STATE OF CONNECTICUT

BY HIS EXCELLENCY

NED LAMONT

EXECUTIVE ORDER NO. 7XX

PROTECTION OF PUBLIC HEALTH AND SAFETY DURING COVID-19 PANDEMIC AND RESPONSE – SAFETY PRECAUTIONS FOR DRIVE-IN CEREMONIES, SUSPENSION OF INVOLUNTARY DISCHARGES FROM NURSING HOMES TO HOMELESS SHELTERS

WHEREAS, on March 10, 2020, I issued a declaration of public health and civil preparedness emergencies, proclaiming a state of emergency throughout the State of Connecticut as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and Connecticut; and

WHEREAS, pursuant to such declaration, I have issued fifty (50) executive orders to suspend or modify statutes and to take other actions necessary to protect public health and safety and to mitigate the effects of the COVID-19 pandemic; and

WHEREAS, COVID-19 is a respiratory disease that spreads easily from person to person and may result in serious illness or death; and

WHEREAS, the World Health Organization has declared the COVID-19 outbreak a pandemic; and

WHEREAS, to reduce the spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC) and the Connecticut Department of Public Health (DPH) recommend implementation of community mitigation strategies to slow transmission of COVID-19, including cancellation of gatherings of ten people or more and social distancing in smaller gatherings; and

WHEREAS, the risk of severe illness and death from COVID-19 is higher for individuals who are 60 or older and for those who have chronic health conditions; and

WHEREAS, public health experts have determined that it is possible to transmit COVID-19 even before a person shows symptoms and through aerosol transmission; and

WHEREAS, public health experts have indicated that persons infected with COVID-19 may not show symptoms, and transmission or "shedding" of the coronavirus that causes COVID-19 may be most virulent before a person shows any symptoms; and

WHEREAS, the CDC has recommended that people with mild symptoms consistent with COVID-19 be assumed to be infected with the disease; and

WHEREAS, upon a proclamation that a civil preparedness emergency exists, section 28-9(b) of the Connecticut General Statutes authorizes the modification or suspension in whole or in part by executive order of any statute or regulation or requirement or part thereof that conflicts with the efficient and expeditious execution of civil preparedness functions or the protection of public health; and

WHEREAS, the milestone of high school graduation holds significance for students, families, and the school community; and

WHEREAS, public health guidelines at this time generally permit the conduct of drive-in ceremonies with participants remaining in their vehicles; and

WHEREAS, Executive Order No. 7TT amended restrictions on large gatherings, and provided for outdoor religious, spiritual, and worship gatherings conducted with participants remaining in their vehicles; and

WHEREAS, Executive Order No. 7P, issued March 28, 2020, authorized, in part, the Commissioner of Public Health, Secretary of the Office of Policy and Management, and commissioners of Emergency Services and Public Protection and Housing to issue such orders as deemed necessary to support non-congregate housing with sufficient physical distancing capacity in an effort to reduce resident density, provide alternate housing for people experiencing homelessness, and reduce the concomitant risk of exposure to, infection with, or transmission of COVID-19; and

WHEREAS, the involuntary discharge of individuals from nursing homes and residential care homes, potentially at heightened risk for severe illness or death from COVID-19 as a result of age and chronic health conditions, to homeless shelters during the course of the declared COVID-19 public health and civil preparedness emergency may thereby increase the risk of spread of COVID-19 among such vulnerable populations;

NOW, THEREFORE, I, NED LAMONT, Governor of the State of Connecticut, by virtue of the authority vested in me by the Constitution and the laws of the State of Connecticut, do hereby **ORDER AND DIRECT:**

1. **Modification of Safety Rules for Drive-in Religious Gatherings.** Executive Order No. 7TT, Section 2 is amended to provide that "drive-in" religious, spiritual and worship gatherings at which all attendees remain in vehicles may be held with no limitations on capacity if either: (a) vehicle windows remain closed or (b) vehicles remain at least six feet apart and participants wear masks or cloth face coverings.

2. **Safety Rules for Drive-in Graduations.** Drive-in graduation ceremonies at which all attendees remain in vehicles except for graduates briefly leaving vehicles to receive diplomas may be held with no limitations on capacity if

either: (a) vehicle windows remain closed or (b) vehicles remain at least six feet apart and all attendees wear masks or cloth face coverings. The Commissioner of Education may issue mandatory guidance for the safe conduct of such ceremonies.

3. **Suspension of the Involuntary Discharge of Nursing Facility Residents Who May Be Discharged to Homeless Shelters, Except in Emergency Situations or With Respect to COVID-19 Recovered Discharges.** The involuntary discharge of residents from nursing facilities pursuant to Section 19a-535 of the Connecticut General Statutes, where the nursing facility's notice of intent to discharge identifies one or more homeless shelters as the location to which the discharge is intended, is hereby suspended, effective immediately and for the duration of the COVID-19 declared public health and civil preparedness emergency, and any hearing or decision in connection with the involuntary discharge of a resident pursuant to Section 19a-535 of the Connecticut General Statutes, where the notice of intent to discharge identifies one or more homeless shelters as the location to which discharge is intended, including related level of care hearings or decisions, are immediately stayed for the duration of the COVID-19 declared public health and civil preparedness emergency, with the exception of: (1) any emergency situation in which a failure to effect an immediate discharge of a resident would endanger the health, safety or welfare of the resident or other residents, including, but not limited to, the resident's refusal to comply with established infection control or social distancing measures intended to reduce the transmission of COVID-19 that could also endanger staff; or (2) any COVID-19 Recovered Discharge, as that term is defined by, and established pursuant to, Executive Order No. 7Y, issued April 11, 2020.

4. **Suspension of the Involuntary Discharge of Residential Care Home Residents Who May Be Discharged to Homeless Shelters, Except in Emergency Situations.** The involuntary discharge of residents from residential care homes pursuant to Section 19a-535a of the Connecticut General Statutes, where the notice of intent to discharge identifies one or more homeless shelters as the location to which the discharge is intended is hereby suspended, effective immediately and for the duration of the COVID-19 declared public health and civil preparedness emergency, and any hearing or decision in connection with the involuntary discharge of a resident pursuant to Section 19a-535a of the Connecticut General Statutes where the notice of intent to discharge identifies one or more homeless shelters as the location to which discharge is intended are immediately stayed for the duration of the COVID-19 declared public health and civil preparedness emergency, with the exception of any emergency situation in which a failure to effect an immediate discharge of a resident would endanger the health, safety or welfare of the resident or other residents

including, but not limited to, the refusal to comply with established infection control or social distancing measures intended to reduce the transmission of COVID-19 that could also endanger staff.

Unless otherwise specified herein, this order shall take effect immediately and remain in effect for the duration of the public health and civil preparedness emergency, unless earlier modified, extended or terminated.

Dated at Hartford, Connecticut, this 5th day of June, 2020.

Ned Lamont
Governor



By His Excellency's Command

Denise W. Merrill
Secretary of the State