

GOVERNMENT OF THE DISTRICT OF COLUMBIA

ADMINISTRATIVE ISSUANCE SYSTEM

Mayor's Order 2022-019

January 26, 2022

SUBJECT: Extension 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.); 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; Mayor's Order 2022-007, January 6, 2022, and the Public Health Emergency Extension Emergency Amendment Act of 2022, A24-313, effective January 26, 2022, it is hereby **ORDERED** that:

I. BACKGROUND

1. More than 22 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 72.28 million Americans have been diagnosed with COVID-19 and more than 866,000 have died from the disease. Locally, transmission stands at a seven-day average of 186.9 new daily cases per 100,000 persons; total confirmed infections in the District have risen to 128,739; and tragically, 1,278 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, and a public health emergency declared by Mayor's Order 2022-008, effective January 11, 2022, for which the Council of the District of Columbia has authorized an extension beyond its original fifteen (15) day duration. 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 dramatically increased in January 2022.

4. Although the surge of infections relating to the omicron variant appears to be abating, the stress on hospitals and medical providers and facilities continues. Hospitalization and deaths lag infections, so the District is facing increases in hospitalized patients with COVID-19, increased ventilator use by persons with COVID-19, and more deaths than the District experienced at the beginning of January. Even infections that do not result in hospitalization result in sickness, medical personnel in isolation or quarantine, and labor shortages. Persons suffering from COVID-19, persons who are afraid they have COVID-19, and persons simply seeking tests for COVID-19 continue to come to emergency rooms. These visits pose challenges for the delivery of timely services to all who are facing medical emergencies.
5. Given the number of 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 continue the public health emergency for a limited period of time to appropriately protect public health and provide the authority necessary to extend the modified administrative procedures, deadlines, and standards authorized during this declared emergency. By extending the limited 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.
6. Pursuant to the declaration of the public health emergency, the Department of Health ("DC Health) issued administrative orders to address the emergency. There is a continuing but time-limited need for those orders to remain in effect.
7. The Council of the District of Columbia joins in our concern about this emergency in hospitals and medical facilities, and has authorized an extension of this limited public health emergency until March 17, 2022, but the falling rates of infection indicate that the public health emergency need not be extended that far into the future at this time.
8. Therefore, this Mayor's Order extends the limited public health emergency originally declared by Mayor's Order 2022-008 until 11:59 p.m. on February 15, 2022.

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

1. The limited public health emergency declared on January 11, 2022 is hereby extended, effective immediately, until 11:59 p.m. on February 15, 2022.
2. The Director of DC Health, or the Director's designee, shall continue to enforce 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 any necessary updates during the period of this public health emergency,

notwithstanding any other laws or rules to the contrary, and she may terminate such administrative orders if they are no longer necessary.

3. All administrative orders in force or 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 PUBLIC HEALTH 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 declared scope of this public health emergency relates solely to the provision of medical or mortuary services.

IV. EFFECTIVE DATE AND DURATION

This Order shall be effective immediately and shall remain in effect until 11:59 p.m. on February 15, 2022 unless this Order is repealed, modified, or superseded.



MURIEL BOWSER
MAYOR

ATTEST: 

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