ADMINISTRATIVE ORDER NO. 2021-003 **DATE: JANUARY 28, 2021**

SUBJECT: ORDER REGARDING CRITERIA FOR COVID-19 TESTING FOR SYMPTOMATIC AND ASYMPTOMATIC PERSONS REQUIRED TO WORK, LEARN IN-PERSON, OR ATTEND CHILDCARE IN THE DISTRICT OF COLUMBIA

By virtue of the authority vested in me by Mayor's Order 2020-046, dated March 11, 2020, Administrative Order No. 2020-01, dated March 13, 2020, Mayor's Order 2020-079, dated July 22, 2020, Mayor's Order 2020-103, dated October 7, 2020, Mayor's Order 2020-119, dated November 23, 2020, Mayor's Order 2020-123, dated December 7, 2020, Mayor's Order 2020-127, dated December 18, 2020, Mayor's Order 2021-004, dated January 11, 2021, Administrative Order No. 2020-01, dated March 13, 2020, Administrative Order No. 2020-07, dated August 11, 2020, the COVID-19 Response Emergency Amendment Act of 2020, effective March 17, 2020, and the COVID-19 Response Supplemental Emergency Amendment Act of 2020, effective April 10, 2020, it is hereby ORDERED:

I. PURPOSE

The purpose of this Administrative Order is to set forth additional criteria for the District's COVID-19 testing of individuals who must report for in-person duty at their physical place of employment. Physical place of employment includes, but is not limited to, in-person instruction and services in pre-school, K-12, adult learning programs, higher education, and any residential education setting; childcare settings; office settings; healthcare facilities; grocery stores; retail establishments; the hospitality industry including hotels, restaurants, entertainment facilities; gyms, construction sites; and public transportation and ride share providers who may be exposed to COVID-19 based on in-person duty at their physical place of employment or learning.

II. FINDINGS AND ORDER

The Director of the Department of Health (Director), as the lead in the District's efforts in containment and mitigation of COVID-19, has determined that it is in the best interest of the health, safety, and welfare of District providers and others in the community to take the necessary steps to be tested for COVID-19 infection in order to prevent the spread of this disease in the District.

In response, the Director makes the following findings:

A. Persons engaged in various industries across the District are required to report for in-person duty in order to continue business and services for residents and visitors. Many of these occupations are public facing essential services. Further, the District endeavors to return to in-person education, with a significant number of individuals who work and learn in classrooms, other in-person education settings, and dormitories and residence halls for colleges, universities, and boarding schools. Activities outside of the households, including in-person occupations, students participating in in-person learning, and children attending in-person childcare, present a risk for exposure to COVID-19.

B. Scientific evidence shows that certain persons are at high risk for complications from COVID-19, including those with conditions such as cancer, chronic kidney disease, chronic obstructive pulmonary disease (COPD), immune-compromised state from solid organ transplant, Type 2 diabetes, serious heart conditions, sickle cell disease, and obesity.

C. A person may have been exposed to someone with SARS-CoV-2 infection which places the person at risk for contracting and spreading the disease.

III. ORDER

Based on the above findings, the Director makes the following **ORDER**:

A. **COVID-19 testing shall be made available, once in every seven (7) day period to any persons who are required to report, in-person, to work and learn in the District of Columbia, as described above**. For the duration of the public health emergency caused by COVID-19 and to help prevent, control, and protect the spread of COVID-19 in the District, the Director orders that COVID-19 testing shall be available to any person who meets the foregoing criteria.

B. **An order for testing by a physician or other health care provider shall not be necessary for a person who must report, in-person, to work and learn in the District of Columbia in order to be tested.** For the duration of the public health emergency, persons who meet these criteria may be tested, no more than once per seven (7) day period without a prior determination of medical necessity by an attending provider in order to identify new cases and prevent the spread of COVID-19 in the District of Columbia.

C. Any prior Administrative Order regarding testing of persons at high risk for contracting COVID-19, including Administrative Order 2020-07, shall remain in effect.

IV. DURATION OF ORDER

This Order shall remain in effect during the period of Public Health Emergency as declared by the Mayor in Mayor's Order 2021-004, unless earlier rescinded or superseded.

V. EFFECTIVE DATE

This Order shall become effective immediately.

LaQuandra S. Nesbitt, MD, MPH
Director, District of Columbia
Department of Health