

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2022-008
January 11, 2022

SUBJECT: Declaration of Limited Public Health Emergency Related to Healthcare Capacity

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.); and 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.), and in accordance with the Public Emergency Extension Emergency Amendment Act of 2021, effective January 6, 2022, D.C. Act 24-276, and Mayor's Order 2022-007, January 6, 2022, it is hereby **ORDERED** that:

I. BACKGROUND

1. More than 21 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 61.5 million Americans have been diagnosed with COVID-19 and more than 836,000 have died from the disease. Locally, transmission stands at a seven-day average of 186.9 new daily cases per 100,000 persons; total infections in the District have risen to 116,278; and tragically, 1,233 District residents have lost their lives due to COVID-19.
2. The District is in a public emergency pursuant to Mayor's Order 2022-007, dated January 6, 2022. A public emergency is a necessary predicate to a public health emergency.
3. Notwithstanding the large number of persons vaccinated against COVID-19 in the District and the effectiveness of those vaccinations at preventing severe illness and death, stress on the District's hospitals and healthcare providers has recently increased. Not everyone can be vaccinated, and even infections that do not result in hospitalization result in sickness and labor shortages. The physical capacity of

hospitals remains strong, but emergency rooms are overwhelmed with persons suffering from COVID-19 and persons who fear having COVID-19, causing long delays both for them and for other patients. Further, hospitals cannot use all their bed capacity due to staff shortages. Some hospitals are experiencing 25% staff out on COVID-related leave and some emergency rooms are overwhelmed with dozens of persons waiting for a room in the hospital itself.

4. Given the ongoing impacts of COVID-19, the vast rise in new cases and visits to emergency rooms, continuing deaths from COVID-19, and staffing shortages at medical facilities due in part to staff being out with COVID-19, the District must declare a limited public health emergency to appropriately protect public health and provide the authority necessary to modify administrative procedures, deadlines, and standards authorized during this declared emergency. By declaring a public health emergency, the District and our healthcare partners can continue to respond expeditiously and safely to COVID-19 and its ongoing and changing impacts.
5. Therefore, this Mayor's Order declares a limited COVID-19 public health emergency until January 26, 2022.

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

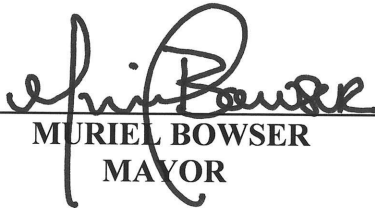
1. A limited public health emergency is hereby declared, effective immediately until January 26, 2022.
2. The Director of the Department of Health ("DC Health"), or the Director's designee, shall promptly issue administrative orders consistent with and authorized by section 5a(d) of the District of Columbia Public Emergency Act, D.C. Official Code § 7-2304.01(d), and may issue updates during the period of this public health emergency, notwithstanding any other laws or rules to the contrary.
3. All administrative orders issued by DC Health shall be drafted in consultation with the Deputy Mayor for Health and Human Services and approved by the City Administrator and shall have the force and effect of orders and regulations issued as a public health emergency executive order or regulation under the District of Columbia Public Emergency Act of 1980.

III. SCOPE AND LIMITATIONS OF EMERGENCY


This public health emergency is intended to authorize and invoke the powers and authorities of D.C. Official Code § 7-2304.01 as it relates to hospitals and medical facilities and related personnel, including mortuary services, and is not intended to authorize any other extensions, forbearances, powers, or actions as the scope of this public health emergency relates to the provision of medical or mortuary services.

IV. EFFECTIVE DATE AND DURATION

This Order shall be effective immediately and shall continue to be in effect through January 26, 2022, or until this Order is repealed, modified, or superseded.



MURIEL BOWSER
MAYOR

ATTEST: 

KIMBERLY A. BASSETT
SECRETARY OF STATE OF THE DISTRICT OF COLUMBIA