

New York State Issues Updated Travel Advisory; Relaxes Travel Restrictions

Law and the Workplace Blog on April 13, 2021

On April 10, 2021, the New York State Department of Health again updated its [COVID-19 Travel Advisory](#) for domestic and international travel. The advisory removes many of the quarantine requirements for domestic and international travelers arriving in New York State and clarifies existing guidance for all travelers. Additional information about the current restrictions on travel to New York State is provided below.

Domestic Travel

With the exception of healthcare workers (see below), there is no testing or quarantine requirement for domestic travelers entering New York State under the latest travel advisory. This largely remains unchanged from the [April 1, 2021](#) version of the advisory.

However, the state does **recommend** that unvaccinated domestic travelers who have not recently recovered from COVID-19 get tested between days 3-5 after travel. The state also **recommends** that they consider self-quarantining for 7 days if tested, and 10 days if not tested.

International Travel

The latest version of the travel advisory also removes many of the restrictions for international travelers. Under the latest travel advisory, international travelers arriving in New York State are no longer required to quarantine or be tested upon arrival. However, the State has issued the following **recommendations** for international travelers, consistent with CDC recommendations:

- Fully vaccinated international travelers should get a COVID-19 test between days 3-5 after arrival in New York.
- Unvaccinated international travelers are recommended to delay all international travel until they are fully vaccinated. Individuals who do travel from abroad should get a COVID-19 test between days 3-5 after arrival in New York. They should also consider self-quarantine for 7 days after arrival, or 10 days if the individual does

not get tested. No matter the test result, they should avoid contact with people at higher risk for severe disease.

International travelers arriving in New York must also follow CDC requirements for international travel. Currently, [the CDC requires](#) proof of a negative COVID-19 test within 3 days before travel or proof of a recent recovery from COVID-19 in order to board a plane to the United States.

These guidelines do not apply to international travelers from Canada arriving at a land border. These travelers must comply with the United States and Canada's [agreement](#) regarding land travel between the two countries, which prohibits all non-essential travel.

Requirements for Healthcare Workers

The state has also added additional **requirements** for unvaccinated healthcare workers arriving in New York State who have not recently recovered from COVID-19:

- Health care personnel who work in **nursing homes, enhanced assisted living residences, or assisted living programs** must furlough from work for 14 days upon arrival. This requirement applies to **both domestic and international**
- Health care personnel working in **all other health care settings** cannot return to work for 10 days **after international travel**. However, if they get tested between days 3-5 after travel, and receive a negative test result, they only need to furlough for 7 days. Regardless of test results, these individuals must also avoid contact with people at higher risk of severe disease for 14 days. There is no corresponding requirement after their domestic travel.

Those who have left New York for less than 24 hours, or who are arriving from a contiguous state, are exempt from these requirements.

Additional Guidance

The state also clarified the definitions of fully vaccinated, recently recovered, and contiguous state in relation to the travel guidance:

- **Fully Vaccinated** is defined as being two or more weeks from receiving the second dose of either the Pfizer or Moderna vaccine, or being two or more weeks from receiving the Johnson & Johnson vaccine. The guidance no longer requires that the individual receive their last vaccination within the previous 90 days in order to be considered fully vaccinated. The guidance also clarifies that receiving a vaccine not authorized by the FDA, either for emergency use or in general, will not satisfy

the definition of fully vaccinated.

- **Recently Recovered** is defined as: (1) being fully recovered from laboratory-confirmed COVID-19 as to meet the criteria for discontinuation of isolation; (2) being within 3 months of the start of symptoms or the date of a positive COVID-19 test if an individual remained asymptomatic; and (3) remaining asymptomatic.
- **Contiguous States** include Pennsylvania, New Jersey, Connecticut, Massachusetts, and Vermont. Travelers arriving from a contiguous state or who only leave the state for less than 24 hours are not required to complete the [NYS Travel Health Form](#) upon arrival. All other travelers must continue to complete the form.

In addition, all travelers to New York should continue to monitor symptoms for 14 days after arrival and immediately self-isolate if any symptoms develop. They should also continue strict-adherence to social distancing guidelines, including wearing face coverings.

Employment Implications

With respect to employment, the Advisory reminds businesses that any New York State resident who voluntarily engages in certain travel may not be eligible for leave under [New York State's COVID-19 leave law](#).

According to the Advisory, employers are also permitted to require employees to stay home from work in any situation where the state recommends quarantine. Employers should consult with counsel before implementing travel restrictions that are more restrictive than what is required by the state, as such policies may have implications under the state's COVID-19 leave law and [guidance](#) issued by the New York State Department of Labor.

* * *

Proskauer's cross-disciplinary, cross-jurisdictional Coronavirus Response Team is focused on supporting and addressing client concerns. Visit our [Coronavirus Resource Center](#) for guidance on risk management measures, practical steps businesses can take and resources to help manage ongoing operations.

[View Original](#)

[Related Professionals](#)

- **Evandro C. Gigante**

Partner