

# Executive Order 2021-15

## COVID-19 EXECUTIVE ORDER NO. 84

July 23, 2021

**WHEREAS**, since early March 2020, Illinois has faced a pandemic that has caused extraordinary sickness and loss of life, infecting over 1,400,000, and taking the lives of more than 23,400 residents; and,

**WHEREAS**, as Illinois continues to respond to the public health disaster caused by Coronavirus Disease 2019 (COVID-19), a novel severe acute respiratory illness that spreads rapidly through respiratory transmissions, the burden on residents, healthcare providers, first responders, and governments throughout the State has been unprecedented; and,

**WHEREAS**, protecting the health and safety of Illinoisans is among the most important functions of State government; and,

**WHEREAS**, social distancing, face coverings, and other public health precautions have proven to be critical in slowing and stopping the spread of COVID-19; and,

**WHEREAS**, public health guidance advises that minimizing physical interactions between people who are not fully vaccinated and who do not reside in the same household is critical to slowing the spread of COVID-19; and,

**WHEREAS**, the CDC continues to advise that cloth face coverings or masks protect persons who are not fully vaccinated from COVID-19; and,

**WHEREAS**, the CDC advises that schools follow the CDC's guidance for COVID-19 Prevention in K-12 Schools and work with local public health officials to determine the prevention strategies needed in their area, including masking; and,

**WHEREAS**, the CDC continues to advise that day care providers use COVID-19 prevention strategies, including masking and physical distancing, even after day care providers and their staff are vaccinated; and,

**WHEREAS**, as COVID-19 has spread in Illinois over the course of the Gubernatorial Disaster Proclamations, the circumstances causing a disaster throughout the State have changed and continue to change, making definitive predictions of the course the virus will take over the coming months extremely difficult; and,

**WHEREAS**, in addition to causing the tragic loss of more than 23,400 Illinoisans and negatively impacting the physical health of tens of thousands more, COVID-19 has caused extensive economic loss and continues to threaten the financial welfare of a significant number of individuals and businesses across the nation and the State; and,

**WHEREAS**, many executive agencies in the State continue to focus their limited resources on the ongoing response to the COVID-19 pandemic; and,

**WHEREAS**, the COVID-19 pandemic has required the Illinois Department of Agriculture (IDOA) to address the outbreak's impact on the State's food supply chain through regulation and oversight of meat and poultry facilities and livestock management facilities; and,

**WHEREAS**, the COVID-19 pandemic's disruption to the livestock market has required IDOA to concentrate its resources on working with livestock owners and producers in addressing safe and environmental animal disposal concerns through its oversight and regulation of the Dead Animal Disposal Act; and,

**WHEREAS**, IDOA regulates and investigates many other industries that have been directly impacted by the COVID-19 pandemic including, but not limited to, pesticide applicators, animal shelters, pet shops, and gas stations, and the continued, proper regulation of these industries requires IDOA to commit additional time and resources into creating new procedures for conducting remote investigations and trainings; and,

**WHEREAS**, the COVID-19 pandemic's detrimental impact to IDOA's regulated industries has required IDOA to place additional time and resources into organizing and managing the timely implementation of the Business Interruption Grant Program; and,

**WHEREAS**, on July 23, 2021, considering the expected continuing spread of COVID-19 and the ongoing health and economic impacts that that will be felt over the coming month by people across the State, I declared all counties in the State of Illinois as a disaster area; and,

**WHEREAS**, in response to the epidemic emergency and public health emergency described above, I find it necessary to re-issue Executive Orders 2020-04, 2020-09, 2020-11, 2020-12, 2020-15, 2020-20, 2020-21, 2020-23, 2020-24, 2020-27, 2020-29, 2020-30, 2020-36, 2020-40, 2020-45, 2020-50, 2020-68, 2021-03, 2021-12, and 2021-13 and hereby incorporate the WHEREAS clauses of those Executive Orders;

**THEREFORE**, by the powers vested in me as the Governor of the State of Illinois, pursuant to the Illinois Constitution and Sections 7(1), 7(2), 7(3), 7(8), 7(9), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective July 23, 2021:

**Part 1: Re-Issue of Executive Orders.**

Executive Orders 2020-04, 2020-09, 2020-11, 2020-12, 2020-15, 2020-20, 2020-21, 2020-23, 2020-24, 2020-27, 2020-29, 2020-30, 2020-36, 2020-40, 2020-45, 2020-50, 2020-68, 2021-03, 2021-12, and 2021-13 are hereby re-issued as follows:

**Executive Order 2020-04 (Closure of James R. Thompson Center; waiver of sick leave requirement for State employees):**

Sections 2 and 3 of Executive Order 2020-04 are re-issued and extended through August 21, 2021. Nothing in Section 2 precludes the Department of Central Management Services from designating specific points of ingress and egress and controlling traffic flow in the James R. Thompson Center for State employees, members of the public attending to State business, and members of the public patronizing the businesses and food court.

