

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2022-029
February 14, 2022

SUBJECT: Adjustments to Winter Action Plan of Mitigation Measures for COVID-19

ORIGINATING AGENCY: Office of the Mayor

By virtue of the authority vested in me as Mayor of the District of Columbia pursuant to section 422 of the District of Columbia Home Rule Act, approved December 24, 1973, Pub. L. 93-198, 87 Stat. 790, D.C. Official Code § 1-204.22 (2016 Repl.); section 5 of the District of Columbia Public Emergency Act of 1980, effective March 5, 1981, D.C. Law 3-149, D.C. Official Code § 7-2304 (2018 Repl.); section 5a of the District of Columbia Public Emergency Act of 1980, effective October 17, 2002, D.C. Law 14-194, D.C. Official Code § 7-2304.01 (2018 Repl.); section 1 of An Act To Authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases, approved August 11, 1939, 53 Stat. 1408, D.C. Official Code §§ 7-131 *et seq.* (2018 Repl.); sections 404(a) and 2004(e) of the District of Columbia Comprehensive Merit Personnel Act of 1978, effective March 3, 1978 (D.C. Law 2-139; D.C. Official Code §§ 1-604.04(a) and 1-620.04(a) (2016 Repl. and 2018 Supp.); the Health Occupations Revision Act of 1985, effective March 25, 1986 (D.C. Law 6-99; D.C. Official Code § 3-1203.02(14) (2016 Repl.); the Coronavirus Immunization of School Students and Early Childhood Workers Regulation Emergency Amendment Act of 2021, effective January 12, 2022 (D.C. Act 24-0280; 69 DCR 425); the Coronavirus Immunization of School Students and Early Childhood Workers Regulation Amendment Act of 2021, signed by the Mayor on January 12, 2022 (D.C. Act 21-0285; 69 DCR 440) (under Congressional review); and in accordance with the Public Emergency Extension Emergency Amendment Act of 2021, effective January 6, 2022, (D.C. Act 24-276, 69 DCR 214); Mayor's Order 2022-007, dated January 6, 2022, and the Public Health Emergency Extension Emergency Amendment Act of 2022, effective January 26, 2022 (D.C. Act 24-0313, 69 DCR 850), it is hereby **ORDERED** that:

I. BACKGROUND

1. More than 23 months after the World Health Organization declared a pandemic and the Secretary of the U.S. Department of Health and Human Services and the Mayor of the District of Columbia declared a public health emergency for the 2019 novel coronavirus, more than 77.73 million Americans have been diagnosed with COVID-19 and more than 918,000 have died from the disease. Locally, transmission stands at a seven-day average of 21.8 new daily cases per 100,000 persons; total confirmed infections in the District have risen to 132,820; and tragically, 1,309 District residents have lost their lives due to COVID-19.
2. The District continues to be in a state of public emergency due to the COVID-19 pandemic pursuant to Mayor's Order 2022-007, dated January 6, 2022.

