

**GOVERNMENT OF PUERTO RICO  
LA FORTALEZA  
SAN JUAN, PUERTO RICO**

**Administrative Bulletin No.: 2020-031**

**EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. WANDA VÁZQUEZ-GARCED, FOR THE CREATION AND STRENGTHENING OF A SYSTEM FOR THE EFFECTIVE MONITORING AND DISCLOSURE OF THE PREVALENCE OF THE CORONAVIRUS SARS-COV-2 PANDEMIC, KNOWN AS THE CORONAVIRUS OR COVID-19, IN PUERTO RICO**

**WHEREAS:** On March 12, 2020, the Governor of Puerto Rico, Honorable Wanda Vázquez-Garced, issued Administrative Bulletin No. OE-2020-020, declaring a state of emergency in Puerto Rico in view of the impending impact of the coronavirus SARS-COV-2, known as COVID-19.

**WHEREAS:** Under Act 81 of March 1912, as amended, known as the *Health Department Act*, and its applicable regulation, the Secretary of Health is in charge of all health and public welfare matters entrusted to him/her by law and shall address all issues affecting public health, in addition to publishing relevant information concerning all prevailing and epidemic diseases.

**WHEREAS:** Article 6.10 of Act 20-2017, as amended, known as the *Puerto Rico Public Safety Department Act*, empowers the Governor to declare a state of emergency on our Island, and “to establish or modify state regulations, orders, plans, or measures for emergencies or disasters as deemed necessary,” as well as “to enact, amend or repeal any regulation, and to enact, amend, or rescind any order as deemed appropriate during the state of emergency or disaster.”

Administrative Bulletin OE-2020-026 provided for the creation of an Executive Medical Advisory Task Force (“Medical Task Force”) on COVID-19, which is in charge of developing and implementing studies, research, and strategic plans in collaboration with the Department of Health in order to manage the COVID-19 emergency, as well as to advise the Governor of Puerto Rico and the Secretary of Health in the decision-making process regarding public health and other matters related to this emergency, including epidemiological issues, data monitoring, clinical management, and providing guidance to the community on COVID-19.

**WHEREAS:** The Executive Medical Advisory Task Force believes that, due to the epidemiological challenge posed by the response to the COVID-19 situation, swift and effective measures must be taken in order to monitor the epidemic and to obtain the necessary decision-making information.

**WHEREAS:** Administrative Order No. 358, issued by the Department of Health on October 5, 2016, provides that: (1) all physicians or laboratory directors duly licensed to practice their profession in Puerto Rico shall be responsible for notifying and submitting to the Department of Health all laboratory results for the diseases specified in said administrative order; and (2) all health professionals licensed by the Regulatory Board must report whether a person under their care has any of the diseases and/or health conditions outlined in the aforementioned order.

**WHEREAS:** Given the great challenge we are facing due to the COVID-19 pandemic activity, it is imperative that we broaden the scope of the information gathered under Administrative Order No. 358 and that more flexible and comprehensive mechanisms be implemented to collect this information in order to provide the Department of Health with more detailed data, including data on suspected COVID-19 cases for which test results have not yet been reported.

**WHEREAS:** On March 20, 2020, the Governor of Puerto Rico, Department of Health personnel, and the Executive Medical Advisory Task Force held a meeting with health professionals and laboratory owners to discuss the urgent need to have data available immediately, including data on suspected COVID-19 cases and samples taken, to be able to make accurate projections that will help slowdown and control the spread of COVID-19.

**WHEREAS:** On March 30, 2020, Administrative Bulletin No. 2020-029 was issued to expand the measures taken to control the risk of COVID-19 infection in Puerto Rico. Said Bulletin extended the lockdown until April 12, 2020, among other important measures.

**WHEREAS** It is the Government of Puerto Rico’s utmost priority to make all necessary efforts to safeguard the health, lives, and safety of all Puerto Ricans.

**THEREFORE:** I, WANDA VÁZQUEZ-GARCED, Governor of Puerto Rico, by virtue of the powers inherent to my office and the authority vested in me by the Constitution and the Laws of the Government of Puerto Rico, hereby DECLARE and ORDER the following:

**Section 1:** Effective Wednesday, April 1, 2020 and while the state of emergency declared under Administrative Bulletin No. OE-2020-020 of March 12, 2020 is in force, all health facilities operating in Puerto Rico shall expeditiously report to the Department of Health on a daily basis, pursuant to the provisions of applicable law and the instructions outlined herein, all suspected, potential, negative, or confirmed outpatient and/or inpatient COVID-19 cases.

For the purposes of this Order, “health facilities” shall be considered as any public (state or federal entity, including the Puerto Rico Veterans Hospital) or private entity, including Primary Healthcare Centers or similar facilities, among others, as well as any natural or legal person, including any Municipality, that may be taking samples from people in Puerto Rico to test for COVID-19 infection.

This provision shall also apply to all private or public clinical laboratories that perform laboratory testing to diagnose COVID-19, either directly or indirectly, by themselves or in collaboration with any other natural or legal person, including Municipalities.

