



Date: November 23, 2021
To: Interested Parties
From: Zintars Beldavs, Section Manager
Acute & Communicable Disease Prevention Section
Subject: Notice of Temporary Rulemaking – OAR 333-019-1025, Amending of rule requiring masks to be worn in indoor spaces in Oregon

The Oregon Health Authority (Authority), Public Health Division is amending the previously temporarily adopted OAR 333-019-1025, which required masks to be worn in indoor and outdoor spaces in Oregon by removing the requirement that masks be worn in outdoor spaces.

This temporary rule is effective November 23, 2021, through February 8, 2022 and replaces Temporary Administrative Order PH 41-2021 filed and effective on August 27, 2021.

COVID-19 infection is transmitted predominately by inhalation of respiratory droplets generated when people cough, sneeze, sing, talk, or breathe. Studies show that masks and face coverings block the release of respiratory droplets into the environment and can also reduce the wearer's exposure to droplets. COVID-19 viral particles spread between people more readily indoors and when people are closer together for longer periods of time indoors.

The previous version of this rule, filed and effective August 27, 2021 (Temporary Administrative Order PH 41-2021), required individuals to wear a mask, face covering or face shield when outdoors and not able to maintain at least six feet of distance from those outside of their household. Requiring wearing of masks outdoors when physical distancing was not possible reduced the spread of the highly contagious Delta variant, particularly in crowded outdoor areas such as sporting events and parades. With the decrease in COVID-19 cases since the end of summer, masking outdoors likely will not reduce spread to the same extent. Unvaccinated individuals, those who are immunocompromised, individuals at higher risk for complications from COVID-19, or individuals who live with someone in one of these categories would still have increased protection from wearing a mask in these outdoor settings.

"Indoor spaces" mean anywhere indoors, including but not limited to public and private workplaces, businesses, indoor areas open to the public, building lobbies, common or shared spaces, classrooms, elevators, bathrooms, transportation services and other indoor spaces where people gather for any purpose. An indoor space does not include a private residence, or a private automobile used for personal use that is not used for ride sharing.

For more details, please see the Temporary Administrative Order, including the Statement of Need and Justification and the full text of the temporary rules at the following website:
www.healthoregon.org/diseasereporting

If you have any questions, please send an email to COVID.19@dhsosha.state.or.us.