

**STATE OF WEST VIRGINIA**

**EXECUTIVE DEPARTMENT**

**At Charleston**

**EXECUTIVE ORDER NO. 13-21**

**By the Governor**

**WHEREAS**, a State of Emergency was declared on March 16, 2020 for all counties in West Virginia, to allow agencies to coordinate and create necessary measures to prepare for and respond to the outbreak of respiratory disease caused by a novel coronavirus now known as COVID-19; and

**WHEREAS**, Chapter 15, Article 5, Section 6 of the Code of West Virginia authorizes the Governor to, among other things, suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business or the orders, rules of any state agency, if strict compliance therewith would in any way prevent, hinder, or delay necessary action in coping with the emergency; and

**WHEREAS**, Executive Order 79-20 required that all doctors, nurses, staff, and employees working at nursing homes and assisted living facilities throughout the state be tested for COVID-19 twice a week; and

**WHEREAS**, West Virginia's public health experts have advised that, in light of the State's successful campaign to vaccinate her most vulnerable population early, terminating the provisions of Executive Order 79-20 with respect to the population that has been fully vaccinated against COVID-19, but providing that at least twice-weekly testing shall remain a requirement for any doctors, nurses, staff, and employees who are not yet fully vaccinated against COVID-19, is appropriate at this time; and

**NOW, THEREFORE, I, JIM JUSTICE**, pursuant to the authority vested in me pursuant to the provision of Chapter 15, Article 5, Section 6 of the Code of West Virginia, hereby **DECLARE** and **ORDER**, effective immediately, as follows:

1. that Executive Order 79-20 is hereby terminated and of no further effect;
2. that all doctors, nurses, staff, and employees working at nursing homes and assisted living facilities throughout the State who are not yet fully vaccinated against COVID-19 shall be tested for COVID-19 at least twice a week until the issuance of a subsequent order modifying, amending, or terminating this Order; and
3. that those doctors, nurses, staff, and employees working at nursing homes and assisted living facilities throughout the State who are fully vaccinated against COVID-19 are not required to be tested at least twice a week for COVID-19, but such fully vaccinated doctors, nurses, staff, and employees should continue to follow the recommendations for testing published by the federal Centers for Medicare and Medicaid Services, under the United States Department of Health and Human Services, as the same may be updated from time to time.

*[Signature Page Follows]*

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.

DONE at the Capitol in the City of Charleston, State of West Virginia, this Thirtieth day of April, in the year of our Lord, Two Thousand Twenty-One in the One Hundred Fifty-Eighth year of the State.



**GOVERNOR**

**By the Governor**

**SECRETARY OF STATE**