**Executive Order 2020-09 (Telehealth):**

Sections 9 and 10 of Executive Order 2020-09 are re-issued and extended through **August 21, 2021.**

Executive Order 2020-09 is further amended and revised as follows:

Section 9. For the duration of the Gubernatorial Disaster Proclamation, a covered health care provider and/or covered entity subject to the requirements of the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110, or subject to the federal Health Insurance Portability and Accountability Act of 1996, Public Law 104-191, and any subsequent amendments thereto and regulations promulgated thereunder, that uses audio or video communication technology to provide telehealth services may use any non-public facing remote communication product ~~in accordance with Section 1 of this Executive Order~~ to the extent consistent with the March 17, 2020 guidance issued by the U.S. Department of Health and Human Services – Office of Civil Rights that was entitled "Notification of Enforcement Discretion for Telehealth Remote Communications During the COVID-19 Nationwide Public Health Emergency". This exercise of discretion applies to telehealth service providers or covered entities for any reason, regardless of whether the telehealth service concerns the diagnosis and treatment of health conditions related to COVID-19. Providers and covered entities should, to the extent feasible, notify patients that third-party applications potentially introduce privacy risks. Providers should enable all available encryption and privacy modes when using such applications. Facebook Live, Twitch, TikTok, and similar video communication applications which are public facing should not be used in the provision of telehealth by covered health care providers or covered entities.

**Executive Order 2020-11 (Illinois Department of Corrections notification period):**

Section 4 of Executive Order 2020-11 is re-issued and extended through **August 21, 2021**.

**Executive Order 2020-12 (Health care worker background checks; Illinois Department of Juvenile Justice notification period):**

Section 3 of Executive Order 2020-12 is re-issued and extended through **August 21, 2021**.

**Executive Order 2020-15 (Suspending provisions of the Illinois School Code):**

Sections 5, 6, 7, 8, and 9 of Executive Order 2020-15 are re-issued and extended through **August 21, 2021**.

**Executive Order 2020-20 (Public assistance requirements):**

Executive Order 2020-20 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-21 (Furlough of Illinois Department of Corrections inmates):**

Executive Order 2020-21 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-23 (Actions by the Illinois Department of Financial and Professional Regulation for licensed professionals engaged in disaster response):**

Executive Order 2020-23 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-24 (Illinois Department of Human Services Forensic Treatment Program; investigations of Illinois Department of Human Services employees):**

Executive Order 2020-24 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-27 (Cadavers testing positive for COVID-19):**

Executive Order 2020-27 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-29 (In-person education or exams for professional insurance licenses):**

Executive Order 2020-29 is re-issued in its entirety and extended through **August 21, 2021** or until corresponding legislation (HB 1957, as passed by the 102nd General Assembly) is enacted and takes effect, whichever occurs first.

**Executive Order 2020-30 (Expired consular identification documents; electronic filings for the Illinois Human Rights Commission):**

Sections, 1, 4, 5, and 6 of Executive Order 2020-30 are re-issued and extended through **August 21, 2021**.

**Executive Order 2020-36 (Marriage licenses):**

Executive Order 2020-36 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-40 (Child Labor Law):**

Sections 2 and 4 of Executive Order 2020-40 are re-issued and extended through **August 21, 2021**.

**Executive Order 2020-45 (Cannabis licenses):**

Executive Order 2020-45 is re-issued in its entirety and shall remain in effect as specified by Executive Order 2020-45.

**Executive Order 2020-50 (Resuming transfers from county jails to Illinois Department of Corrections):**

Executive Order 2020-50 is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2020-68 (Cannabis registry identification card renewals):**

Executive Order 2020-68, as amended by Executive Order 2021-05, is re-issued in its entirety and extended through **August 21, 2021**.

**Executive Order 2021-03 (Regional mitigation metrics):**

Executive Order 2021-03 is re-issued in its entirety and extended through **August 21, 2021**.

## **Executive Order 2021-12 (Phase 5 reopening):**

Executive Order 2021-12, as amended and revised below, is re-issued in its entirety and extended through **August 21, 2021**.

1. **Public Health Recommendations for K-12 Schools.** Illinois fully adopted the CDC's updated guidance for K-12 schools on July 9, 2021. The CDC recommends that masks be worn indoors and in crowded settings by all individuals (age 2 and older) who are not fully vaccinated. The CDC also recommends physical distancing, screening testing, ventilation, handwashing and respiratory etiquette, staying home when sick and getting tested, contact tracing in combination with quarantine and isolation, and cleaning and disinfection as important layers of prevention to keep schools safe. Because of the importance of in-person learning, schools where not everyone is fully vaccinated should implement physical distancing to the extent possible within their structures (in addition to masking and other prevention strategies), but should not exclude students from in-person learning to keep a minimum distance requirement. Pursuant to CDC guidance, Illinois school districts should work with local public health officials to determine the prevention strategies needed in their area by monitoring levels of community transmission and local vaccine coverage, and using screening testing to detect cases in K-12 schools. The CDC also states that based on the needs of the community, school administrators may opt to make mask use universally required (i.e., required regardless of vaccination status) in school. The CDC's guidance recommends that if school administrators decide to remove any of the prevention strategies for their school based on local conditions, they should remove them one at a time and monitor closely (with adequate testing through the school and/or community) for any increases in COVID-19 cases. Regardless of the mask policy at school, passengers and drivers must wear a mask on school buses, including on buses operated by public and private school systems, subject to the exclusions and exemptions in CDC's Order requiring persons to wear masks while on conveyances and at transportation hubs.

## **Executive Order 2021-13 (Residential eviction moratorium):**

Sections 1, 4, 5, 7, and 8 Executive Order 2021-13, as amended by Executive Order 2021-14, are re-issued and extended through **August 21, 2021**.

Section 2 of Executive Order 2021-13 is re-issued and extended through July 31, 2021, whereafter Section 2 shall be rescinded.

**Part 2: Savings Clause.** If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect

any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Issued by the Governor July 23, 2021

Filed by the Secretary of State July 23, 2021