

The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Department of Public Health
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CHARLES D. BAKER
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Lieutenant Governor

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MONICA BHAREL, MD, MPH
Commissioner

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ORDER OF THE COMMISSIONER OF PUBLIC HEALTH

COVID-19 Public Health Emergency Order No. 2021-1
Issued June 14, 2021

On May 28, 2021, Governor Charles D. Baker terminated the March 10, 2020 declaration pursuant to Section 2A of chapter 17 of the General Laws of a public health emergency. Separately 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, all public health emergency orders issued under the authority of the March 10, 2020 declaration will expire at 12:01 am on June 15, 2021 unless previously rescinded.

With the authorization of the Public Health Council and the approval of the Governor, the following public health emergency orders are hereby reissued under the authority May 28, 2021 declaration:

1. Order of the Commissioner of Public Health Providing for Continuity of Emergency Medical Services Care (Attachment A)
2. Order of the Commissioner of Public Health: Rescue Inhalers, Epinephrine Auto-Injectors and Oxygen in Community Programs, *as amended* (Attachment B)

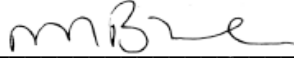
3. Order of the Commissioner of Public Health regarding authorization for skilled nursing care and staffing updates in assisted living facilities, *as amended* (Attachment C)
4. Order of the Commissioner of Public Health regarding pharmacy assistance teams for individuals in medical shelters or quarantine, *as amended* (Attachment D)
5. Order of the Commissioner of Public Health regarding COVID-19 data reporting (Attachment E)
6. Order of the Commissioner of Public Health to Waive Timeframe for Certified Nurse Aide Training, *as amended* (Attachment F)
7. Order of the Commissioner of Public Health Prohibiting Billing Uninsured Individuals for COVID-19 Testing (Attachment G)
8. Order of the Commissioner of Public Health Regarding Control of COVID-19 in Long-Term Care Facilities (Attachment H)
9. Order of the Commissioner of Public Health CLIA-Waived COVID-19 Testing in Congregate Care Sites, *as amended* (Attachment I)
10. Order of the Commissioner of Public Health Regarding Temporary Laboratory Licenses for COVID-19 Testing (Attachment J)
11. Order of the Commissioner of Public Health Regarding Reporting to the Massachusetts Immunization Information System (Attachment K)
12. Order of the Commissioner of Public Health Regarding Access to Certain Immunization Information for Insurance Carriers and MassHealth (Attachment L)
13. Order of the Commissioner of Public Health Authorizing Additional Individuals to Administer COVID-19 Vaccinations (Attachment M)
14. Order of the Commissioner of Public Health Regarding Face Coverings to be Worn in Certain Settings (Attachment N)

With the authorization of the Public Health Council and the approval of the Governor, the following public health emergency order is hereby issued under the authority May 28, 2021 declaration:

1. Order of the Commissioner of Public Health Extending the Authorization for Nursing Practice by Graduates and Senior Nursing Students of Nursing Education Programs (Attachment O)

This Order shall remain in effect as specified therein, or 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 cursive script, appearing to read 'mBharel', written in black ink.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment A

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
PROVIDING FOR CONTINUITY OF EMERGENCY MEDICAL SERVICES CARE

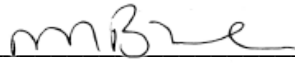
I hereby reissue my previous Order of March 17, 2020:

1. When a Class I, II or V ambulance transports a patient receiving care at the Basic Life Support (BLS) level, ambulance staffing will satisfy minimum required staffing standards provided the ambulance is staffed with at least one EMT who is a minimum certified at the EMT-Basic level, as set forth in 105 CMR 170.810, and one first responder, as defined in 105 CMR 171.000 (excluding lifeguards), or other individual deemed qualified by the affiliate hospital medical director, who shall drive the ambulance.
2. When a Class I, II or V ambulance transports a patient receiving care at the Advanced level of ALS, ambulance staffing will satisfy minimum required staffing standards provided the ambulance is staffed with at least one EMT who is at minimum certified at the EMT-Advanced or higher level, and one first responder, as defined in 105 CMR 171.000 (excluding lifeguards), who shall drive the ambulance.
3. When a Class I, II or V ambulance transports a patient receiving care at the Paramedic level of ALS, ambulance staffing will satisfy minimum required staffing standards provided the ambulance is staffed with at least one EMT who is at a minimum certified at the Paramedic level, and one first responder, as defined in 105 CMR 171.000 (excluding lifeguards), who shall drive the ambulance.

