



STATE OF WASHINGTON
— OFFICE OF GOVERNOR JAY INSLEE —

**PROCLAMATION BY THE GOVERNOR
AMENDING PROCLAMATION 20-05**

21-16

Large Event COVID-19 Vaccine Verification

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations and our health care system, I have subsequently issued several amendatory proclamations, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations, including issuance of Proclamation 20-25, et seq., which limit Washingtonians' ability to participate in certain activities unless certain conditions are met; and

WHEREAS, during early stages of the COVID-19 pandemic, health professionals and epidemiological modeling experts indicated that the spread of COVID-19, if left unchecked, threatened to overwhelm portions of Washington's public and private health-care system; and

WHEREAS, although COVID-19 continues as an ongoing and present threat in Washington State, the measures we have taken together as Washingtonians over the past 18 months, including the willingness of most Washingtonians to take advantage of the remarkable, life-saving vaccines being administered throughout the state, have made a difference and have altered the course of the pandemic in fundamental ways; and

WHEREAS, after months of improving COVID-19 epidemiological conditions in Washington State, the emergence of highly contagious COVID-19 variants, including the "Delta" variant that is at least twice as transmissible as the virus that emerged in late 2019, coupled with the continued significant numbers of unvaccinated people, caused COVID-19 cases and hospitalizations to rise sharply among unvaccinated populations and resulted in breakthrough infections in some fully vaccinated individuals; and, while cases and hospitalizations are currently decreasing, both exceeded the prior peak levels experienced in December 2020 and remain high; and

WHEREAS, over the past 20 months, health experts and epidemiological modeling experts, including those at the Department of Health, the United States Centers for Disease Control and Prevention (CDC), and our state universities, have gained critical knowledge regarding the

spread of COVID-19, including a better understanding of the risks associated with certain activities and the measures that can be taken to reduce those risks; and

WHEREAS, we now know that several factors increase the risk for person-to-person COVID-19 transmission; such factors include (1) the more that people and groups interact, (2) the longer those interactions last, (3) the closer the contact between individuals, (4) the denser the occupancy for indoor facilities, (5) the lack of use of face coverings, and (6) the increased risk of transmission from unvaccinated individuals; and

WHEREAS, Large Events, as defined herein, present a heightened risk of COVID-19 transmission because (1) Large Event participants and attendees spend extensive periods of time physically close to large numbers of people, (2) the frequency and total duration of close contact among participants and attendees is increased, thereby increasing the risk that respiratory particles will be transmitted between participants and attendees, (3) Large Events draw participants and attendees from wide geographical areas, often including participants and attendees from other states and countries who may be infected with more infectious COVID-19 variants, and (4) effective contact tracing may be difficult due to the potential for uncontrolled mixing among large groups of attendees who are unlikely to be together again; and

WHEREAS, on August 20, 2021, I issued Proclamation 20-25.15 amending Proclamation 20-25, et seq., by reinstating prohibitions against use of indoor spaces without the use of a face covering; and

WHEREAS, on September 13, 2021, I issued Proclamation 20-25.17 amending Proclamation 20-25, et seq., to prohibit (1) any individual from failing to wear a face covering as required by the Secretary of Health's face covering order and any subsequent amendments, (2) any governmental, commercial, or nonprofit entity or private party from allowing any individual to enter or remain in any indoor space under their control unless the individual is in compliance with the Secretary of Health's face covering order and any subsequent amendments, and (3) any organizer of an outdoor event or gathering attended by 500 or more people from allowing any individual to be in attendance unless the individual is in compliance with the Secretary of Health's face covering order and any subsequent amendments; and

WHEREAS, COVID-19 vaccines are effective in reducing infection and severe disease, and widespread vaccination is the primary means we have as a state to protect everyone, including persons who cannot be vaccinated for medical reasons, youth who are not eligible to receive a vaccine, immunocompromised individuals, and vulnerable persons including persons in health care facilities, long-term care facilities and other congregate care facilities from COVID-19 infections; and

