

# STATE OF CONNECTICUT

## DEPARTMENT OF PUBLIC HEALTH



Deidre S. Gifford, MD, MPH  
Acting Commissioner

Ned Lamont  
Governor  
Susan Bysiewicz  
Lt. Governor

### ORDER

**WHEREAS**, on March 10, 2020, Governor Ned Lamont (the Governor) declared public health and civil preparedness emergencies throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak caused by the SARS-COV-2 virus in the United States and Connecticut; and

**WHEREAS**, on several occasions since March 10, 2020, acting within his authority pursuant to Sections 19a-131 and 28-9 of the Connecticut General Statutes as well as Special Acts 21-2, 21-4, and 21-5 of the General Assembly, and in response to the continued need to respond adequately to the COVID-19 pandemic, the Governor renewed the declarations of public health and civil preparedness emergencies and also issued new declarations of public health and civil preparedness emergencies; and

**WHEREAS**, pursuant to such declarations, the Governor issued various executive orders to protect public health, limit transmission of COVID-19, and mitigate the effects of the COVID-19 pandemic (the “COVID-19 Orders”); and

**WHEREAS**, Public Act 21-185, An Act Concerning Long-Term Care Facilities, makes several improvements in infection control procedures for nursing homes, including, effective October 1, 2021, requiring regular testing of nursing home staff, during an outbreak of an infectious disease, at a frequency determined by the Commissioner of Public Health as appropriate based on the circumstances surrounding the outbreak and the impact of testing on controlling the outbreak; and

**WHEREAS**, the recent surge of COVID-19 infections, dominance of the Delta variant of SARS-COV-2 (“the Delta variant”), and the relative vulnerability of nursing home residents to infection, requires that the regular mandatory testing of unvaccinated staff in such facilities begin as soon as possible in order to detect outbreaks and immediately take protective measures; and

**WHEREAS**, the Governor’s Executive Order No. 13A modifies the October 1, 2021 effective date of Section 6 of Public Act 21-185 to make it effective immediately.

**NOW, THEREFORE**, pursuant to the authority vested in me by Public Act 21-185, Section 6 and Executive Order No. 13A, in response to the ongoing public health crisis arising out of COVID-19, especially among elderly individuals and persons with co-morbid conditions, **I hereby order that, effective immediately**, unless earlier modified or terminated, each nursing



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home as defined by Public Act 21-185 shall weekly test unvaccinated facility staff for COVID-19, at its sole expense. All such testing shall be performed in accordance with the most recent guidance issued by the Department of Public Health, as such guidance may be revised from time to time.

- a. “Facility staff” includes employees, consultants, contractors, volunteers, and caregivers who provide care and services to residents on behalf of the facility, and students in the facility’s nurse aide training programs or from affiliated academic institutions. We note that the facility may have a provision under its arrangement with a vendor or volunteer that requires them to be tested from another source (e.g., their employer or on their own). However, the facility is still required to obtain documentation that the required testing was completed during the timeframe that corresponds to this Order.
- b. “Fully vaccinated” refers to a person who is  $\geq 2$  weeks following receipt of the second dose in a 2-dose series, or  $\geq 2$  weeks following receipt of one dose of a single-dose vaccine.
- c. “Unvaccinated” refers to a person who does not fit the definition of “fully vaccinated,” including people whose vaccination status is not known, for the purposes of this Order.
- d. The medical order for any such testing shall be obtained for all staff by such nursing home from an appropriately licensed practitioner capable of issuing such orders within his or her scope of practice or permitted to do so by law, including any executive order.

Ordered this 11<sup>th</sup> day of August 2021

Deidre S. Gifford, MD, MPH  
Acting Commissioner