All applicable statutes, regulations and guidance not inconsistent with this Order remain in effect.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment B

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
RESCUE INHALERS, EPINEPHRINE AUTO-INJECTORS AND OXYGEN IN
COMMUNITY PROGRAMS

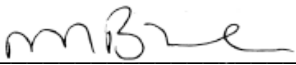
I hereby amend and reissue my previous Order of April 1, 2020:

In response to the potential shortage of Medication Administration Program (MAP) Certified Staff to administer rescue inhalers, epinephrine auto-injectors and oxygen to individuals in Community Programs, as defined in 105 CMR 700.001, and to avoid unnecessary emergency department visits, G.L. c. 94C, § 7 is hereby suspended, in part, to allow non-MAP Certified staff in Community Programs to possess and administer rescue inhalers, epinephrine autoinjectors and oxygen to individuals in Community Programs pursuant to existing patient prescriptions and administration orders, as outlined in Department guidance.

All applicable statutes, regulations and guidance not inconsistent with this Order remain in effect.

This Order shall remain in effect until 12:01 am on September 15, 2021, or until rescinded by me, or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment C

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING AUTHORIZATION FOR SKILLED NURSING CARE AND STAFFING
UPDATES
IN ASSISTED LIVING FACILITIES

I hereby amend and reissue my previous Order of April 2, 2020:

In order to provide care to all patients and residents in the Commonwealth, and to facilitate best practices for addressing the COVID-19 public health emergency, this order applies to all Assisted Living Residences that are certified by the Executive Office of Elder Affairs (“EOEA”).

Notwithstanding the provisions in M.G.L. c. 19D, s. 11, a nurse employed by an Assisted Living Residence (“ALR”) may provide skilled nursing care in accordance with valid medical orders, provided the nurse holds a valid license to provide such care. In addition, during this time period, the prohibition on retaining residents who require skilled care for more than ninety consecutive days is suspended.

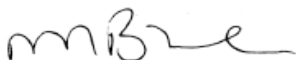
In addition, the staffing requirements in 651 CMR 12.06(5)(b) shall be suspended provided that ALRs ensure they have sufficient staffing at all times to meet the needs of the residents, as set out in guidance issued by the EOEA.

Finally, to ensure sufficient staffing, the training requirements set out in 651 CMR 12.07 are waived, provided ALRs procure staff with adequate experience and provide on the job training to safely carry out their duties, as set out in guidance issued by the EOEA.

ALRs subject to this order must continue to comply with all applicable statutes, regulations, and guidance not inconsistent with this Order.

This Order shall remain in effect until 12:01 am on September 15, 2021, or until rescinded by me, or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment D

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING PHARMACY ASSISTANCE TEAMS FOR INDIVIDUALS
IN MEDICAL SHELTERS OR QUARANTINE

I hereby amend and reissue my previous Order of April 4, 2020:

As a result of the 2019 novel Coronavirus (COVID-19), individuals residing in medical shelters or quarantined as a result of COVID-19 (quarantined individuals) in the Commonwealth may have difficulty requesting prescription refills from a pharmacy or provider, managing their medications, transferring prescriptions, and arranging for the dispensing and delivery of medications.

Accordingly, and effective immediately, the COVID Pharmacy Assistance Team, comprised of clinicians and other healthcare professionals employed or contracted by the Commonwealth, and under the direction of MassHealth, hereby has the authority to request prescription refills, transfer prescriptions, discuss medications lists and prescription history with providers and pharmacies, and facilitate the dispensing and delivery of medications on behalf of quarantined individuals in the Commonwealth. This authority shall be exercised to the extent the COVID Pharmacy Assistance Team determines that doing so would protect the health and welfare of the quarantined individual. The COVID Pharmacy Assistance Team may determine in its sole discretion that any quarantined individual is unable to pay the copayment at the time service is provided, and pharmacies may not refuse services to a quarantined individual who is a MassHealth member for failure to pay a copay. Pharmacies and providers shall treat requests from the COVID Pharmacy Assistance Team on behalf of a quarantined individual as if they were made directly by the quarantined individual.

In the event a quarantined individual's prescription for a chronic condition does not have any remaining refills, the COVID Pharmacy Assistance Team may request refills for a prescription for continuation of such a prescription for a chronic condition without remaining refills which pharmacists and pharmacies are authorized to dispense such a refill of medication for continuation of therapy for a chronic condition in accordance with the pharmacist's professional judgment, provided the following requirements are satisfied:

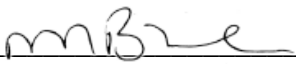
- Pharmacists must use their professional judgment to determine whether an emergency refill is necessary for patients to maintain access to prescription medication.
- The prescriber is not readily available to authorize a refill of the medication (i.e. within 72 hours).
- The maintenance medication for a chronic condition has been unchanged for at least 3 months.
- The refill prescription is reduced to writing and marked "emergency prescription."
- The quantity is limited to a 30 day supply (or smallest available package size).

