

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

Administrative Bulletin Number: OE-2021-054

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, HON. PEDRO R. PIERLUISI, TO DELEGATE TO THE SECRETARY OF THE DEPARTMENT OF HEALTH THE POWER TO IMPLEMENT MEASURES TO MANAGE THE EMERGENCY CAUSED BY COVID-19 IN PUERTO RICO AND TO REPEAL ADMINISTRATIVE BULLETIN NO. OE-2021-043

WHEREAS: The Government of Puerto Rico has the constitutional responsibility to make all efforts necessary to prevent and stop the spread of COVID-19 and to safeguard the health, life, and security of the residents of Puerto Rico.

WHEREAS: In keeping with the prevailing status worldwide caused by the COVID-19 pandemic, on March 12, 2020, the Government of Puerto Rico issued Administrative Bulletin No. OE-2020-020, declaring a state of emergency in all of Puerto Rico to address the pandemic. From that date, several executive orders were issued with the purpose of implementing certain restrictive measures to control the contagion of COVID-19 in the island. The epidemiological reports show that these orders-along with the vaccination-were effective and accomplished the task. This because, the contagion levels of COVID-19 have dramatically decreased.

WHEREAS: The scientific studies state that the vaccines against COVID-19 are effective to avoid becoming infected with the disease. Therefore, it is encouraging that today more than 1,759,206 adults have been completely inoculated, meaning, that close to sixty-four percent (64%), and 1,933,163 people older than eighteen (18) years old have received at least one (1) dose of the vaccine, which in turn, represents close to seventy-four percent (74%) of that population. This last amount is consistent with the goal outlined by the President of the United States of America, Joseph R. Biden, Jr. for July 4, 2021. Such statistics increase daily. It is clear that with the vaccination process we have managed to reach significant advances in the fight against this virus and that it is necessary to continue with that process.

WHEREAS: Article 5.10 of Act No. 20-2017, as amended, known as the “Puerto Rico Public Safety Department Act”, authorizes the Governor to decree a state of emergency in the island and “put into effect the regulations, orders, plans or state measures for emergency or disaster situations or to alter them in his discretion”, also to “issue, amend and repeal the regulations and issue, amend and rescind the orders the Governor deems convenient to regulate during the state of emergency or disaster”.

WHEREAS: In the event of some pandemic that threatens the health of the People of Puerto Rico, Article 5 of Act No. 81 of March 14, 1912, as amended, known as the



I, Juan E. Segarra, USCCI #06-067/translator, certify that the foregoing is a true and accurate translation, to the best of my abilities, of the document in Spanish which I have seen.

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Originating Act of the Department of Health, authorizes the Secretary of the Department of Health to take all the measures he/she deems necessary to fight it.

WHEREAS: Section 1 of Act No. 157 of May 10, 1938, as amended, allows the Secretary of the Department of Health to oversee the declaration of the pandemic, municipal health of the municipality or municipalities affected, when an epidemic is declared in one or more municipalities by proclamation of the Governor. Those measures will be in effect until the Governor declares the epidemic is over.

WHEREAS: The COVID-19 pandemic represents a dynamic and changing scenario, which calls for the Government to redesign the strategies to timely manage the infections in the population, to safeguard the medical/hospital resources, while in turn avoiding an economic collapse.


WHEREAS: Given that the levels of contagion of COVID-19 have dramatically decreased and that the executive orders to handle the pandemic have served their purpose, it is pertinent and adequate to delegate to the Secretary of the Department of Health the power to establish the guidelines, orders, protocols, and recommendations to tackle the emergency of COVID-19. These measures must be created to manage in detail each service, business, activity, or area, as is necessary in agreement with the risk of contagion inherent to each activity.

WHEREAS: I must emphasize that each citizen has the individual responsibility to be sensible and critical of any personal, commercial, or professional activity they attend to or are involved in. If every Puerto Rican follows all the cautionary measures ordered by the Centers for Disease, Control and Prevention (CDC), the Health Department and other components of the Government of Puerto Rico very precisely, it is unquestionable that we will all be protected. Therefore, each of the citizens has the responsibility to keep taking the cautionary measures imposed and, also, to be sensible and decide not to participate in any activity that they deem could put their health or the health of others at risk.

WHEREAS: I, PEDRO R. PIERLUISI, Governor of Puerto Rico, by virtue of the powers inherent to my position and the authority conferred to me by the Constitution and the laws of Puerto Rico, hereby decree and order the following:

1st SECTION: DELEGATION TO THE SECRETARY OF DEPARTMENT OF HEALTH.

From July 5, 2021, I delegate to the Secretary of the Department of Health the power to establish the instructions, guidelines, protocols and recommendations -particularized per each service, business, activity or areas, as is necessary in accordance with the risk of contagion- to manage the emergency of COVID-19. The measures adopted by the Secretary of Health will apply to the population in general, and to the employers and entities of the public and private sector.

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However, the state of emergency in all of Puerto Rico decreed to tackle the pandemic continues, as declared in Administrative Bulletin No. OE-2020-020. Until the Secretary of the Department of Health concludes that the pandemic is controlled or extinguished, such declaration of state of emergency will remain in effect.

2nd SECTION: **DEFINITION OF AGENCY:** For purposes of this Executive Order, the term “agency” refers to every agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including the public corporations, regardless of their name.

3rd SECTION: **REPEAL.** This Executive Order repeals Administrative Bulletin No. OE-2021-043. Also, any other executive order that, in whole or in part, is not compatible with what is provided herein is repealed, up to where that incompatibility exists.

4th SECTION: **EFFECTIVE DATE.** This Executive Order will come into effect on July 5, 2021 and will remain in effect until an Administrative Order provides otherwise.

5th SECTION: **SEVERABILITY.** The provisions of this Executive Order are independent and separate from each other and if a court with jurisdiction and venue declares any part, section, provision, and sentence of this Executive Order unconstitutional, null, or invalid, that ruling will not affect the validity of the remaining provisions, which will remain in full force and effect.

6th SECTION: **DOES NOT CREATE ENFORCEABLE RIGHTS.** This Executive Order does not have the intention of creating substantive or procedural rights in favor of third parties against the Government of Puerto Rico, agencies, officers, employees, or any other person, enforceable before judicial, administrative, or other forums.

7th SECTION: **PUBLICATION.** This Executive Order must be immediately filed with the Department of State and its broadest publication is ordered.

IN WITNESS THEREOF, I issue this Executive Order under my signature and stamp the great seal of the Government of Puerto Rico, in La Fortaleza, in San Juan, Puerto Rico, today July 1, 2021.

[signed]

PEDRO R. PIERLUISI
GOVERNOR

[seal of Commonwealth of Puerto Rico]

Promulgated in accordance with the Law, today July 1, 2021.

[signed]

FELIX E. RIVERA-TORRES
ACTING SECRETARY OF STATE



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