

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

Administrative Bulletin Number: OE-2022-019

EXECUTIVE ORDER OF THE GOVERNOR OF PUERTO RICO, THE HON. PEDRO R. PIERLUISI, TO MODIFY THE MEASURES IMPLEMENTED AGAINST COVID-19, AND REPEAL ADMINISTRATIVE BULLETINS NOS. OE-2021-075, OE-2021-082, OE-2021-087, OE-2022-003, OE-2022-006, OE-2022-009, OE-2022-010, OE-2022-011 AND OE-2022-015

WHEREAS:

Since March 12, 2020— after the first cases of the disease known as COVID-19, which is caused by the new SARS-CoV2 coronavirus, were reported on the island— we have been in a state of emergency. From said date on, countless strategies have been implemented successfully to control the pandemic, including the face mask and social distancing mandates, and the requirement for certain important sectors of our society to be vaccinated against the virus or show a negative COVID-19 test result, subject to certain exceptions and alternatives available.

WHEREAS:

The most recent data of the Department of Health of Puerto Rico is very promising for it shows that the daily average of confirmed COVID-19 cases is 78 positive cases, and 113 probable cases. Moreover, the number of COVID-19 hospitalizations has decreased to 65 people, divided into 57 adults and 8 children. Adult cases occupy 1% of the available hospital beds. Regarding intensive care units, today, 3% of hospital beds in this ward are occupied by COVID-19 patients. As to pediatric cases, 1% of the available hospital beds in this ward are occupied by children.

Moreover, the positivity rate, that is, the percentage of people who test positive to the virus out of all the people who get tested, has decreased to 4.28%. Lastly, the daily deaths average is 1.

WHEREAS:

Section 5.10 of Act No. 20-2017, as amended, known as the “Puerto Rico Public Safety Department Act,” empowers me, as the Governor to declare a state of emergency or disaster on our Island, and subsequently enact any measures as are necessary for the duration of the emergency to manage it in order to protect the safety, health, and property of all the residents of Puerto Rico.



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.

CERTIFIED TRANSLATION

WHEREAS: Subsection (b) of Section 5.10 of Act No. 20-2017, provides that the Governor of Puerto Rico may prescribe, amend, and revoke any regulations as well as issue, amend, and rescind such orders as deemed convenient which shall be in effect for the duration of the state of emergency or disaster. Regulations prescribed or orders issued during a state of emergency shall have force of law for the duration of the state of emergency or disaster.

WHEREAS: The Government of Puerto Rico has the responsibility to continue making all efforts as necessary to prevent and stop the spread of COVID-19, as well as to safeguard the health, life, and safety of the residents of Puerto Rico and visitors alike.

WHEREAS: The power to govern a people entails a great responsibility of ensuring that the population is safe and secure. In turn, the State's police power — as delegated to the Executive Power under Act No. 20-2017— empowers the government to take measures as are necessary to protect the health and safety of its population. In other words, it is the inherent power of the State that allows it to create and promote regulations in general in order to protect the health, safety, and general welfare. In order to achieve these benefits in favor of the community, the State has the power to restrict certain personal interests, which are not absolute.

WHEREAS: Given that COVID-19 cases have declined in the last few weeks, it is possible to render certain measures more flexible, namely, eliminating the mask mandate in most areas, the limitations on capacity, the vaccination mandates, the screening requirement for private operators, as well as the rules or measures travelers had to abide by when arriving at Puerto Rico, which were in place to control the pandemic. Likewise, the Secretary of the Department of Health is hereby directed to issue recommendations and protocols as appropriate for different circumstances.

WHEREAS: The measures implemented in this Executive Order are consistent with those implemented from the beginning of this administration. Those measures strike a fair balance between the health and safety of the population and the adverse effects on the economy.

WHEREAS: It should be noted that each citizen is responsible individually for being prudent and wise when carrying out or attending any personal, commercial, or professional activity. Thus, each citizen has the responsibility to continue adhering to the precautionary measures imposed as well as be prudent and decide when not to participate in any activity that would jeopardize his health or the health of others.

THEREFORE: I, PEDRO R. PIERLUISI, 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 Puerto Rico, hereby declare and order the following:

Section 1: **QUARANTINE AND ISOLATION**. The Secretary of the Department of Health is hereby directed to issue rules on quarantine (for people with suspected COVID-19) and isolation (for people infected with COVID- 19).

Section 2: **INDIVIDUAL PRECAUTIONARY MEASURES**. As a general rule, mask mandates in indoor and outdoor spaces are eliminated, subject to the following exceptions:

1. While indoors, it is recommended to cover the mouth and nose using a face mask or a scarf made of fabric or other materials, according to the guidelines of the Department of Health, when there is no proof that those present therein, other than the members of your family unit, are vaccinated.
2. A face mask or a scarf made of fabric or other materials according to the guidelines of the Department of Health, covering the nose and mouth shall continue to be used in the following circumstances:
 - a. Every person who person who works or visits health facilities, such as hospitals, emergency wards, doctor's offices, health centers, clinics, clinical laboratories, and pharmacies.
 - b. Every person who works or visits long-term care centers for older adults.
3. The Department of Health shall issue rules pertaining to mask use at child care centers (including Head Start and Early Head

Start), public or private schools, and universities.