- Pharmacists will not be required to obtain a follow-up hard copy of the prescription from the patient's provider.
- In the case of Schedule II controlled substances, an emergency supply may only be dispensed under existing DEA rules.
- The dispensing pharmacist shall notify the prescriber of the emergency dispensing within a reasonable time after such dispensing.

Refills made pursuant to this Order may be requested prior to the immediate transfer of a prescription to a pharmacy which facilitates expeditious access to quarantined individuals.

This Order shall remain in effect until 12:01 am on September 15, 2021, or until rescinded by me, or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment E

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING COVID-19 DATA REPORTING

I hereby reissue my previous Order of April 8, 2020:

Health care providers shall make every reasonable effort to collect complete demographic information, including full name, date of birth, sex, race and ethnicity, address, and telephone number on patients with confirmed or suspected COVID-19, and must include such information collected when ordering a laboratory test for the disease. Laboratories conducting tests for COVID-19 shall report demographic information received from providers in accordance with 105 CMR 300.170. The Department of Public Health shall issue guidance to implement this Order.

All applicable statute, regulations and guidance not inconsistent with this Order remain in effect. This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment F

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
TO WAIVE TIMEFRAME FOR CERTIFIED NURSE AIDE TRAINING


I hereby amend and reissue my previous Order of May 12, 2020:

General Law chapter 111, §72W, and 105 CMR 156.100(A) are hereby suspended in part, consistent with federal Centers of Medicare and Medicaid Services 1135 waivers, to remove the requirement that a nurse aide must complete the nurse aide training within 90 days of commencing employment, provided that the long-term care facility ensures that the individual working as a nurse aide is competent to provide nursing and nursing related services and demonstrates competency in skills and techniques necessary to care for residents' needs.

The Department of Public Health may issue further guidance as necessary.

All applicable statute, regulations and guidance not inconsistent with this Order remain in effect. This Order shall remain in effect until 12:01 am on September 15, 2021 or as otherwise in accordance with federal rules, or until rescinded by me, or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment G

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
PROHIBITING BILLING UNINSURED INDIVIDUALS FOR COVID-19 TESTING

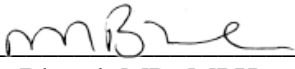
I hereby reissue my previous Order of July 22, 2020:

Health care facilities, providers or any entity which administers testing for COVID-19 to an uninsured individual may submit a claim for reimbursement to the COVID-19 Claims Reimbursement to Health Care Providers and Facilities for Testing and Treatment of the Uninsured Program administered by the federal Health Resources and Services Administration or may provide testing at no cost to the individual. Such facilities, providers or entities shall not in any circumstance bill an uninsured individual for a COVID-19 test, nor shall any fee or costs associated with the test be assessed to an uninsured individual.

Health care facilities, providers, or any entity which administers testing for COVID-19 to an uninsured individual may collect all information necessary to submit claims for reimbursement and to provide testing results to the individual but may not request or require identification documents as a condition of testing.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment H

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING CONTROL OF COVID-19 IN LONG-TERM CARE FACILITIES

I hereby reissue my previous Order of November 5, 2020:

1. If the Department determines that there is a threat to the health and safety of residents of a licensed long term care facility due to the risk of uncontrolled transmission of COVID-19 within the facility, the facility must take such steps as the Department determines are necessary to mitigate the risk and protect the health and safety of residents and staff, including accepting support and assistance from the Commonwealth.

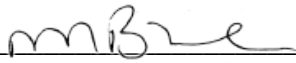
Following such a determination and upon notice from the Department, the facility must stop accepting new admissions until such time as the conditions at the facility have sufficiently improved and the Department notifies the facility that it may resume admissions.

