



EXECUTIVE DEPARTMENT

PROCLAMATION NUMBER 234 JBE 2021

COVID-19 PUBLIC HEALTH EMERGENCY MITIGATION MEASURES

- WHEREAS,** pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721, *et seq.*, on March 11, 2020 in Proclamation Number 25 JBE 2020, the Governor declared that a statewide public health emergency existed in the State of Louisiana because of COVID-19 and expressly empowered the Governor's Office of Homeland Security and Emergency Preparedness and the Secretary of the Department of Health and/or the State Health Officer to take all actions authorized under state law;
- WHEREAS,** La. R.S. 29:761 provides that "[b]ecause the government must do all that is reasonable and necessary to protect the health and safety of its citizens; because new and emerging dangers, including emergent and resurgent infectious diseases . . . pose serious and immediate threats; because a renewed focus on the prevention, detection, management, and containment of public health emergencies is essential; and because emergency health threats . . . may require the exercise of extraordinary government powers and functions, the state must have the ability to respond, rapidly and effectively, to potential or actual public health emergencies;"
- WHEREAS,** the threat of COVID-19 transmission has decreased substantially in Louisiana from the fourth surge this summer;
- WHEREAS,** Louisiana's reduction in the number of cases, test percent positivity, and hospitalizations is due in large part to the effectiveness of vaccinations, including boosters, and the mitigation measures implemented to slow the spread of COVID-19;
- WHEREAS,** despite this significant progress, the alarming spread of the Omicron variant, which in just three weeks has increased to now represent 73% of the cases in the United States, threatens to reverse all of the progress made in Louisiana over the last several months;
- WHEREAS,** in just the last week, after months of low case counts and hospitalizations, Louisiana has seen a significant growth in cases, hospitalizations, and test positivity, most likely as a result of the Omicron variant;
- WHEREAS,** this increase, especially as Louisiana begins this holiday season, is particularly concerning, as people are likely to gather at parties and family gatherings;
- WHEREAS,** given these concerns, it is more vital than ever that the people of this state follow the guidance of the Centers for Disease Control (CDC) and the Louisiana Department of Health (LDH) which include: staying home and isolated when symptomatic, observing quarantine and isolation standards, and masking in public places in areas of high transmission;
- WHEREAS,** it is vital to Louisiana that our citizens remain vigilant of the risks presented by COVID-19; and
- WHEREAS,** these measures are necessary to protect the health and safety of the people of Louisiana.

NOW THEREFORE, I, JOHN BEL EDWARDS, Governor of the State of Louisiana, by virtue of the authority vested by the Constitution and the laws of the State of Louisiana, do hereby order and direct as follows:

SECTION 1: GENERAL PROVISIONS

- A) Pursuant to the Louisiana Homeland Security and Emergency Assistance and Disaster Act, La. R.S. 29:721 et seq. and the Louisiana Health Emergency Powers Act, La. R.S. 29:760, *et seq.*, a statewide public health emergency is declared to continue to exist in the State of Louisiana as a result of the continued threat posed to Louisiana citizens by COVID-19, the effects of which continue to threaten the lives and health of the citizens of the state.
- B) The Governor's Office of Homeland Security and Emergency Preparedness and Secretary of the Department of Health are hereby expressly empowered to take any and all actions authorized under the Louisiana Health Emergency Powers Act, La. R.S. 29:760, *et seq.*, in relation to this public health emergency.
- C) The Secretary of the Department of Health and/or the State Health Officer are hereby expressly empowered to take any and all actions authorized thereto under Titles 29 and 40 of the Louisiana Revised Statutes and under the State Sanitary Code (LAC Title 51) in relation to this public health emergency.

SECTION 2: COVID-19 MITIGATION MEASURES

All individuals who are at higher risk of severe illness from COVID-19 should stay at home, unless traveling outside the home for an essential activity, such as:

- 1) Obtaining food, medicine, and other similar goods necessary for the individual or a family member of the individual.
- 2) Obtaining medical care and treatment and other similar vital services for an individual or a family member of the individual.
- 3) Going to and from an individual's workplace.
- 4) Going to and from the home of a family member.
- 5) Going to and from an individual's place of worship.
- 6) Engaging in outdoor activity, provided individuals maintain a distance of six feet from one another.

