

## **ORDER OF THE SECRETARY FOR THE CONTINUED REOPENING OF THE COMMONWEALTH**

COVID-19 is a contagious disease that is rapidly spreading from person-to-person. People infected are capable of exposing others to COVID-19 even if their symptoms are mild, such as a cough, or even if they are asymptomatic. Additionally, exposure is possible by touching a surface or object that has the virus on it and then touching one's mouth, nose, or eyes. Symptoms of COVID-19 may include fever, cough, shortness of breath, chills, repeated shaking with chills, muscle pain, headache, sore throat, and new loss of taste or smell. Older adults and people who have serious chronic medical conditions are at a higher risk for serious illness. Early symptoms may also include chills, body aches, sore throat, headache, diarrhea, nausea/vomiting, and runny nose.

The first cases of COVID-19 were reported in the United States in January of 2020. Multiple areas of the United States began and are continuing to experience "community spread" of COVID-19, meaning that the illness is being transmitted through unknown sources, and not from known areas of infection. On March 6, 2020, the Governor issued a Proclamation of Disaster Emergency after the confirmation of the first cases of COVID-19 in the Commonwealth of Pennsylvania. Since that date, the number of positive cases has continued to rise, and community-spread has continued in the Commonwealth as well. Case counts rapidly increased throughout the Commonwealth in March and April, 2020. As of May 27, 2020, every county in the Commonwealth has been affected, the number of positive or probable cases is 69,417 and the number of deaths is 5,265.

In order to slow the spread and protect the people of the Commonwealth, the Governor and I issued orders on March 19, 2020, closing all Commonwealth businesses that are not life sustaining. *See Order of the Governor of the Commonwealth of Pennsylvania Regarding the Closure of all Businesses that are Not Life Sustaining of March 19, 2020, as amended; Order of the Secretary of the Pennsylvania Department of Health Regarding the Closure of all Businesses of that are not Life Sustaining of March 19, 2020, as amended (Order of March 19, 2020, as amended).* On April 1, 2020, the Governor and I issued orders directing all individuals in Pennsylvania to stay at home. *See Order of the Governor of the Commonwealth of Pennsylvania for Individuals to Stay at Home of April 1, 2020, as amended; Order of the Secretary of the Pennsylvania Department of Health to Stay at Home of April 1, 2020, as amended.*

These mitigation strategies, practiced by all persons in the Commonwealth, have been successful to this point, and the overall number of new cases continues to decline. The Governor, therefore, has instituted a phased reopening of the Commonwealth to be done in the most effective, efficient, and risk-adverse method possible to balance the Commonwealth's return to economic stability, while at the same time continuing to keep people safe by controlling the spread of disease. In concert with his actions, therefore, I, in my Order of May 7, 2020, suspended restrictions for certain areas instituted in my Orders

of March 19, 2020, as amended, and April 1, 2020, as amended. *See Order of the Governor of the Commonwealth of Pennsylvania for Limited Opening of Business, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts*, as amended; *Order of the Secretary of the Pennsylvania Department of Health for a Limited Opening of Businesses, Lifting of Stay Home Requirements and Continued Aggressive Mitigation Efforts*, as amended.

Now, as the number of cases in the Commonwealth continue to decline, in accordance with the measured and strategic approach developed to allow Pennsylvanians to return to work safely in a manner designed to lessen the possibility of a resurgence of the virus, I am issuing this Order relaxing some of the requirements of my afore-mentioned Orders for a period of time as part of a gradual and strategic return to work, as a part of the Governor's phased and balanced reopening of the Commonwealth.

COVID-19 is a threat to the public's health, for which the Secretary of Health may order general control measures, including, but not limited to, closure, isolation, and quarantine. This authority is granted to the Secretary of Health pursuant to Pennsylvania law. *See* Section 5 of the Disease Prevention and Control Law, 35 P.S. § 521.5; sections 2102(a) and 2106 of the Administrative Code of 1929, 71 P.S. §§ 532(a), and 536; and the Department of Health's regulations at 28 Pa. Code §§ 27.60-27.68 (relating to disease control measures; isolation; quarantine; movement of persons subject to isolation or quarantine; and release from isolation and quarantine). Particularly, the Department of Health has the authority to take any disease control measure appropriate to protect the public from the spread of infectious disease. *See* 35 P.S. § 521.5; 71 P.S. § 532(a), and 1402(a); 28 Pa. Code § 27.60.