**Section 2:** The daily report that all health facilities must submit to the Department of Health, as provided in Section 1 herein, shall meet the following requirements:

1. The report shall be submitted in electronic format and shall include, at least, the following information:
  - a. Name and last names;
  - b. Sex;
  - c. Age;
  - d. Municipality of residence, sector or ward (“barrio”);



- e. Date of onset of symptoms;
  - f. Type of exposure;
  - g. Patient admitted (yes or no);
  - h. Service area where admitted, if admitted;
  - i. Use of mechanical ventilation or respiratory support (yes or no);
  - j. Date of sample collection;
  - k. Test type (molecular or serological);
  - l. Test results;
  - m. Date of death, if patient died.
2. The report shall be notified through the Epidemiologist in charge of the health facilities' COVID-19 quick report.
  3. The report shall be updated on a daily basis and shall be received by the Department of Health by 12:00 p.m. (noon) shall correspond to the information concerning the previous calendar day.
  4. The report shall be submitted on a daily basis, regardless of whether there are zero patients, in which case, a negative report shall be submitted.

**Section 3:**

Regarding the daily report to be submitted by the laboratories, in accordance with what has been ordered herein and the scope provided in Section 1 of this Executive Order, the report shall meet the following requirements:

1. The report shall be submitted in electronic format and shall include, at least, the following information:
  - a. Name and last names;
  - b. Sex;
  - c. Age;
  - d. Municipality of residence, sector or ward ("barrio");
  - e. Patient type (inpatient or outpatient)
  - f. Date of onset of symptoms;
  - g. Sample collection date;
  - h. Test type (molecular or serological);
  - i. Test results.
2. The report shall be notified through the Epidemiologist in charge of the health facilities' COVID-19 quick report.
3. The report shall be updated on a daily basis and shall be received by the Department of Health by 12:00 p.m. (noon) and shall correspond to the information concerning the previous calendar day.
4. The report shall be submitted on a daily basis, regardless of whether there are zero patients, in which case, a negative report shall be submitted.

**Section 4:**

**ALL** deaths of people who are suspected, potential, or confirmed COVID-19 cases shall be notified **IMMEDIATELY** to the Regional Epidemiologist by phone. Likewise, a report shall be submitted immediately including, at least, the following information:

1. Name and last names;
2. Sex;
3. Age;
4. Municipality of residence, sector or ward ("barrio");
5. Patient type (inpatient or outpatient)
6. Cause of death.



- Section 5:** The Department of Health shall contact the infection control personnel designated by each identity and/or natural or legal person bound by this Executive Order, in order to identify the contact person who will be in charge of receiving and carrying out the specific instructions on the data collection and reporting process.
- Section 6:** The report and/or the information requested hereby shall be used exclusively for the purposes specified herein and shall not substitute, replace, or amend any other reporting obligation that each health facility and/or primary healthcare center may be required to provide to the Department of Health and/or to any other state or federal government agency under the applicable laws and/or regulations. This includes the obligation to report suspected or confirmed COVID-19 cases to the Regional Epidemiologist in accordance with the directives of the Administrative Order currently in force.
- Section 7:** The term to submit the notification forms and the Patient Under Investigation Form to the regional epidemiologist is hereby extended to 48 hours.
- Section 8:** All information collected and reported in accordance with this Executive Order shall be provided to the Department of Health in the first instance, as provided by the applicable laws and regulations. The Department of Health shall be the only agency responsible for the official disclosure of information to citizens. Any person or entity that has a reporting obligation under this Executive Order may disclose the information collected and reported once it has been officially disclosed by the Department of Health.
- Section 9:** Failure to comply with the provisions contained herein by any person and/or entity bound by this Executive Order, either directly or indirectly, will face the civil sanctions and penalties established by the applicable provisions of any law and/or regulation of the Department of Health and Act No. 20-2017, which could include the imposition of a fine not to exceed five thousand dollars (\$5,000) for any violation, as well as the revocation of any license and/or permit issued by the Government of Puerto Rico for the operation of the health facility that is found to be in violation of the provisions of this Executive Orders.
- Section 10:** DEROGATION. This Executive Order supersedes any other executive order that may be inconsistent with this Order, to the extent of such inconsistency.
- Section 11:** NON-CREATION OF ENFORCEABLE RIGHTS. This Executive Order is not intended to create any rights, substantive or procedural, enforceable at law or equity, by any person or entity, in any matter, civil, criminal, or administrative, against the Government of Puerto Rico or its agencies, officials, employees, or any other person.
- Section 12:** The provisions of this Executive Order are separate and independent of each other, and if any part, section, provision, or sentence of this Executive Order is declared unconstitutional, void, or invalid by a court of jurisdiction and venue, such decision shall not affect the validity of the remaining provisions, which shall remain in full force
- Section 13:** VALIDITY. This Executive Order shall enter into force immediately and shall remain in force for the duration of the emergency.

**Section 14:** PUBLICATION. This Executive Order must be filed immediately with the Department of State and the widest possible publication is hereby ordered.



**IN TESTIMONY WHEREOF,** I hereby issue this Executive Order under my signature and cause the Great Seal of the Government of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 1st day of April of 2020.

  
**WANDA VÁZQUEZ-GARCED**  
GOVERNOR

Enacted in accordance with the law on this 1st day of April of 2020.

  
**ELMER L. ROMÁN-GONZÁLEZ**  
SECRETARY OF STATE