3. The COVID-19 limited public health emergency declared by Mayor's Order 2022-008, dated January 11, 2022, and extended by Mayor's Order 2022-019, dated January 11, 2022, is scheduled to expire on February 15, 2022.
4. Key indicators for COVID-19 viral spread and hospital capacity are trending in the right direction; since the height of the Omicron wave, COVID-19 cases have dropped by more than 90% and there has been a 95% reduction in hospitalizations.
5. COVID-19 vaccine booster shots have proven to be highly effective in preventing hospitalizations and death. After a third dose of mRNA vaccine, vaccine effectiveness against hospitalization for Omicron rises to 90%, and 95% for Delta, and unvaccinated persons are 97 times more likely to die from COVID-19 compared to those who are boosted.
6. The District has launched COVID-19 service centers in all eight wards, with hours every day of the week and into the evening. Schedules are posted on coronavirus.dc.gov.
7. The District's COVID-19 vaccine mandates for District employees, contractors, and volunteers are continuing to help safeguard the health and safety of the District's workforce and the public it serves, as well as helping to maintain the continuity of government operations.
8. The District's COVID-19 vaccine mandates for school employees and students and the testing protocol for schools are continuing to safeguard the health and safety of District students, teachers, and other school staff, and are helping to maintain in-person learning and its significant benefits for District students.
9. Individuals are encouraged to undertake the mitigation measures and make personal decisions that are appropriate for them, including obtaining their booster shots, staying home when sick and getting tested, deciding whether to wear masks in crowded indoor places and where to travel, dine, and be entertained, and washing hands frequently.
10. Businesses and private entities are still allowed to impose vaccination verification requirements for entry and may not prohibit their employees from wearing masks except in the rare circumstances where wearing a mask interferes with the performance of work (such as where lip reading is necessary) or is banned by law.
11. This Mayor's Order notifies the public of the end of the public health emergency; the end of the indoor mask mandate at certain venues effective March 1, 2022; and the end of the requirement for certain private venues to check vaccination status effective February 14, 2022 at 11:59 p.m.

II. END OF LIMITED PUBLIC HEALTH EMERGENCY AND DELEGATIONS OF AUTHORITY

The limited public health emergency declared on January 11, 2022 by Mayor's Order 2022-008, dated January 11, 2022, and extended on January 26, 2022 by Mayor's Order 2022-019, dated January 26, 2022, shall expire at 11:59 p.m. on February 15, 2022. Any administrative orders issued by the Director of the Department of Health pursuant to the authority provided by those orders shall terminate no later than the dates established in those orders.

III. MODIFICATIONS TO INDOOR MASK MANDATE

1. Expiration of Indoor Mask Mandate at Certain Locations: The indoor mask requirement imposed by Mayor's Order 2021-097, dated July 29, 2021, and extended by Mayor's Orders 2021-142, dated November 19, 2021, and 2022-018, dated January 26, 2022, shall expire at 11:59 p.m. on February 28, 2022 for the following locations:
 - a. Restaurants, bars, and taverns;
 - b. Sports and entertainment venues;
 - c. Gyms, recreation centers, and indoor athletic facilities;
 - d. Houses of worship;
 - e. Grocery stores, pharmacies, big box stores, and other retail establishments; and
 - f. Other businesses.
2. Continuation of Indoor Mask Mandate at Certain Locations: The indoor mask requirements imposed by Mayor's Orders 2021-097, dated July 29, 2021; 2021-142, dated November 19, 2021; and 2022-018, dated January 26, 2022 and through City Administrator, Department of Health and Office of the State Superintendent of Education directives and guidance, shall continue in effect after February 28, 2022, at the following locations:
 - a. The following District government facilities:
 - i. District government offices where there is direct interaction between employees and members of the public, such as at the Department of Motor Vehicles service centers, service centers administered by the Department of Human Services and the Department of Consumer and Regulatory Affairs;

- ii. District of Columbia Public Libraries; and
 - iii. Such other District government facilities as may be specified by the City Administrator;
 - b. Public, public charter, private, parochial, and independent schools;
 - c. Childcare facilities;
 - d. Congregate facilities, including nursing homes, assisted living facilities, shelters, dormitories, and correctional facilities;
 - e. Health care facilities; and
 - e. Public transit, taxis, and ride share vehicles (for both passengers and operators).
3. The Department of Health may promulgate binding regulations and guidance on the scope of the indoor mask requirement imposed by paragraph 2 of this section and may authorize exceptions to it. Any regulations or guidance previously promulgated by the Department of Health pertaining to indoor mask requirements at the facilities listed in paragraph 2 of this section shall remain in effect unless modified or rescinded by the Department of Health.
 4. The Office of the State Superintendent of Education (“OSSE”) may promulgate binding regulations and guidance on the scope and implementation of paragraph 2 of this section as it relates to all schools and child care facilities covered by paragraph 2 of this section. OSSE may also request information and data from any school or child care facility regarding compliance with paragraph 2 of this section. Any regulations or guidance previously promulgated by OSSE pertaining to indoor mask requirements at schools and child care facilities shall remain in effect unless modified or rescinded by OSSE.
 5. Private businesses may continue to require their employees and customers to wear masks.
 6. No private business shall bar employees from wearing masks unless other legal requirements compel the removal of masks or the masks pose a danger to the employee or members of the public.