The Department will base such a determination in consideration of the following factors:

- a. Rate of healthcare-associated COVID-19 within the facility;
 - b. Inadequate staffing;
 - c. Failure to report a lack of adequate supplies or staff to the Department;
 - d. Failure to comply with applicable testing policies;
 - e. Findings of deficiency during a survey; or
 - f. Any combination of factors, including but not limited to failure to comply with the requirements of section 2 below and history of poor quality performance scores, which together create an increased risk to residents and staff.
2. All licensed long-term care facilities must cooperate with the Commonwealth's efforts to monitor and respond to the risk of COVID-19 infection in their facilities. Facilities must:
 - a. Report to the Department when conditions in their facility create an increased risk of outbreak, including shortages or potential shortages of adequate staff or PPE;
 - b. Provide physical access to Department staff and access to any requested information; c. Ensure sufficient staffing and appropriate training in infection control procedures for all staff;
 - d. Ensure access to adequate PPE and other supplies necessary for infection control at the facility;
 - e. Implement appropriate infection control procedures through the facility, and
 - f. Accept support and assistance from the Commonwealth
 3. The conditions of this Order do not alter any additional applicable statutory or regulatory requirements or limit the Department's ability to take additional actions as may be necessary.
 4. The Department will publish, and may periodically update, guidance to implement this Order.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment I

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
CLIA-WAIVED COVID-19 TESTING IN CONGREGATE CARE SITES AND
RECREATIONAL CAMPS FOR CHILDREN

I hereby amend and reissue my previous Order of November 7, 2020:

For purposes of this Order, congregate care settings are defined as group homes, residential treatment programs or homeless shelters operated pursuant to a contract with the Department of Developmental Services (DDS), the Division of Housing and Community Development (DHCD), the Department of Public Health (DPH), the Department of Mental Health (DMH) or the Department of Youth Services (DYS). Recreational camps for children are defined as day, residential, sports, travel or trip camps that provide recreational activities for children and are licensed by their local board of health.

To increase access to COVID-19 testing, notwithstanding G.L. c. 111D, §§ 4 and 5 congregate care settings may participate in a testing program sponsored by the Commonwealth to conduct CLIA-waived COVID-19 tests of their staff and residents without applying for or receiving state clinical laboratory licensure, provided that any such setting must:

- apply for and receive a federal Clinical Laboratory Improvement Amendments (CLIA) Certificate of Waiver;
- comply with G.L. c. 111D, § 6, 105 CMR 300; and
- comply with the direction of their contracting agency.

In addition, recreational camps for children may conduct CLIA-waived COVID-19 tests of their staff and attendees without applying for or receiving state clinical laboratory licensure, provided that any such setting must:

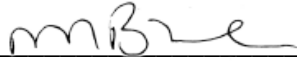
- apply for and receive a federal Clinical Laboratory Improvement Amendments (CLIA) Certificate of Waiver;
- comply with G.L. c. 111D, § 6, 105 CMR 300; and
- comply with DPH guidance regarding the conduct of such testing.

This Order applies only for the purposes of conducting CLIA-waived COVID-19 tests of staff and residents or attendees of congregate care settings and recreational camps for children.

All other applicable statutes, regulations, and guidance not inconsistent with this Order remain in effect.

This Order 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 cursive script, appearing to read 'mBare', positioned above a horizontal line.

Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment J

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING TEMPORARY LABORATORY LICENSES FOR COVID-19 TESTING

I hereby reissue my previous Order of January 12, 2021:

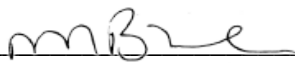
To increase access to COVID-19 testing, notwithstanding G.L. c. 111D, §§ 4 and 5, facilities may apply for a temporary COVID-19 laboratory license, for purposes of conducting CLIA-waived COVID-19 tests.

Notwithstanding G.L. c. 111D, § 7, the clinical laboratory director for such temporary COVID19 laboratory license may be a physician, nurse practitioner, or physician assistant, or an individual who otherwise qualifies under M.G.L. c. 111D, Section 7.

Such temporary COVID-19 laboratory shall comply with guidance issued by the Department pursuant to the Order, and all other applicable statutes, regulations and guidance not inconsistent with this Order remain in effect.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment K

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING REPORTING TO THE MASSACHUSETTS IMMUNIZATION
INFORMATION SYSTEM

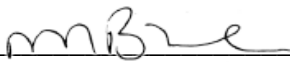
I hereby reissue my previous Order of February 3, 2021:

All vaccine providers administering a dose of COVID-19 vaccine in the Commonwealth must report such administration to the MIIS within 24 hours of administration. Said report shall include, as a minimum, the data fields already required by the Massachusetts COVID-19 Vaccine Program (MCVP) and 105 CMR 222.100(D). Additionally, COVID-19 vaccine providers shall also make every reasonable effort to collect complete demographic information including race and ethnicity and shall include this information in the provider's report.

