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LIEUTENANT GOVERNOR

GOVERNOR'S DECLARATION
PURSUANT TO GENERAL LAWS CHAPTER 17, SECTION 2A
May 28, 2021

WHEREAS, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 ("Civil Defense Act") and Section 2A of Chapter 17 of the General Laws, declared that a state of emergency had arisen within the Commonwealth of Massachusetts due to the outbreak of the 2019 novel Coronavirus ("COVID-19");

WHEREAS, beginning on March 12, 2020, acting under the authority of the Civil Defense Act, I issued a series of Orders ("COVID-19 Orders") designed to limit opportunities for spreading the COVID-19 virus within the Commonwealth, to reduce the pressure placed on the Commonwealth's health care system, and to protect the health and safety of all residents of the Commonwealth;

WHEREAS, beginning on March 12, 2020, the Commissioner of Public Health, acting under the authority of Section 2A of Chapter 17 of the General Laws, issued a series of Public Health Orders principally focused on limiting the spread of COVID-19 among vulnerable populations, maximizing capacity and flexibility in the Commonwealth's public and private health care system, and facilitating the delivery of massive statewide testing, treatment, and vaccination programs to combat the virus;

WHEREAS, in response to sustained improvements in the public health data beginning in February 2021 and attributable most directly to the development and effective distribution to the public of safe, highly effective, and free COVID-19 vaccines, I have declared that effective on June 15, 2021 the declaration that I issued on March 10, 2020 pursuant to the Civil Defense Act and Section 2A of Chapter 17 of the General Laws shall be rescinded and the state of emergency initiated by that declaration shall be terminated with respect to both statutes;

WHEREAS, despite significant progress, the rate of vaccination varies across the Commonwealth, and the rates among communities and populations most disproportionately

impacted by the COVID-19 pandemic statewide have not yet met the statewide average rate, and as of May 26, 2021, approximately 59 percent of Hispanic individuals in the Commonwealth remain unvaccinated, 55 percent of Black individuals remain unvaccinated, and 41 percent of white individuals remain unvaccinated;

WHEREAS, as of May 27, 2021, 253 patients remained hospitalized with COVID-19 in the Commonwealth and 79 patients were in the ICU with COVID-19, and approximately 35 percent of the Massachusetts population remained unvaccinated, including 48 percent of individuals age 16–19 and 41 percent of individuals age 20–29, and none of the available COVID-19 vaccines has been approved for use on any person under the age of 12 years old;

WHEREAS, even as the prevalence of COVID-19 has been falling throughout the Commonwealth, ready access to testing remains essential to identifying and containing outbreaks, as demonstrated by the Department of Public Health’s identification of 2,736 new clusters between April 25, 2021 and May 22, 2021, involving 7,237 confirmed cases and 316 close contacts;

WHEREAS, even with high rates of vaccination, some individuals, especially those with certain underlying health conditions, remain vulnerable to severe disease due to COVID-19, resulting in hospitalization and death;

WHEREAS, effective surveillance of COVID-19 throughout the Commonwealth requires ensuring the continued availability of multiple types of tests for use in a variety of settings;

WHEREAS, variants of the virus that cause COVID-19 have been documented globally and in the United States, including in Massachusetts, and some variants allow the virus to spread more easily or increase its resistance to treatments or vaccines, which requires that the Department of Public Health monitor variants carefully and remain prepared to respond to the possibility of new risks from COVID-19;

WHEREAS, these newly developing challenges of the lingering COVID-19 pandemic constitute a new set of public health risks for populations and demographics particularly vulnerable to the virus that are unvaccinated and that have suffered the highest incidence of infection over the past 15 months;

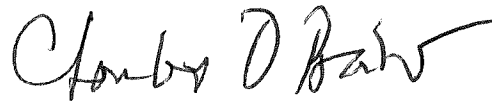
WHEREAS, an effective response to this new array of risks will require continued vigilance by the Commissioner of Public Health, along with the authority to make immediate, targeted interventions, and the continuation or extension of certain special measures implemented by the Commissioner to facilitate accelerated COVID-19 testing, vaccination, outbreak response and to address risks associated with specialized locations and especially vulnerable populations;

NOW, THEREFORE, I hereby declare, pursuant to Section 2A of Chapter 17 of the General Laws, that as of the date indicated below, an emergency exists that is detrimental to the public health in the Commonwealth.

The Commissioner, with the approval of the Public Health Council, may rely on this declaration to extend or adopt measures to facilitate COVID-19 testing and vaccination of all populations throughout the Commonwealth, to mandate special measures to protect higher risk populations or to effectuate continued surveillance of COVID-19 in the Commonwealth, and to respond as necessary to outbreaks of the virus as they may arise.

This declaration is effective immediately and shall remain in effect until, in my judgment, improved conditions permit its rescission.

Given in Boston at 12:16 AM PM
this 28th day of May, two thousand and
twenty-one



CHARLES D. BAKER
GOVERNOR
Commonwealth of Massachusetts