



# Overview of Mask Medical Exemptions

This document is best understood when viewed in conjunction with the laws themselves. An overview of the relevant medical discrimination law can be found [here](#).

The best place to find the latest documents from the state is the [DOH mask home page](#). There are numerous other circumstantial exemptions from mask wearing, such as when sitting in a restaurant and eating or drinking, which can also be found in the documents and webpages cited below. Only the relevant quotations for medical exemptions have been pulled out into this document.

The DOH also published an [updated guidelines document](#) on March 22, 2021, but it doesn't include any text relevant to exemptions.

All emphasis is added by the author. This document is not meant to constitute legal or medical advice, it is only a series of excerpts to help citizens understand the official proclamations.

## [The Secretary of Health's mask order, July 24 2020](#)

“The following individuals are exempt from the requirements to wear a face covering:

- Children younger than five years old; and
  - Children who are younger than two years old should never wear face coverings due to the risk of suffocation.
- Persons with a **medical condition, mental health condition, developmental or cognitive condition, or disability that prevents wearing a face covering**. This includes, but is **not limited to**, persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance.”

## Best practices for businesses, Office of the Governor, July 28

### 2020

**“No individual is required to provide proof or documentation to anyone at any time about their health or medical status,** except employers who may request medical documentation if an accommodation is requested by an employee.”

“The governor’s proclamation does not oblige businesses to enforce the use of face coverings by individuals who are exempt from the health order”

“Businesses may ask – but are not required to ask – if an individual has a condition that exempts them from the requirements, but **cannot inquire about an individual’s underlying health or medical conditions.**”

“If the customer indicates they are exempt from the requirement to wear a face covering due to a medical condition or disability that prevents them from wearing a mask, **the governor’s proclamation does not require that any additional steps be taken to enforce the face covering requirement for that individual.**”

“Some individuals may be entitled to reasonable accommodations, and other obligations under the Americans with Disabilities Act and the Washington Law Against Discrimination may apply. Businesses should be particularly thoughtful about how to provide accommodations for customers who indicate they have a disability covered under the ADA or the Washington Law Against Discrimination.”

“If a customer or individual refuses to wear a face covering, and refuses alternative service options, and does not indicate that they are exempt from the requirement due to a medical condition, mental health condition or disability that prevents them from wearing a mask, they should be politely told that the business cannot serve them and that they need to leave the premises. **Under no circumstances should the business representative attempt to physically block an individual from entering or physically remove them from the premises.**”

### DOH masks FAQ

“If you have a medical exemption, a business should not ask for proof or details. Businesses should offer alternative service options...”

“You are not required to provide proof of any condition that qualifies you for an exemption. It’s important for people to be supportive and tolerant of one another during this pandemic. Avoid confrontations, and if someone continues to question you, tell someone from the business and ask them to help.”

“I have a reason I cannot wear a face covering. Am I required to document or prove that?  
-No, the order does not require that.”

## [CDC order requiring masks on public transportation](#)

“This Order exempts the following categories of persons:<sup>8</sup>

- A child under the age of 2 years;
- A person with a disability who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act (42 U.S.C. 12101 et seq.).<sup>9</sup>
- A person for whom wearing a mask would create a risk to workplace health, safety, or job duty as determined by the relevant workplace safety guidelines or federal regulations.”

<sup>8</sup> Operators of conveyances or transportation hubs may impose requirements, or conditions for carriage, on persons requesting an exemption from the requirement to wear a mask, including medical consultation by a third party, medical documentation by a licensed medical provider, and/or other information as determined by the operator, as well as require evidence that the person does not have COVID-19 such as a negative result from a SARS-CoV-2 viral test or documentation of recovery from COVID-19. CDC definitions for SARS-CoV-2 viral test and documentation of recovery are available in the Frequently Asked Questions at:

<https://www.cdc.gov/coronavirus/2019-ncov/travelers/testing-international-air-travelers.html>. Operators may also impose additional protective measures that improve the ability of a person eligible for exemption to maintain social distance (separation from others by 6 feet), such as scheduling travel at less crowded times or on less crowded conveyances, or seating or otherwise situating the individual in a less crowded section of the conveyance or transportation hub. Operators may further require that persons seeking exemption from the requirement to wear a mask request an accommodation in advance.

<sup>9</sup> This is a narrow exception that includes a person with a disability who cannot wear a mask for reasons related to the disability. CDC will issue additional guidance regarding persons who cannot wear a mask under this exemption.

<https://www.cdc.gov/quarantine/masks/mask-travel-guidance.html>“

## [Employee mask FAQ](#)

“Employees with a medical or disability issue, who are requesting accommodation, must provide their employer with an accommodation statement from their medical professional specifying that a face covering or mask should not be worn due to their present health condition. Employers cannot allow employees to work wearing only a face shield instead of a mask; they must put in place accommodations or mitigations in addition to the face shield.”

“Employers should assess any negative impacts that face coverings might have on employees with disabilities and make accommodations per the ADA. For example, workers communicating with people who are deaf or hard of hearing may need to temporarily unmask while staying at least 6 feet away or behind a physical barrier in order to allow for lip reading.”