caregiver certification or registration that expires before June 1, 2020 by ninety (90) day, unless such expiration date is earlier modified, extended or terminated by the Commissioner, (3) permit dispensary facility employees and laboratory employees to switch locations of employment between entities during the state of emergency, provided the Department shall be notified of any permanent changes of employment within five days after the state of emergency concludes, (4) permit the Department of Consumer Protection to provide a replacement registration certificate for a patient or caregiver who has had their registration certificate lost, stolen or destroyed without charging a replacement fee, (5) permit a dispensary facility manager to work a reduced number of hours if approved by the Commissioner, (6) permit a single dispensary facility manager to manage more than one dispensary facility under common ownership in the event that the dispensary facility manager at the other location(s) are unable to work as result of the effects of COVID-19, and (7) permit a dispensary facility to increase the ratio of one dispensary for every three dispensary technicians on duty upon notice and approval by the Commissioner. The Commissioner of Consumer Protection may issue any implementing orders and guidance that she deems necessary to implement this order.

5. **Extension of Time Period for Nursing Home Transfers.** Subsection (h) of Section 19a-533 of the Connecticut General Statutes is modified to extend the time frame for an applicant to transfer nursing homes in accordance with the provisions of said subsection from sixty days to "not later than one year following the date that such applicant was transferred from the nursing home where he or she previously resided."

6. **Modification of the Duties of Registrars of Vital Records.** Section 7-42 of the Connecticut General Statutes is hereby modified to authorize the Commissioner of Public Health or her designee to conduct birth, death and marriage registration, in order to assist local registrars of vital statistics in carrying out their duties as may be required, and to issue any implementing orders she deems necessary.

7. **Modification of In-Person Purchase of and Access to Copies of Vital Records.** Section 7-51a(a) of the Connecticut General Statutes requiring availability of in-person purchase of or access to copies of vital records, is hereby modified to suspend such in-person purchases or access at the Department of Public Health (DPH). The purchase of copies of

vital records from DPH during the pendency of this order shall be limited to mail or on-line requests.

8. **Modification of the requirement that marriage licenses be obtained in the town where the marriage will be celebrated; extension of marriage license validity.** Section 46b-24 of the Connecticut General Statutes is modified to allow any couple planning to marry in a town in which the office of the registrar of vital statistics is closed due to the COVID-19 pandemic to obtain their marriage license from any available registrar of vital statistics from any town within the State; and to extend the sixty-five (65) day period of validity for marriage licenses for an additional sixty (60) days for any marriage license that is obtained or that will expire during the declared public health and civil preparedness emergency.

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 24th day of March, 2020.

Ned Lamont
Governor

By His Excellency's Command

Denise W. Merrill
Secretary of the State