IV. TERMINATION OF VACCINATION ENTRY REQUIREMENT AT PRIVATE FACILITIES

1. Mayor's Order 2021-148, dated December 22, 2021, requiring that individuals be vaccinated against COVID-19 to enter certain facilities listed in that Order, including restaurants, bars, gyms, athletic facilities; event spaces, and cultural institutions is hereby repealed effective at 11:59 p.m. February 14, 2022.
2. Private businesses may continue to require proof of vaccination against COVID-19 as a condition of entry by customers to their businesses.

V. CONTINUATION OF DISTRICT EMPLOYEE, CONTRACTOR, VOLUNTEER, AND GRANTEE VACCINATION REQUIREMENTS

The requirements and authorizations regarding the vaccination of District government employees, contractors, volunteers, and grantees imposed and authorized by Section VI. of Mayor's Order 2021-147, dated December 20, 2021, and Mayor's Order 2021-099, dated August 10, 2021, remain in full force and effect. Guidance issued by the Chief Procurement Officer or the City Administrator further explaining those requirements is binding.

VI. CONTINUATION OF VACCINATION REQUIREMENTS FOR HEALTH CARE WORKERS AND FACILITIES

All requirements for vaccination of health care licensees and persons in health care facilities imposed by regulations issued by the Department of Health remain in place as they continue to be authorized under authorities reposing in the Director of the Department of Health.

VII. CONTINUATION OF VACCINATION REQUIREMENTS FOR SCHOOLS, CHILD CARE FACILITIES, AND STUDENT ATHLETES

1. The COVID-19 vaccination requirements imposed on adult employees, contractors, interns, and volunteers working in person in a public, public charter, independent, private, or parochial school in the District of Columbia, and all adult employees, contractors, interns, and volunteers working in person in a child care facility regulated by OSSE, by Mayor's Order 2021-109, dated September 20, 2021, shall continue in full force and effect.
2. The COVID-19 vaccination requirements imposed on student-athletes aged twelve (12) and up by Mayor's Order 2021-109, dated September 20, 2021, shall continue in full force and effect.
3. Students must be vaccinated against COVID-19 pursuant to the Coronavirus Immunization of School Students and Early Childhood Workers Regulation

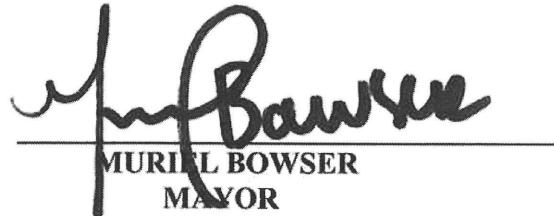
Emergency Amendment Act of 2021, effective January 12, 2022, D.C. Act 24-0280, 69 DCR 425, and the Coronavirus Immunization of School Students and Early Childhood Workers Regulation Amendment Act of 2021, signed by the Mayor on January 12, 2022, D.C. Act 21-0285, 69 DCR 440 (under Congressional review).

VIII. ENFORCEMENT

All enforcement authorities previously cited in prior Mayor's Orders continue in full force and effect. Agencies also may invoke any enforcement authorities that they already have in an effort to contain the spread and mitigate the effects of COVID-19.

IX. EFFECTIVE DATE AND DURATION

This Order shall be effective immediately and shall remain in effect until repealed, modified, or superseded.



MURIEL BOWSER
MAYOR

ATTEST: Kimberly A. Bassett
KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA