



State of New Jersey  
**DEPARTMENT OF HEALTH**  
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PHILIP D. MURPHY  
*Governor*

SHEILA Y. OLIVER  
*Lt. Governor*

JUDITH M. PERSICILLI, RN, BSN, MA  
*Commissioner*

**EXECUTIVE DIRECTIVE NO. 21-004**  
**COVID-19 CHILD CARE STANDARDS**

**WHEREAS**, according to the Centers for Disease Control and Prevention (CDC), Coronavirus disease 2019 (COVID-19) is a respiratory illness caused by a virus called SARS-CoV-2; and

**WHEREAS**, on March 9, 2020, Governor Philip D. Murphy issued Executive Order 103, declaring the existence of a Public Health Emergency, pursuant to the Emergency Health Powers Act, N.J.S.A. 26:13-1 et seq., and a State of Emergency, pursuant to the Disaster Control Act, N.J.S.A. App A:9-33 et seq., in the State of New Jersey for COVID-19; and

**WHEREAS**, the Public Health Emergency was extended by Governor Murphy under subsequent Executive Orders and remains in effect to date; and

**WHEREAS**, Governor Murphy announced a multi-stage New Jersey's Road Back Plan (the "Plan") for the methodical and strategic reopening of businesses and activities based on scientific data and metrics concerning the level of disease transmission risk and essential classification; and

**WHEREAS**, in line with the Plan, the State has been able to relax a number of restrictions, each time tailored to the relative risk the activity presents, and additional restrictions on activities and businesses have been lifted over the past several months;

and

**WHEREAS**, on May 29, 2020, Governor Murphy issued Executive Order No. 149 (2020), which, inter alia, permitted childcare programs to reopen broadly beginning June 15, 2020; and

**WHEREAS**, Executive Order No. 149 (2020) also required the Department of Health to impose Standards for COVID-19 Related Health and Safety Applicable in New Jersey Child Care and Youth Summer Camp Settings; and

**WHEREAS**, under the declared public health emergency, the Commissioner of the Department of Health is empowered, pursuant to N.J.S.A. 26:13-12, to take all reasonable and necessary measures to prevent the transmission of infectious disease and apply proper controls and treatment for infectious disease; and

**WHEREAS**, heightened health and safety protocols are necessary for childcare centers to ensure an environment that will limit the spread of COVID-19; and

**WHEREAS**, on June 30, 2020, the Commissioner of the Department of Health (DOH) issued Executive Directive No. 20-021, COVID-19 Child Care and Youth Summer Camp Standards Pursuant to Executive Order No. 149; and

**WHEREAS**, on September 18, 2020, the Commissioner of DOH issued Executive Order No. 20-032, which superseded the portion of Executive Directive 20-021 pertaining to childcare centers; and

**WHEREAS**, given the decreasing rate of reported new cases of COVID-19 in New Jersey, including a reduction in the total number of individuals being admitted to hospitals for COVID-19 and in the rate of reproduction for COVID-19 infections in New

Jersey, it is appropriate to relax some of the restrictions and limitations that were placed on child care centers under Executive Directive No. 20-032; and

**NOW, THEREFORE, I, JUDITH PERSICHILLI**, Commissioner of the DOH, pursuant to the powers afforded to me under the Emergency Health Powers Act, hereby **ORDER** and **DIRECT** the following:

1. This Executive Directive supersedes Executive Directive No. 20-032 issued on September 18, 2020.
2. Child Care Centers, as defined in Executive Order No. 149 (2020), must adhere to the protocols attached hereto, entitled “Updated COVID-19 Standards – Child Care Centers,” as amended and supplemented.

This Directive shall take effect immediately. The provisions of this Directive shall remain in force and effect for the duration of the public health emergency originally declared in Executive Order No. 103 (2020), and as extended by Executive Order, unless otherwise modified, supplemented, rescinded, or superseded by statute.

Date: May 26, 2021



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Judith M. Persichilli, R.N., B.S.N., M.A.  
Commissioner