



STATE OF WASHINGTON

DEPARTMENT OF HEALTH

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ORDER OF THE SECRETARY OF HEALTH AMENDING ORDER 20-03

20-03.9

Face Coverings - Statewide

WHEREAS, Washington State Governor Jay Inslee has issued Proclamation 20-05, subsequently amended and extended, proclaiming a statewide State of Emergency due to an outbreak of coronavirus disease 2019 (COVID-19) in the United States and community spread of COVID-19 in Washington State; and

WHEREAS, COVID-19 spreads mainly from person to person through respiratory droplets and aerosols when infected people, many of whom do not exhibit COVID-19 symptoms, cough, sneeze, or talk, and evidence shows that wearing a mask or face covering reduces an infected person's chance of spreading the infection to others and may protect uninfected persons from infected people around them; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to constitute an emergency threatening the safety of the public health, demanding action by the Secretary of Health; and

WHEREAS, on June 24, 2020, Order of the Secretary of Health 20-03 was issued, directing every person in Washington State to wear a face covering when in any indoor or outdoor public setting, subject to certain exceptions; and

WHEREAS, on July 24, 2020, Order of the Secretary of Health 20-03.1 was issued, directing every person in Washington State to wear a face covering when outside of their dwelling unit, subject to certain exception; and

WHEREAS, on May 17, 2021, Order of the Secretary of Health 20-03.2 was issued, exempting fully vaccinated people in Washington state from the requirement to wear face coverings in public, except in certain limited settings; and

WHEREAS, on June 29, 2021, Order of the Secretary of Health 20-03.3 was issued, permitting people to be outdoors without face coverings and without maintaining physical distancing, while encouraging masks for the unvaccinated in crowded outdoor settings, such as at sporting events, fairs, parades, concerts, and similar settings where it's harder to maintain physical distance; and

WHEREAS, on August 19, 2021, Order of the Secretary of Health 20-03.4 was issued, reinstating a requirement for people to wear face coverings, regardless of their vaccination status, when in a place where any person from outside their household is present or in a public place, with limited exceptions; and

WHEREAS, on September 13, 2021, Order of the Secretary of Health 20-03.5 was issued, requiring people to wear face coverings at outdoor events or gatherings attended by 500 or more people; and

WHEREAS, on September 24, 2021, Order of the Secretary of Health 20-03.6 was issued, permitting non-spectators to not wear face coverings on the field of play, on the sidelines, or in similar areas at outdoor sports settings; and

WHEREAS, on February 16, 2022, Order of the Secretary of Health 20-03.7 was issued, lifting the requirement for people to wear face coverings at outdoor events or gatherings attended by 500 or more people; and

WHEREAS, on March 11, 2022, Order of the Secretary of Health 20-03.8 was issued, lifting the requirement for people to wear face coverings in most indoor public spaces, schools, and childcares; and

WHEREAS, according to the CDC, with current high levels of vaccination and high levels of population immunity from both vaccination and infections, the risk of severe disease, hospitalization, and death from COVID-19 is greatly reduced for most people; and

WHEREAS, the CDC modified its COVID-19 community level metrics to incorporate measures of the impact of COVID-19 in terms of hospitalizations and healthcare system strain, in addition to accounting for transmission in the community; and

WHEREAS, using the CDC's metrics and according to statewide data, as of August 11, Washington would be at the "medium" level with a 7-day case rate of 174 cases per 100,000 people, a hospital admission rate of 8.5 per 100,000 and 12% of staffed beds occupied by people who have COVID-19; and among Washington counties, two are at "high" community levels, 15 are at "medium" community levels, and 22 are at "low" community levels, and each may fluctuate between "low," "medium," or "high" community levels in the future; and

WHEREAS, as of August 10, 77% of people six months of age and older have initiated COVID-19 vaccination and 69% are fully vaccinated, and more than 58% of people eligible for a COVID-19 booster have received one; and

WHEREAS, 100% of employees who work in state corrections facilities are fully vaccinated, and a significant portion of people incarcerated in state facilities have been fully vaccinated and/or previously infected with COVID-19; and

WHEREAS, modeling from DOH and other organizations shows expected further declines in case rates and hospital admissions; and

WHEREAS, the CDC modified its guidance which, in general, recommends that people consistently and correctly wear a well-fitting mask indoors in public when communities are at a high level, and that at a medium level, people who are immunocompromised or at increased risk for severe disease should talk to their healthcare provider about whether they need to wear a well-fitting mask, and that at low levels, individual decisions to wear a mask should be informed by individual risk; and

WHEREAS, requiring the general public throughout Washington to wear masks or face coverings indoors in public places or where others outside their household are present is no longer necessary based on the above-noted data and guidance; and

WHEREAS, the CDC continues to recommend wearing masks in certain settings occupied by people at greater risk for adverse consequences from COVID-19, including health care settings and long-term care settings; and

WHEREAS, the CDC recommends that correctional facilities add enhanced COVID-19 prevention strategies, such as universal masking, when the COVID-19 Community Level is medium or high.

