



**AMENDMENT TO THE FOURTH CONSOLIDATED AND RESTATED  
SUPPLEMENTAL REGULATION GOVERNING  
THE CONTROL AND PREVENTION OF COVID-19  
(REVISED SAFETY MEASURES AND DELEGATION OF AUTHORITY)**

**WHEREAS**, the Pennsylvania Disease Control and Prevention Act of 1955, 1956, April 23, P.L. 1510, 35 P.S. § 52.1 et seq., (the “DCPA”) and Chapter 6-200 of The Philadelphia Code authorize the Board of Health (“the Board”) to establish lists of reportable diseases and conditions, and further provide that the Board and the Department of Public Health are responsible for implementing appropriate disease control and prevention measures in order to limit the spread of disease in an epidemic emergency; and

**WHEREAS**, Sections 6-201 through 6-206 and 6-210 of The Philadelphia Code likewise vest the Board, and in times of emergency the Department of Public Health, with the authority to forbid the congregation of persons when necessary to prevent the further spread of a communicable and quarantinable disease to take such other measures as are necessary to prevent the spread of such disease; and

**WHEREAS**, the SARS-CoV-2 (“COVID-19”) can cause severe disease and death, particularly in older adult and other vulnerable populations; and

**WHEREAS**, to date there have been more than 26,000 COVID-19 hospitalizations and 5,400 COVID-19 deaths in Philadelphia since the beginning of the pandemic and

**WHEREAS**, on March 12, 2020, the Board by emergency regulation added COVID-19 to the City’s list of reportable and quarantinable diseases and subsequently has adopted a series of regulations, both adding and relaxing various restrictions and requirements, that were designed to prevent the spread of COVID-19 in Philadelphia; and

**WHEREAS**, on October 19, 2022 (effective November 19, 2022), the Board promulgated the Fourth Consolidated and Restated Supplemental Regulation Governing the Control and Prevention of COVID-19 (Consolidated Safety Measures for Full Reopening and Delegation of Authority) (the “Fourth Consolidated Regulation”), which included as Exhibit “A” the “Second Revised Consolidated and Restated Safety Measures for a Continued Full Reopening to Prevent the Spread of SARS-CoV-2 (COVID-19)”; and

**WHEREAS**, hospitalizations and deaths have remained either level or declined slightly since October 2022; and

**WHEREAS**, we have not seen the types of spikes in COVID-related hospitalization rates and deaths in the winter of 2022-23 that we saw in the previous two winters; and

**WHEREAS**, the Board has determined that it is appropriate to make further changes to City requirements, to eliminate certain masking requirements that are no longer necessary;

**NOW, THEREFORE**, pursuant to its authority under Philadelphia and Pennsylvania law, the Board of Health hereby adopts the following amendment to Exhibit “A” to the Fourth Consolidated Regulation, entitled the “Second Revised Consolidated and Restated Safety Measures for a Continued Full Reopening to Prevent the Spread of SARS-CoV-2 (COVID-19),” as follows (Deletions in ~~Strikethrough~~; Additions in **Bold**):

CITY OF PHILADELPHIA BOARD OF HEALTH

Second Revised Consolidated and Restated Safety Measures for a Continued Full Reopening to Prevent the Spread of SARS-CoV-2 (COVID-19)

Section 1. Generally Applicable Requirements for Masks.

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(A) Face Coverings Required.

(1) No business, organization, or other establishment shall allow ~~an individual entrance into~~ **a healthcare worker to provide direct patient care at** any indoor location at a healthcare ~~or congregate care facility,~~ **institution**, further identified below, that is controlled by such business, organization, or other establishment unless such ~~individual~~ **healthcare worker** is wearing a face mask or other face covering recommended by the Department of Health, regardless of vaccination status of the individual, unless otherwise expressly provided **herein**. ~~Individuals are required to wear face~~ **Face coverings must be worn** properly, which means in a manner that fully covers the mouth and nose, consistent with applicable ~~guidance, at all times when they are at the following locations:~~ **Department guidance. Provided, however, that when a healthcare worker returns to work at a healthcare institution following a high-risk exposure or testing positive for COVID, such healthcare worker shall mask consistent with Center for Disease Control guidance in all areas of the facility, including those restricted to only employees, except as otherwise provided herein.**

(a) Healthcare Institutions, as **has the meaning** as defined in the Emergency Regulation Governing the Control and Prevention of COVID-19 Mandating Vaccines for Healthcare Workers and In Higher Education, Healthcare, and Related Settings, as it has been or shall be further amended, (“Healthcare Vaccine Mandate”), including temporary indoor community healthcare events such as vaccine clinics and blood ~~drives, except when in~~

~~an area restricted to only employees. drives. Provided, however, that when an employee returns to work following a high-risk exposure or testing positive for COVID such employee shall mask consistent with Center for Disease Control guidance in all areas, including those restricted to only employees.~~

~~(b) Congregate facilities such as prisons, shelters, and adult day programs.~~

~~(2) (b) “Indoor” means a location enclosed by three or more walls or other non-permeable barriers and an overhead covering, such as a roof or a tent top. Tents with one side open are considered indoor spaces. In contrast, a space that is fully open on two or more sides is considered an outdoor space.~~

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