



GOVERNMENT OF PUERTO RICO

Department of Health

ADMINISTRATIVE ORDER NO. 439

ORDER OF THE PUERTO RICO SECRETARY OF HEALTH TO DECLARE THE EXISTENCE OF A PUBLIC HEALTH EMERGENCY WITHIN THE COMMONWEALTH OF PUERTO RICO AMID THE THREAT OF THE CORONAVIRUS OR COVID-19 AND ESTABLISH THE PROVISION OF NON-CONGREGATE SHELTERS

WHEREAS: On January 30, 2020 the World Health Organization designated the novel coronavirus disease 2019 ("COVID-19") outbreak as a Public Health Emergency of International Concern and on March 11, 2020 characterized the outbreak as a pandemic; and

WHEREAS: On January 31, 2020 the United States Secretary of Health and Human Services announced a nationwide public health emergency to respond to COVID-19; and

WHEREAS: On March 12, 2020 Puerto Rico Governor Wanda Vázquez Garced issued Executive Order No. 2020-020, declaring a state of emergency across our island amid the threat that COVID-19 poses to the health and welfare of Puerto Rico residents and visitors; and directed all agency heads, including the Department of Health (the "Department"), to take all appropriate and necessary steps to preserve public safety, and to render all required and available assistance to protect the security, well-being and health of the residents of the island; and

WHEREAS: The Secretary of Health, as provided by Sections 5 and 6 of Art. IV of the Constitution of the Commonwealth of Puerto Rico, and the Law No. 81 enacted on March 14, 1912, as amended, known as the "Department of Health Act," shall be charged with all matters provided by law, related to public health, sanitation and welfare, except those related to maritime quarantine services.

WHEREAS: Recognizing its constitutional duty and in compliance with the public policy of the Government of Puerto Rico, the Department of Health has the responsibility of ensuring the health of the people of Puerto Rico.

WHEREAS: As a Secretary of Health I find the continuing widespread transmission of COVID-19 internationally and locally to be a threat to public health in Puerto Rico; and

WHEREAS: Pursuant to Law No. 81 enacted on March 14, 1912, as amended, the Department is authorized to supervise the control of communicable diseases and conditions hazardous to life and health and take such actions as may be necessary to assure the maintenance of the protection of public health; and directs the Department to adopt prompt and effective measures to prevent the communication between parts of the island infected with an infectious disease such as COVID-19; and

WHEREAS: Pursuant to Law No. 81 enacted on March 14, 1912, as amended, the Secretary of Health is authorized to declare a public health emergency and issue orders and take actions that I deem necessary for the health and safety of Puerto Rico and its residents when urgent public health action is necessary to protect the public health against an existing threat; and

WHEREAS: Non-congregate sheltering is necessary to save lives, to protect property and public health, and to ensure public safety, as well as to lessen or avert the threat of a catastrophe; and

WHEREAS: There is an urgent health need for non-congregate shelters for first responders (firefighters, local and state police, emergency medical responders) and healthcare workers (doctors, nurses, medical technologists, respiratory therapists), who may need to be isolated or quarantined for up to 14 days, in order to protect the health and safety of all Puerto Rico residents; and

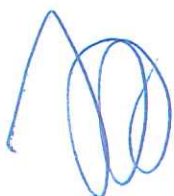
WHEREAS: Sheltering such individuals in congregate settings will further the spread of this disease, endangering populations that are particularly susceptible to COVID-19 infection, including people over 60 years of age and people with certain underlying health conditions, and a system of non-congregate shelters will save lives, protect public health, and promote public safety;

THEREFORE: **I, LORENZO GONZÁLEZ FELICIANO, MD, MBA, DHA, SECRETARY OF HEALTH OF THE GOVERNMENT OF PUERTO RICO, PROMULATE ON THIS DATE THIS ORDER IN ACCORDANCE WITH THE LAWS IN FORCE, UNDER THE AUTHORITY CONFERRED BY LAW NO. 81 ENACTED ON MARCH 14, 1912, AS AMENDED, AND ORDERED THAT:**

FIRST: Hereby declare the existence of a public health emergency within the Commonwealth of Puerto Rico, for which certain orders and actions are necessary to protect the health and safety of the island and its residents, and to prevent, mitigate, control and abate the current emergency presented by COVID-19 is necessary. I find there to be sufficient proof to authorize a declaration of great and imminent peril to the public health.

SECOND: I hereby establish a collaborative effort between the ESF-6 Mass Care Branches and all ESF-8 support agencies, and any other agency, office, public corporation, private sector or Non-governmental organizations (NGO's) that may be responsible to support sheltering to any person in the island to locate, secure, operate, and make available non-congregate sheltering to any person needing to be isolated or quarantined in order to prevent the spread of COVID-19. The provision of non-congregate shelters required by this Order shall be limited to that which is reasonable and necessary to adequately protect the public from the threat presented by the COVID-19 pandemic, as determined by the Commissioner of Emergency Management.

Such shelters may be located in hotels, convention centers and other non-traditional shelter facilities as deemed appropriate by the Commissioner of the Puerto Rico Emergency Management Bureau in consultation with the Secretary of Health and the heads of first responders. Such shelters shall be under the control of the Housing Department.



THIRD:

This Order shall be effective immediately and remain in effect until the end of the public health emergency or such earlier time as I may indicate. All memoranda and Administrative Orders previously issued by any Secretary of Health to the extent that their provisions are incompatible with the provisions of this Order will be repealed and without any legal effect,

IN TESTIMONY WHEREOF, I hereby issue this Administrative Order under my signature and cause the Great Seal of the Department of Health of Puerto Rico to be affixed in San Juan, Puerto Rico, on this 17 day of April of 2020.


LORENZO GONZÁLEZ FELICIANO, MD, MBA, DHA
SECRETARY OF HEALTH