



The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
250 Washington Street, Boston, MA 02108-4619

CHARLES D. BAKER
Governor

KARYN E. POLITO
Lieutenant Governor

MARYLOU SUDDERS
Secretary

MONICA BHAREL, MD, MPH
Commissioner

Tel: 617-624-6000
www.mass.gov/dph

**ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING FACE COVERINGS TO BE WORN IN CERTAIN SETTINGS**

Issued May 28, 2021

On March 10, 2020, Governor Charles D. Baker declared a State of Emergency in the Commonwealth to respond to the spread of COVID-19. The Public Health Council has approved and authorized me to take such actions, incur such liabilities, and establish such rules, requirements, and procedures which are necessary to prepare for, respond to, and mitigate the spread of COVID-19 in order to protect the health and welfare of the people of the Commonwealth, consistent with the Governor's declaration.

On May 28, 2021, Governor Baker rescinded COVID-19 Order No. 67, the Further Revised Order Regarding Face Coverings, effective May 29, 2021 at 12:01 am, following the issuance of new guidance from the Centers for Disease Control and Prevention (CDC) updated on May 13, 2021. However, as the CDC guidance warns, certain settings continue to pose elevated risk of transmission of COVID-19 or to pose an elevated risk for those most vulnerable to severe outcomes from COVID-19. The use of face coverings or face masks in such settings continues to be necessary to address these risks and to control hospitalization and risk of severe illness and death due to COVID-19.

Accordingly, having received that authorization from the Council and with the approval of the Governor, I issue the following Order:

Section 1:

Persons over the age of 5 years old are required to wear a mask or face covering that cover their mouth and nose at all times while indoors in the following locations, listed in clauses 1 to 7, inclusive, as further defined in guidance issued pursuant to Section 3 and subject to the exemptions listed in Section 2. This Order applies without regard to an individual's COVID-19 vaccination status.

1. Healthcare facilities licensed or operated by the Commonwealth and healthcare practice locations of any provider licensed by a professional board which sits within the Department of Public Health or the Division of Professional Licensure.

2. Congregate care facilities or programs operated, licensed, certified, regulated, authorized, or funded by the Commonwealth.
3. Emergency shelter programs, including individual and family homeless shelters, domestic violence and sexual assault shelters, veterans' shelters, and shelters funded by the Department of Housing and Community Development.
4. Houses of Correction, Department of Correction prisons, jails, and other correctional facilities.
5. Health Care and Day Services and Programs operated, licensed, certified, regulated, or funded by the Commonwealth and authorized under the authority of the Executive Office of Health and Human Services or one of its agencies.
6. Home health care workers, including Personal Care Attendants (PCAs), and Home Health Aides, in community and home-based settings where they are providing patient-facing care; provided, however, the requirement shall only apply to the worker.

Section 2:

This Order shall not apply to the following individuals:

1. Persons for whom wearing a face mask or covering creates a health risk or is not safe because of any of the following conditions or circumstances:
 - the face mask or covering affects the person's ability to breathe safely; or
 - the person has a mental health or other medical diagnosis that advises against wearing a face mask or covering; or
 - the person has a disability that prevents them from wearing a face mask or covering; or
 - the person depends on supplemental oxygen to breathe.
2. Persons for whom wearing a face mask or covering would impair communication by or with a person who has a hearing impairment or other disability.

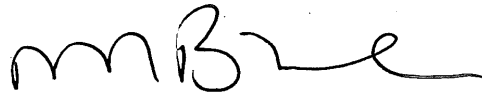
Section 3:

The Department of Public Health, the Executive Office of Health and Human Services and its constituent agencies may issue such guidance as is necessary to implement the terms of this Order.

All applicable statutes, regulations and guidance not inconsistent with this Order remain in effect. This Order does not alter the authority of any agency to make such rules or issue such guidance as it may be authorized to do, provided the terms are consistent with this Order and any guidance issued to implement it.

This Order shall be effective at 12:01am on May 29, 2021, and shall remain in effect until rescinded by me, or the State of Emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'mBharel', with a long horizontal flourish extending to the right.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health

May 28, 2021