Those individuals who are at higher risk of severe illness, as designated by the Centers for Disease Control (CDC), are those with conditions such as asthma, chronic lung disease, compromised immune systems (including from smoking, cancer treatment, bone marrow or organ transplantation, immune deficiencies, poorly controlled HIV or AIDS, or use of corticosteroids or other immune weakening medications), diabetes, serious heart disease (including heart failure, coronary artery disease, congenital heart disease, cardiomyopathies, and hypertension), chronic kidney disease undergoing dialysis, liver disease, or severe obesity or those who are 65 or older or living in a nursing home or long-term care facility.

SECTION 3: FACE COVERINGS

- A) All individuals in the State of Louisiana are recommended to wear a face covering over the nose and mouth when indoors in any place outside of a private residence except in the circumstances provided for in Subsection (C) below.
- B) In accordance with the order issued by the Centers for Disease Control and Prevention (CDC) on January 29, 2021, all individuals shall wear a face covering over the nose and mouth while passengers and operators of public conveyances, including airplanes, ships, ferries, trains, buses, taxis, ride-shares, and the corresponding transportation hubs. The CDC order is found at https://www.cdc.gov/quarantine/pdf/Mask-Order-CDC_GMTF_01-29-21-p.pdf.
- C) The recommendations in Subsection (A) do not apply to the following:
 - 1) Any individual who will not come in contact with any other individual (outside of their immediate household members) or who will be able to maintain strict social distancing of six feet apart from any other individual (outside of their immediate household members);
 - 2) any child under the age of five not enrolled in a kindergarten program, however all children between the ages of two and five years old are strongly encouraged to wear a face covering in accordance with Subsection (A) of this Section;

- 3) any individual with a medical condition that prevents the wearing of a face covering;
- 4) any individual who is consuming food or drinks;
- 5) any individual seeking to communicate with someone who has or is suspected of having a communication disorder;
- 6) any individual giving a speech for broadcast or to an audience;
- 7) any individual temporarily removing his or her face covering for identification purposes; or
- 8) any athlete participating in organized athletic activities.

- D) Subject to the exemptions in Subsection (C) above, all students in K-12 schools in Louisiana shall be required to wear face coverings over the nose and mouth. However, an LEA or school district or non-public school may affirmatively opt out of this mandate only if the LEA or school district or non-public school adopts an isolation and quarantine policy for students, faculty, and staff consistent with the protocols set by the Louisiana Department of Health (based upon CDC guidance) published at <https://ldh.la.gov/assets/oph/Coronavirus/resources/DecisionTree/Schools-DecisionTree.pdf>.
- E) The agency or department heads of all offices of the State of Louisiana are authorized to implement a face covering policy which may include a face covering requirement for employees and/or members of the public.
- F) All local governing authorities and operators of private businesses and organizations shall retain the authority to issue more restrictive measures than that imposed by the State.
- G) If a business or organization does not allow entry to a worker, customer, or patron because that person refuses to wear a face covering, and if that worker, customer, or patron enters the premises or refuses to leave the premises, law enforcement personnel may enforce the trespassing laws and any other laws that the worker, customer, or patron may violate.

SECTION 4: The Governor's Office of Homeland Security and Emergency Preparedness and the State Fire Marshal are directed to ensure compliance with this order, and are empowered to exercise all authorities pursuant to La. R.S. 29:721, *et seq.*, and La. R.S. 29:760, *et seq.*

SECTION 5: All departments, commissions, boards, agencies and officers of the state, or any political subdivision thereof, are authorized and directed to cooperate in actions the state may take in response to the effects of this event.

SECTION 6: Unless otherwise provided in this order, these provisions are effective from Wednesday, December 22, 2021 to Wednesday, January 19, 2022 or as extended by any subsequent Proclamation, unless terminated sooner.



IN WITNESS WHEREOF, I have set my hand officially and caused to be affixed the Great Seal of Louisiana in the City of Baton Rouge, on this 21st day of December, 2021.

GOVERNOR OF LOUISIANA

ATTEST BY THE
SECRETARY OF STATE

SECRETARY OF STATE