WHEREAS, widespread vaccination is also the primary means we have as a state to protect our health care system, to avoid the return of stringent public health measures, and to put the pandemic behind us; and

WHEREAS, COVID-19 vaccinations have been available in Washington State from December 2020 to the present, and since April 15, 2021, all Washingtonians over the age of 16 have been

eligible to receive free COVID-19 vaccinations from a wide variety of providers at many locations; and

WHEREAS, as of October 11, 2021, according to the Washington State Immunization Information System, more than 4.9 million Washingtonians, at least 75 percent of those eligible and 64 percent of the total population, had initiated their vaccine series, leaving about 1.6 million eligible Washingtonians unvaccinated; and

WHEREAS, COVID-19 vaccines are safe and effective. COVID-19 vaccines were evaluated in clinical trials involving tens of thousands of participants and met the U.S. Food & Drug Administration's (FDA) rigorous scientific standards for safety, effectiveness, and manufacturing quality needed to support emergency use authorization; and, to date, more than 406 million doses of COVID-19 vaccines have been given in the United States with 9.3 million of those doses administered in Washington, and serious safety problems and long-term side effects are rare; and

WHEREAS, on July 6, 2021, the Office of Legal Counsel of the United State Department of Justice issued a legal opinion stating that federal and state governments were not prohibited by federal law from imposing vaccination mandates, even when the only vaccines available are those authorized under the FDA's Emergency Use Authorizations; and

WHEREAS, the worldwide COVID-19 pandemic and its persistence in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, the Washington State Department of Health continues to maintain a Public Health Incident Management Team in coordination with the State Emergency Operations Center and other supporting state agencies to manage the public health aspects of the incident; and

WHEREAS, the Washington State Military Department Emergency Management Division, through the State Emergency Operations Center, continues coordinating resources across state government to support the Department of Health and local health officials in alleviating the impacts to people, property, and infrastructure, and continues coordinating with the state Department of Health in assessing the impacts and long-term effects of the incident on Washington State and its people; and

NOW, THEREFORE, I, Jay Inslee, Governor of the state of Washington, as a result of the above noted situation, and under Chapters 38.08, 38.52 and 43.06 RCW, do hereby proclaim and order that a State of Emergency continues to exist in all counties of Washington State, that Proclamation 20-05, as amended, remains in effect, and that, to help preserve and maintain life, health, property or the public peace pursuant to RCW 43.06.220(1)(h), and (3), I hereby prohibit, subject to the conditions, exceptions, and circumstances set forth below, the following activities:

1. Prohibitions. This order prohibits the following:
 - a. Any individual 12 years of age or older from attending a Large Event in person unless the individual has (1) been fully vaccinated against COVID-19 and provided proof thereof to the Large Event Organizer, or (2) received a negative result from an FDA-

- approved molecular (e.g., PCR) or antigen COVID-19 test performed on a specimen collected from the individual within the 72 hours preceding the individual's attendance at the Large Event and provided proof thereof to the Large Event Organizer;
- b. Any Large Event Organizer from allowing any individual 12 years of age or older to attend a Large Event in person, unless the individual has (1) been fully vaccinated against COVID-19 and provided proof thereof to the Large Event Organizer, or (2) received a negative result from an FDA-approved molecular (e.g., PCR) or antigen COVID-19 test performed on a specimen collected from the individual within the 72 hours preceding the individual's attendance at the Large Event and provided proof thereof to the Large Event Organizer; and,
 - c. Any Large Event Organizer from conducting a Large Event without first notifying the Large Event attendees of the vaccination and testing requirements of this Order, including notifying individuals of the acceptable forms of proof of full vaccination and a negative test result. Every public communication regarding the Large Event, including any reservation and ticketing system, must include notice that proof of COVID-19 vaccination or a negative COVID-19 test will be required to attend the event.
2. Acceptable Proof of Full Vaccination Against COVID-19. Where required above, individuals attending a Large Event must provide proof of full vaccination against COVID-19 by presenting the original, a copy, or a photo of one of the following:
- a. A CDC COVID-19 Vaccine Record Card;
 - b. Documentation of vaccination from a health care provider or electronic health record;
 - c. A state immunization information system record. For individuals vaccinated in Washington, this may include a Certificate of COVID-19 Vaccination or QR code from MyIRMobile (<https://myirmobile.com>), a Washington Department of Health partner website for immunization records; or
 - d. For an individual who was vaccinated outside of the United States, a reasonable equivalent of any of the above.

