

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

**MARGRET R. COOKE**  
Acting Commissioner

Tel: 617-624-6000  
[www.mass.gov/dph](http://www.mass.gov/dph)

**ORDER OF THE COMMISSIONER OF PUBLIC HEALTH**

**COVID-19 Public Health Emergency Order No. 2021-3**  
Issued July 30, 2021

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 has 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:

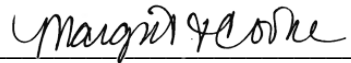
To ensure that residents in licensed long-term care facilities and certified assisted living residences have access to COVID-19 vaccine, notwithstanding M.G.L. c. 94C, §§ 17 and 19, a retail pharmacy licensed by the Board of Registration in Pharmacy, that currently has a contractual agreement to provide controlled substances to a licensed long-term care facility (LTCF) or a certified assisted living residence (ALR), may provide COVID-19 vaccine to a LTCF or ALR without patient specific prescriptions.

A licensed long-term care facility or certified assisted living residence may receive and possess COVID-19 vaccine from such a retail pharmacy, without obtaining a Massachusetts Controlled Substance Registration as a health facility in accordance with 105 CMR 700.004(A)(2), provided that the LTCF or ALR:

- Complies with all state and federal rules and regulations for security and storage of COVID-19 vaccine;
- Administers the vaccine pursuant to a valid practitioner's order;
- Enrolls in and complies with all terms of the Massachusetts COVID-19 Vaccination Program (MCVP), which shall include execution of the MCVP Agreement; and

- Reports all immunization information as required by law, including G.L. c. 111 §24M and 105 CMR 222, and the Order of the Commissioner of Public Health Regarding Reporting to the Massachusetts Immunization Information System.

IT IS SO ORDERED.



---

Margret R. Cooke

Acting Commissioner, Massachusetts Department of Public Health