All applicable statutes, regulations, and guidance not inconsistent with this Order remain in effect.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment L

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
REGARDING ACCESS TO CERTAIN IMMUNIZATION INFORMATION FOR
INSURANCE CARRIERS AND MASSHEALTH

I hereby reissue my previous Order of February 9, 2021:

The Massachusetts Immunization Information System (MIIS) is the Department's system of record for information concerning all immunizations administered in the Commonwealth and reported to the Department pursuant to G.L. c. 111 §24M and 105 CMR 222. As the Commonwealth's COVID-19 Vaccine Plan continues, Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., Health Maintenance Organizations and MassHealth (for purposes of this Order, collectively, Carriers) will be able to play a vital role in contacting and educating their members with regard to COVID-19 vaccination.


Accordingly, the Department may release records of COVID-19 vaccinations from the MIIS (MIIS Information) to Carriers for the purpose of those Carriers' Authorized COVID-19 Activities. The Department shall develop guidance detailing the MIIS Information, the Carriers' Authorized COVID-19 Activities, and the confidentiality and security provisions the Carriers must meet regarding the MIIS Information.

Such MIIS Information may only be used by the Carriers for the Carriers Authorized COVID-19 Activities as such activities and purposes are described in the Department's guidance and not for any other purpose.

All applicable statutes, regulations, and guidance not inconsistent with this Order remain in effect.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment M

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
AUTHORIZING ADDITIONAL INDIVIDUALS TO ADMINISTER COVID-19
VACCINATIONS

I hereby reissue my previous Order of March 25, 2021:

Podiatrists licensed pursuant to G.L. c. 112, § 16, phlebotomists, medical assistants who otherwise do not meet the requirements to administer vaccine pursuant to G.L. c. 112, § 265, and designated Massachusetts Military Division vaccinators are hereby authorized to administer those COVID-19 vaccines with Emergency Use Authorization (EUA) from the U.S. Food and Drug Administration. Phlebotomists, medical assistants and designated Massachusetts Military Division vaccinators administering vaccine pursuant to this Order shall have been trained and demonstrate competency for performing vaccine administration according to a protocol approved by their supervising physician, nurse practitioner, physician assistant or military supervising practitioner.

For purposes of this Order, the following terms are defined as follows.

“Phlebotomist” shall mean a person whose responsibilities include, but are not limited to, collecting blood samples from patients under the supervision of a physician, nurse practitioner or physician assistant licensed in Massachusetts, separating blood into different test tubes in order for it to be used in medical tests, accurately labeling said tubes and ensuring correct samples are sent to the laboratory.


“Medical assistant” shall mean a person who performs basic administrative, clerical, and clinical duties under the direct supervision of a physician, nurse practitioner, or physician assistant licensed in Massachusetts.

“Designated Massachusetts Military Division staff” shall mean military personnel who are certified by the United States Army as Combat Lifesavers.

All applicable statutes, regulations, and guidance not inconsistent with this Order remain in effect.

This Order 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment N

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

I hereby reissue my previous Order of May 28, 2021:

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 patientfacing 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.

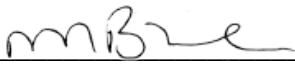
Section 3:

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 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.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021

COVID-19 Public Health Emergency Order No. 2021-1
Attachment O

ORDER OF THE COMMISSIONER OF PUBLIC HEALTH
AUTHORIZING NURSING PRACTICE BY GRADUATES AND SENIOR STUDENTS OF
NURSING EDUCATION PROGRAMS

I hereby issue the following order:

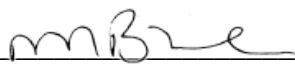
Students who have graduated from registered nursing or practical nursing programs approved by the Board of Registration in Nursing (“Board”) and senior nursing students who are attending the last semester of a Board approved registered nursing or practical nursing program are authorized to practice nursing and are exempt from the prohibitions against the unlicensed practice of nursing specified in G. L. c. 112, §§ 80, 80A, and 80B, provided that:

1. The individuals are employed by or providing health care services at the direction of a licensed health care facility or a licensed health care provider, are directly supervised while providing health care services, and the health care services are provided in response to the COVID-19 outbreak; and
2. The employing licensed health care facility or licensed health care provider has verified that the individual is a graduate of a Board approved registered nursing or practical nursing program or that the individual is a senior nursing student in his or her last semester at a Board approved registered nursing or practical nursing program.

The Board is directed to issue guidance to implement the terms of this Order, which shall include guidance regarding the appropriate supervision of nursing students.

This Order shall remain in effect until 12:01 am on September 15, 2021, or until rescinded by me, or the public health emergency is terminated by the Governor, whichever shall happen first.

IT IS SO ORDERED.



Monica Bharel, MD, MPH
Commissioner, Massachusetts Department of Public Health
June 14, 2021