4. The Department of Health may require the use of masks in other settings when deemed appropriate to prevent infections.
5. Each private or government operator, at its discretion, may implement health measures as appropriate for its type of operation, including a masking requirement.
6. Each person, at their discretion, may continue using face masks. Hence, no person or private entity may prevent anyone from continuing to use a face mask.
7. "Face mask" shall be deemed to be any product made of fabric or other material to cover the mouth, nose, and chin that has a head strap or ear loops, per the recommendations and specifications of the Department of Health and the Centers for Disease Control and Prevention (CDC).

It is recommended to continue with other precautionary measures, such as keeping a minimum distance of six (6) feet between people other than the members of your family unit, avoiding crowds, and washing hands with soap and water regularly, or using hand sanitizer approved by the official health entities.

Section 3:

MASS GATHERINGS. All mass gatherings are allowed. However, in order to safeguard the health of Puerto Rico's population, and reduce infections, I hereby order that as of the effectiveness of this Executive Order, every mass gathering hosting over 1,000 people and held at theaters, amphitheaters, arenas, coliseums, convention and activity centers, and similar venues where any event is held —either indoor or outdoor— shall adhere to the protocols promulgated by the Secretary of the Department of Health to such effects.

The foregoing shall not apply to religious events or public events where government services are rendered.

Section 4:

ELIMINATION OF LIMITATIONS ON CAPACITY. The limitations on capacity at private and public entities are hereby eliminated. However, every private or government operator, at its discretion, may implement

health measures as deemed appropriate for its operations, including reducing their capacity as deemed pertinent.

Section 5:

ELIMINATION OF VACCINATION MANDATE. COVID-19 vaccination mandates are hereby rendered ineffective. However, the Secretary of the Department of Health is hereby delegated the responsibility to issue administrative recommendations on vaccination geared to all the population. Moreover, the Secretary is hereby directed to continue promoting vaccination and the booster shot in the various sectors, as pertinent.

The foregoing notwithstanding, the Secretary of the Department of Health shall continue making determinations regarding the health certificates and vaccination for students.

Section 6:

ELIMINATION OF REQUIREMENTS FOR VISITORS. Vaccination and COVID-19 testing screening are hereby eliminated for customers at restaurants (including fast foods, food courts, and cafeterias), bars, “chinchorros,” small cafeterias, sport bars, movie theaters, community or activity centers (where family activities are held), and any other venue where prepared food or beverages are served as well as hotels, *paradores*, lodgings, beauty salons, barber shops, esthetic salons, spas, gymnasiums, and casinos.

However, private operators shall have discretion to implement health measures as deemed appropriate to their operations, including screening visitors.

Section 7:

ELIMINATION OF REQUIREMENTS FOR TRAVELERS. At the current state of the pandemic, Administrative Bulletin No. OE-2022-009, which established the rules and measures to be followed by travelers arriving at Puerto Rico to control the pandemic is hereby repealed.

However, genomic surveillance and voluntary testing centers at the airports shall continue to be available for as long as the Secretary of the Department of Health deems necessary.



Section 8: **GUIDELINES.** The provisions contained in this Executive Order may be defined, reinforced, and supplemented in detail through guidelines issued by the Department of Health in consultation with the Office of the Chief of Staff r the Governor's Legal Advisor.

Section 9: **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 10: **DEFINITION OF THE TERM AGENCY.** For the purposes of this Executive Order, the term "agency" refers to any agency, instrumentality, office, or department of the Executive Branch of the Government of Puerto Rico, including public corporations, regardless of its name.

Section 11: **SEVERABILITY.** The provisions of this Executive Order are separate and independent from each other, and if any part, section, provision, or sentence of this Executive Order is held to be unconstitutional, void, or invalid by a court of competent jurisdiction, such holding shall not affect the validity of the remaining provisions, which shall remain in full force.

Section 12: **REPEALING CLAUSE.** This Executive Order renders ineffective any other executive order that is inconsistent, whether in whole or in part, with the provisions herein to the extent of such inconsistency. Particularly, administrative bulletins nos. OE-2021-075, OE-2021-082, OE-2021-087, OE-2022-003, OE-2022-006, OE-2022-009, OE-2022-010, OE-2022-011, and OE-2022-015 are hereby repealed.

Section 13: **PUBLICATION.** This Executive Order must be filed immediately with the Department of State and the broadest possible publication thereof is hereby ordered.

Section 14: **EFFECTIVENESS.** This Executive Order shall take effect on March 10, 2022, and shall remain in effect until this Order is amended or repealed by a subsequent order or by law.

IN WITNESS 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 La Fortaleza, San Juan, Puerto Rico, on this 7th day of March of 2022.



PEDRO R. PIERLUISI
GOVERNOR

Promulgated in accordance with the law on this 7th day of March of 2022.

OMAR J. MARRERO DÍAZ
SECRETARY OF STATE