NOW, THEREFORE, I, Umair A. Shah, MD, MPH, Washington State Secretary of Health, as a result of the above-noted situation, and under RCW 43.70.130, RCW 70.05.070, WAC 246-100-036, and any other applicable authority, do hereby amend Order 20-03, et seq., and order as follows:

Face Covering Requirement

Every person in Washington State must wear a face covering that covers their nose and mouth when they are indoors in any of the following settings, subject to the exceptions and exemptions below:

- Health care settings;
- Long-term care settings; and
- Correctional and jail facilities when the county in which the facility is located has a medium or high [CDC COVID-19 Community Level](#).

Exceptions to Face Covering Requirement

People are not required to wear a face covering in the settings above in any of the following situations:

- While working in areas not generally accessible to the public when only employees are present, but only if the employee is fully vaccinated against COVID-19;
- While working alone isolated from interactions with others with little or no expectation of in-person interruptions;
- While swimming or engaged in other water sports or recreation;
- While engaged in the act of eating or drinking;
- While showering, bathing, or engaging in other personal hygiene or grooming activities that require the removal of the face covering;
- When any party to a communication is deaf or hard of hearing and not wearing a face covering is essential to communication;
- While obtaining a service or engaged in a transient activity that requires temporary and very brief removal of the face covering;
- While sleeping;
- When necessary to confirm the person's identity;
- When federal or state law prohibits wearing a face covering or requires the removal of a face covering;
- When unable to put on a face covering due to an emergency.

People Exempt from Face Covering Requirement

The following are exempt from the requirement to wear a face covering in the settings above:

- Children younger than five years old are exempt from the requirement to wear a face covering.
 - Children who are younger than two years old should never wear face coverings due to the risk of suffocation.
 - Children who are two, three, or four years old, with the assistance and close supervision of an adult, are strongly recommended to wear a face covering at all times in public settings when around non-household members;
- People with a medical condition, mental health condition, developmental or cognitive condition, or disability that prevents wearing a face covering are exempt from the requirement to wear a face covering. This includes, but is not limited to, people with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance; and
- If a health care setting or long-term care setting is in a private residence, people who are not paid to provide health care, long-term care, or personal care services are exempt from the requirement to wear a face covering in that setting.

Additional Provisions

- Any frequently asked questions or other guidance explaining or interpreting this order issued by DOH is automatically incorporated herein.
- Types of face coverings permitted.
 - For purposes of this order, a face covering must:
 - Fit snugly against the sides of the face;
 - Completely cover the nose and mouth;
 - Be secured with ties, ear loops, elastic bands, or other equally effective method; and
 - Include at least one layer of tightly woven fabric without visible holes, although multiple layers are strongly recommended.
 - A face covering may also be a mask or face covering that provides a higher level of protection than a cloth face covering, such as a medical procedure/surgical mask, a KN95 mask, a KF94 mask, or an N95 mask.
 - Clear masks or cloth masks with a clear plastic panel may be used when interacting with people who are deaf or hard of hearing, young children or students learning to read, students learning a new language, people with disabilities, and people who need to see the proper shape of the mouth for making appropriate vowel sounds.
- A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series (e.g., Pfizer-BioNTech or Moderna) or two weeks after they have received a single-dose vaccine (e.g., Johnson and Johnson (J&J)/Janssen).
- Face covering requirements imposed by other public agencies or officials.
 - Face covering requirements lawfully imposed by another public agency or official are to be followed if they are more protective than the requirements in this order. If they are less protective, then this order must be followed.
 - Notwithstanding the foregoing, any face covering requirements imposed pursuant to an order of the Governor take precedence over this order.

This order shall take effect on August 12, 2022, and remain in effect until rescinded or superseded by a subsequent order of the Secretary of Health or until the Governor issues a proclamation declaring the termination of the State of Emergency declared by Proclamation 20-05, as amended and extended by subsequent amendatory proclamations, whichever is earlier.

Members of the public are required by law to comply with this order, and violators may be subject to enforcement action pursuant to RCW 43.70.130(7), RCW 70.05.120(4), and WAC 246-100-070(3).

Signed this 12th day of August, 2022.

A handwritten signature in black ink, appearing to read 'Umair A. Shah', written over a horizontal line.

Umair A. Shah, MD, MPH
Secretary of Health