

CLIENT ALERT

July 2022



Governor Issues Executive Order Removing EMS Personnel from Vaccination and Testing Mandate

by James G. Wargo and Bradley Michalowski

On July 12, 2022, Governor Pritzker issued Executive Order 2022-16, which removes EMS personnel from the Governor's previously issued COVID-19 vaccination and testing mandate issued on September 3, 2021. This most recent executive order re-issues and modifies Executive Orders 2020-12 (issued March 24, 2020) and 2021-22 (issued September 3, 2021) and became effective on July 12, 2022.

As you may recall, Executive Order 2021-22 imposed certain vaccination and testing requirements on Health Care Facilities, Schools (elementary and secondary schools), Institutions of Higher Education, their personnel, and Higher Education Students throughout the State.

Those Health Care Facilities identified as being subject to the September 3, 2021 executive order include, but are not limited to, ambulatory surgical treatment centers, hospices, hospitals, physician offices, pharmacies, emergency medical services, IDPH licensed emergency medical service vehicles, chiropractic offices, dental offices, free-standing emergency centers, urgent care facilities, birth centers, post-surgical recovery care facilities, end-stage renal disease facilities, long-term care facilities (including skilled and intermediate long-term care facilities licensed under the Nursing Home Care Act, the ID/DD Community Care Act or the MC/DD Act), Specialized Mental Health Rehabilitation Facilities, assisted living facilities, supportive living facilities, medical assistance facilities, mental health centers, outpatient facilities, public health centers, rehabilitation facilities, residential treatment facilities, and adult day care centers. The order specifically excludes any State-owned or operated facility from the definition of a Health Care Facility.

Executive Order 2022-16 modifies the Governor's September 3, 2021 executive order by removing EMS personnel from the dictates of the order. Specifically, the new order deletes "emergency medical services and IDPH licensed emergency medical service vehicles" from the listing of Health Care Facilities subject to the order. Additionally, Executive Order 2022-16 rescinds the vaccination and testing requirements for Institutions of Higher Education and its students throughout the State.

While EMS personnel are no longer subject to the Governor's vaccination and testing mandate, all other Health Care Facilities and their personnel must continue to comply with the vaccination and testing requirements under the mandate.

The Governor's removal of the vaccination and testing mandate does not mean that employers are necessarily required to drop previously adopted vaccination and testing requirements. Municipalities and fire protection districts may need to engage in labor-management sessions to discuss amending, suspending or ending all COVID-19 regulations, including testing, vaccination, and related leave issues.

Please feel free to contact one of our attorneys if you have any questions.

Ottosen DiNolfo Hasenbalg & Castaldo, Ltd.'s ***Client Alert*** is issued periodically to keep its clients and other interested parties informed of legal developments that may affect or otherwise be of interest to its readers. Due to the general nature of its contents, the comments herein do not constitute legal advice and should not be regarded as a substitute for detailed advice regarding a specific set of facts. Questions regarding any items should be directed to our main office at:

OTTOSEN DINOLFO HASENBALG & CASTALDO, LTD.
1804 North Naper Boulevard, Suite 350, Naperville, Illinois 60563
(630) 682-0085 ottosenlaw.com

Copyright 2022 by
OTTOSEN DINOLFO HASENBALG & CASTALDO, LTD.

All rights reserved. Pursuant to Rules 7.2-7.4 of the Illinois Rules of Professional Conduct, this publication may constitute advertising material.