

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
COVID-19 Public Health Emergency Order No. 2022-19
Issued October 13, 2022

On May 28, 2021, pursuant to Section 2A of Chapter 17 of the General Laws, Governor Baker declared that an emergency exists that is detrimental to the public health in the Commonwealth due to the continuing threat of COVID-19, and authorized the Commissioner with the approval of the Public Health Council to adopt measures to facilitate COVID-19 testing and vaccination, to mandate special measures to protect higher risk populations or to effectuate continued surveillance of COVID-19, and to respond as necessary to outbreaks of the virus as they may arise.

Consistent with the Governor's May 28, 2021 declaration, on June 9, 2021, the Public Health Council approved and authorized the Commissioner of Public Health 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.

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

- I. COVID-19 Public Health Emergency Order No. 2022-14, issued on June 10, 2022, is rescinded and superseded by this Order effective October 14, 2022.
- II. Requirements for Face Coverings in Certain Settings:

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 facilities, programs, and practice locations, all 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.

- I. Non-residential healthcare facilities and programs licensed or operated by the Commonwealth including hospitals, emergency medical services, primary care and urgent care centers, and any community health centers, and clinics or other licensed medical/clinical settings that primarily

care for patients with acute illness and/or immunocompromised patients, as further described in [DPH Guidance](#).

- II. Healthcare practice settings of any provider licensed by a professional board which sits within the Department of Public Health or the Division of Occupational Licensure including vaccination sites, primary care and urgent care settings, dental offices and other medical/clinical settings as further specified in [DPH Guidance](#). Specific mask requirements and to whom they apply vary based on whether the setting primarily cares for patients with acute illness and/or immunocompromised patients, as further specified in [DPH Guidance](#).
- III. Skilled nursing facilities and residential care facilities licensed or operated by the Commonwealth; provided, however, the requirement shall only apply to staff and visitors to the facilities.
- IV. 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.
- V. On transportation provided by the Commonwealth's Human Service Transportation (HST) Brokerage system; provided, however, the requirement shall only apply to drivers and other staff on board.

Section 2:

This Order shall not apply to the following individuals:

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

Section 3:

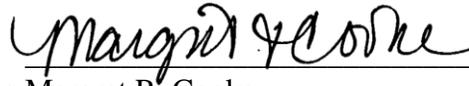
The Department of Public Health, the Executive Office of Health and Human Services and its constituent agencies may issue such guidance as is necessary to implement the terms of this Order.

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 October 13, 2022 and shall remain in effect until rescinded by me or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "Margret R. Cooke". The signature is written in a cursive style and is positioned above a horizontal line.

Margret R. Cooke

Commissioner, Massachusetts Department of Public Health

October 13, 2022