

Governor Phil Murphy

# Governor Murphy Signs Executive Order Instituting Vaccination or Testing Requirement for Workers in Health Care Facilities and High-Risk Congregate Settings

08/6/2021

**TRENTON** – Governor Phil Murphy today signed Executive Order 252, instituting the previously announced requirement that all workers in certain state and private health care facilities and high-risk congregate settings be fully vaccinated against COVID-19 by September 7, 2021 or be subject to COVID-19 testing at minimum one to two times per week. This requirement aims to strengthen protection against the spread of COVID-19 to vulnerable populations throughout the state.

“With the spread of the Delta variant working its way across the country and New Jersey, our most vulnerable populations remain at risk of serious illness or death due to exposure to unvaccinated individuals,” **said Governor Murphy**. “Requiring workers in health care and high-risk congregate settings to receive COVID-19 vaccinations or rigorous testing will help prevent outbreaks and reduce transmission to vulnerable populations that may be at higher risk of severe disease. I am grateful to our union partners across both the public and private sectors, officials within impacted industries, and members of our Cabinet for their collaboration as we put this new requirement into effect.”

For purposes of this Order, health care and high-risk congregate settings include:

- Acute, pediatric, inpatient rehabilitation, and psychiatric hospitals, including specialty hospitals, and ambulatory surgical centers
- Long-term care facilities, including the state Veterans Homes
- Intermediate care facilities, including the state developmental centers
- Residential detox, short term and long term residential substance abuse disorder treatment facilities
- Clinic-based settings like ambulatory care, urgent care clinics, dialysis centers, Federally Qualified Health Centers, family planning sites, and Opioid Treatment Programs
- Community-based healthcare settings including Program of All-inclusive Care for the Elderly, and pediatric and adult medical day care programs
- Licensed home health agencies and registered health care service firms operating within the State
- State and county correctional facilities
- Secure care facilities operated by the Juvenile Justice Commission
- Licensed community residences for individuals with intellectual and developmental disabilities (IDD) and traumatic brain injury (TBI)
- Licensed community residences for adults with mental illness; and
- Certified day programs for individuals with IDD and TBI

For purposes of this Order, workers are defined as:

- Full and part-time employees
- Contractors

- Other individuals working in the covered setting, including individuals providing operational, custodial, or administrative support

Health care facilities and other settings covered by the requirement will have until September 7, 2021 for all workers to come into full compliance with the vaccine mandate. At that time, if workers in the facility/setting have not submitted proof that they are fully vaccinated against COVID-19, the worker will be required to submit to a minimum once to twice weekly testing. Regardless of whether the covered setting is providing workers with on-site access to testing or requiring workers to submit proof of a COVID-19 test, both antigen and molecular tests will be acceptable to fulfill the requirements of the Order.

Workers are considered “fully vaccinated” for COVID-19 two weeks or more after they have received the second dose in a two-dose series or two weeks or more after they have received a single-dose vaccine. Individuals will only be considered fully vaccinated where they have received a COVID-19 vaccine that is currently authorized for emergency use by the FDA or the WHO, or that are approved for use by the same. Workers for whom vaccination status is unknown or who have not provided sufficient proof of document, must be considered unvaccinated for purposes of this Order.

This Order will not impact a setting’s ability to impose more stringent vaccination or testing requirements on workers, including any requirement for more frequent testing, for testing of both vaccinated and unvaccinated staff, and for mandatory vaccinations without a testing alternative.

For a copy of Executive Order No. 252, click here (<https://nj.gov/infobank/eo/056murphy/pdf/EO-252.pdf>).

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[Home \(/governor/\)](/governor/)

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[Advice and Consent Appointments \(/governor/news/acappointments\)](/governor/news/acappointments)

[Statements on Legislation \(/governor/news/statements/approved/statements\\_archive.shtml\)](/governor/news/statements/approved/statements_archive.shtml)

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[Transition Reports \(/governor/news/reports/approved/reports\\_archive.shtml\)](/governor/news/reports/approved/reports_archive.shtml)

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