



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. 2022-01
Issued January 6, 2022

On May 28, 2021, pursuant to Section 2A of Chapter 17 of the General Laws, Governor Charles D. 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:

No later than February 28, 2022 programs, facilities, and personnel subject to COVID-19 vaccination requirements as itemized and appearing in the regulations listed below, must ensure that their eligible personnel have received a COVID-19 booster vaccination.

- 105 CMR 141, Licensure of Hospice Programs;
- 105 CMR 150, Standards for Long-term care Facilities;
- 105 CMR 159, COVID-19 Vaccinations for Certain Staff Providing Home Care Services in Massachusetts;
- 651 CMR 12, Certification Procedures and Standards for Assisted Living Residences; and
- 101 CMR 23.04(01)(a), COVID-19 Vaccinations for Staff at Certain Agency Facilities (specifically, staff at the Holyoke and Chelsea Soldiers' Homes).

All regulatory provisions pertaining to COVID-19 vaccination requirements in the cited regulations, including requirements for documentation, reporting and data collection, and

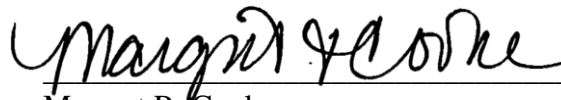
potential penalties, in the cited regulations shall remain in place and apply to booster vaccinations.

Any personnel subject to the requirements of this Order who has been granted a reasonable accommodation by their employer based on medical contraindication or a sincerely held religious belief is exempt from the requirement to receive a booster.

The Department of Public Health, the Executive Office of Elder Affairs, and the Executive Office of Health and Human Services shall issue guidance to implement this Order.

This Order is effective immediately and shall remain in effect until the Public Health Emergency is terminated by the Governor, or until rescinded by me, 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

Acting Commissioner, Massachusetts Department of Public Health

January 6, 2022