Accordingly, on this date, May 27, 2020, under the authority granted to me by law and to protect the public from the spread of COVID-19, I hereby order:

Section 1: Orders to Continue the Phased Reopening of the Commonwealth

- A. My Order directing the "Closure Of All Businesses That Are Not Life Sustaining" issued March 19, 2020, as subsequently amended, my Order directing "Individuals to Stay at Home" issued April 1, 2020, as subsequently amended, and my Order directing the "Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts" issued May 7, 2020, as subsequently amended, are or continue to be suspended for the following counties:

Bradford, Cameron, Centre, Clarion, Clearfield, Crawford, Elk, Forest, Jefferson, Lawrence, McKean, Montour, Potter, Snyder, Sullivan, Tioga, Venango, and Warren.

- B. All businesses, other than health care providers, operating in the counties listed in Section 1(A) above for which my aforementioned Orders are suspended, and which have been closed or have been conducting their operations in whole or in part

remotely through individual teleworking of their employees under any of those Orders as applicable, may conduct in-person business operations, provided that the businesses fully comply with all substantive aspects of: the Order of the Secretary of Health providing for building safety measures, issued April 5, 2020; the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020; and all existing and future applicable guidance issued by my Administration, the Department of Health (DOH) and Centers for Disease Control and Prevention (CDC). Teleworking remains strongly encouraged. Businesses are also strongly encouraged to stagger the return of employees to in-person operations.

- C. All businesses, other than health care providers, serving the public within a building or defined area and operating in the counties listed in Section 1(A) above and that were permitted to conduct in-person operations under my Order directing the “Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts” issued May 7, 2020 as subsequently amended, may operate at up to 75% of the maximum capacity stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business rather than the occupancy limit specified in Section B(1) of the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020. Businesses must still enforce social distancing requirements, which may limit occupancy below the 75% maximum capacity.
- D. All businesses, other than health care providers, serving the public within a building or defined area and operating in the counties listed in Section 1(A) above and that were not permitted to conduct in-person operations under my Order directing the “Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts” issued May 7, 2020 as subsequently amended, may operate at up to 50% of the maximum capacity stated on the applicable certificate of occupancy at any given time, as necessary to reduce crowding in the business as specified in Section B(1) of the Order of the Secretary of Health providing for business safety measures (to keep employees and customers safe), issued April 15, 2020. Businesses must still enforce social distancing requirements, which may limit occupancy below the 50% maximum capacity.
- E. In addition to the foregoing, the prohibition on dine-in facilities throughout the Commonwealth including restaurants and bars that previously had been ordered to help stop the spread of COVID-19 is modified as follows:
  - i. Businesses in the retail food services industry, including restaurants and bars, which are operating in the counties specified in Section 1(A) above, are authorized to conduct in-person operations, provided that they adhere to the Administration’s Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure

the Safety and Health of Employees and the Public, issued May 27, 2020, which is incorporated by reference herein.

- ii. Outdoor dining is permitted in all counties under the authority of my Order directing the “Limited Opening of Businesses, Lifting of Stay at Home Requirements, and Continued Aggressive Mitigation Efforts” issued May 7, 2020, as subsequently amended, provided that businesses in the retail food services industry adhere to the Guidance for Businesses in the Restaurant Industry Permitted to Operate During the COVID-19 Disaster Emergency to Ensure the Safety and Health of Employees and the Public, issued May 27, 2020, which is incorporated by reference herein.
- F. Notwithstanding the foregoing or any provision to the contrary, personal care services, operating in the counties specified in Section 1(A) and operating under the occupancy limitations specific in Section 1(D) above, including hair salons and barbershops, must operate by appointment only. Appointments or reservations are strongly encouraged for all indoor recreation and health and wellness facilities such as gyms or spas, and all other businesses where feasible.
- G. Any gathering for a planned or spontaneous event of greater than 250 individuals is prohibited. This includes, but is not limited to, a concert, fair, festival, conference, sporting event, movie showing, or theater performance.
- H. Churches, synagogues, temples, mosques and other places of congregate worship are specifically excluded from the limitations established by this Order. These institutions are strongly encouraged to enforce social distancing and other mitigation measures like masking at their gatherings.
- I. Visitation to prisons and hospitals may resume for facilities operating in the counties specified in Section 1(A) above, subject to the determination of the individual facilities which may still limit visitation as necessary based on risk of COVID-19. Visitors who interact with residents and patients must be diligent regarding hygiene. Given the critical importance in limiting COVID-19 exposure in nursing homes, nursing home visitation restrictions will initially remain in place.
- J. The Department of Health will continue to monitor public health indicators and will revise the foregoing restrictions, as necessary.

## Section 2: Enforcement

Enforcement of this Order will commence on its effective date.

## Section 3: Effective Date and Duration

This Order is effective May 29, 2020, at 12:01 a.m., and will remain in effect until further notice.

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Rachel Levine, MD  
Secretary of Health