Personal attestation is not an acceptable form of proof of COVID-19 vaccination. Additional proof of an individual's identity, such as a driver's license, is not required under this Order.

3. Acceptable Proof of a Negative COVID-19 Test Result. Where required above, individuals attending a Large Event must provide proof of a negative COVID-19 test result by presenting the original, a copy, or a photo of a document or other communication from the test provider or laboratory that shows:
- a. The first and last names of the individual tested;
 - b. The type of test performed (must be molecular or antigen);

- c. The date the specimen was collected (must be within the 72 hours preceding the individual's participation in or attendance at the Large Event); and
- d. A negative result.

Personal attestation is not an acceptable form of proof of a negative COVID-19 test result. Additional proof of an individual's identity, such as a driver's license, is not required under this Order.

4. Large Event Organizers May Exceed These Requirements. Nothing in this order prohibits Large Event Organizers from implementing requirements that exceed the requirements of this Order.
5. Definitions.
 - a. "Fully Vaccinated against COVID-19": A person is fully vaccinated against COVID-19 two weeks after they have received the second dose in a two-dose series of a COVID-19 vaccine (e.g., Pfizer-BioNTech or Moderna) or a single-dose COVID-19 vaccine (e.g., Johnson & Johnson (J&J)/Janssen) authorized for emergency use, licensed, or otherwise approved by the FDA or listed for emergency use or otherwise approved by the World Health Organization.
 - b. "Large Event" means (1) any ticketed or preregistered assembly of 10,000 or more individuals at an outdoor venue that has defined entrances and exits, or (2) any ticketed or preregistered assembly of 1,000 or more individuals at an indoor venue that has defined entrances and exits. Event staff and volunteers are not included in the attendee count.
 - c. "Large Event" does not include any assembly operated, managed, conducted, controlled, or supervised by a public, private, or charter K-12 educational organization or a religious or faith-based organization.
 - d. "Large Event Organizer" means any governmental, commercial, or nonprofit entity or private party that operates, organizes, manages, conducts, controls, or supervises, in whole or in part, any Large Event.

I again direct that the plans and procedures of the *Washington State Comprehensive Emergency Management Plan* be implemented throughout state government. State agencies and departments are directed to continue utilizing state resources and doing everything reasonably possible to support implementation of the *Washington State Comprehensive Emergency Management Plan* and to assist affected political subdivisions in an effort to respond to and recover from the COVID-19 pandemic.

I continue to order into active state service the organized militia of Washington State to include the National Guard and the State Guard, or such part thereof as may be necessary in the opinion of The Adjutant General to address the circumstances described above, to perform such duties as directed by competent authority of the Washington State Military Department in addressing the outbreak. Additionally, I continue to direct the Department of Health, the Washington State

Military Department Emergency Management Division, and other agencies to identify and provide appropriate personnel for conducting necessary and ongoing incident related assessments.

Violators of this order may be subject to criminal penalties pursuant to RCW 43.06.220(5).

This order is effective at 12:01 am on November 15, 2021. Unless extended or amended, upon expiration or termination of this proclamation the provisions of Proclamation 20-25, et seq., will continue to be in effect until the state of emergency, issued on February 29, 2020, pursuant to Proclamation 20-05, is rescinded.

Signed and sealed with the official seal of the state of Washington on this 18th day of October, A.D., Two Thousand and Twenty-One at Olympia, Washington.

By:

/s/
Jay Inslee, Governor

BY THE GOVERNOR:

/s/
Secretary of State