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COUNTY HEALTH OFFICER

COUNTY OF ORANGE HEALTH OFFICER'S ORDERS AND STRONG RECOMMENDATIONS

(Revised December 17, 2020)

In light of the revised guidance and recommendations issued by the Center for Disease Control and Prevention (CDC) (December 10, 2020) and the State Public Health Officer (December 14, 2020), the following **Orders and Strong Recommendations** shall revise and replace the prior Orders and Strong Recommendations of the County Health Officer that were issued on November 20, 2020. The Orders and Strong Recommendations issued on November 20, 2020 are no longer in effect as of December 17, 2020.

Pursuant to California Health and Safety Code sections 101030, 101040, 101470, 120175, and 120130, the County of Orange's Health Officer Orders and strongly recommends the following:

ORDERS

Effective immediately, and continuing until further notice, the following shall be in effect in unincorporated and incorporated territories of Orange County, California:

1. **Business and Activities: Who May and May Not Open.** Only those businesses and activities allowed to open under the tier assigned to Orange County may open, provided that such businesses and activities comply with all applicable restrictions for that tier. As of November 17, 2020, Orange County is assigned to the Tier 1 (Purple). See the following link for the list business and activities that may open under each tier and the restrictions that apply to each tier:
https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/C/COVID-19/Dimmer-Framework-September_2020.pdf.
2. **Business and Activities: Comply with Applicable Industry Guidance.** In addition, all businesses and activities allowed to open under order #1, above, shall operate in accordance with their applicable industry guidance. See the following link for a list of the industry guidance: <https://covid19.ca.gov/industry-guidance/>.
3. **Business and Activities: Comply with Certain Criteria Before Re-Opening.** In addition, all businesses and activities that are allowed to open under #1, above, must post a separate document at a location visible to the public at the public entrance of the property that specifically includes an attestation by the business or activity owner and/or operator that it has done *all* the following *prior* to reopening:

- i. Completely reviewed the industry guidance that applies to your business or activity;
 - ii. Performed a detailed risk assessment and created a worksite-specific protection plan;
 - iii. Trained employees on how to limit the spread of COVID-19, including how to screen themselves for symptoms and when to stay home;
 - iv. Set up individual control measures and screenings;
 - v. Put disinfection protocols in place;
 - vi. Established physical distancing guidelines;
 - vii. Established universal face covering requirements (with allowed exceptions) in accordance with CDPH guidelines at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>.
4. **Self-isolation of Persons with COVID-19.** All Orange County residents and visitors who have been diagnosed with or are likely to have COVID-19, as defined below, shall immediately isolate themselves in their home or another residence under the following criteria, as applicable:
- a) Individuals with COVID-19 symptoms shall isolate themselves until: (i) at least 24 hours after they have recovered, meaning their fever has resolved without use of fever-reducing medications and their respiratory symptoms (e.g., cough, shortness of breath) have improved; AND (ii) at least 10 days has elapsed from when their symptoms first appeared.
 - b) Individuals who have a positive COVID-19 PCR or rapid antigen laboratory test result and are without COVID-19 symptoms shall isolate themselves for 10 days from the date when the first specimen for the positive COVID-19 laboratory test result was obtained.

Unless one of the criteria, above, applies, i.e. 1.a) or 1.b), the individual may not leave his or her place of isolation except to receive necessary medical care.

A person is considered to be diagnosed with or likely to have COVID-19, if the person has:

- a) Received a positive COVID-19 PCR or rapid antigen laboratory test result; and/or
- b) Been informed by a physician that he or she is likely to have COVID-19 and/or;
- c) Signs and symptoms that are consistent with COVID-19 (i.e., new onset of fever, cough, shortness of breath or trouble breathing).

If a more specific isolation order is issued by the County Health Officer for any county resident, the specific order shall be followed instead of this order # 4.

This self-isolation order DOES NOT in any way restrict access by emergency responders to an isolation site during an emergency. See the U.S. Department of Labor's *Families First Coronavirus Response Act Q&A* (Question 57 available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) for a definition of emergency responder.

5. **Self-Quarantine of Persons Exposed to COVID-19**. All Orange County residents and visitors who know that they have been in close contact, as defined below, with a person diagnosed with or likely to have COVID-19 shall be deemed exposed to COVID-19 and shall take the following actions:
- Quarantine themselves in their home or another residence for 10 days from the last date that they were in close contact with a person that has been diagnosed with or likely to have COVID-19. They may not leave their place of quarantine except to receive necessary medical care or to obtain such other goods or services necessary for their basic subsistence.
 - All 10 day quarantines shall use paper surgical face mask or respirator at all times during work and continue to use face coverings when outside the home from Day 11 through Day 14 after last exposure. They shall also self-monitor for COVID-19 symptoms through Day 14 after last exposure and if symptoms occur immediately self-isolate and contact the Orange County Health Care Agency or their healthcare provider and seek testing. They shall also adhere strictly to all recommended non-pharmaceutical interventions, including maintaining a distance of at least 6 feet from others, through Day 14 after last exposure.

Exception to the 10-day quarantine.

- All persons who reside (i) in a high-risk congregate living setting (e.g. skilled nursing facilities, prisons, jails, shelters) or (ii) with severely immunosuppressed persons (e.g. Bone marrow or solid organ transplants, chemotherapy) shall quarantine themselves in their home or another residence for 14 days from the last date that they were in close contact with a person that has been diagnosed with or likely to have COVID-19. They may not leave their place of quarantine except to receive necessary medical care or to obtain such other goods or services necessary for their basic subsistence.
- Absent workplace staffing shortage, all persons who work (i) in a high-risk congregate living setting (e.g. skilled nursing facilities, prisons, jails, shelters) or (ii) with severely immunosuppressed persons

(e.g. Bone marrow or solid organ transplants, chemotherapy) shall quarantine themselves in their home or another residence for 14 days from the last date that they were in close contact with a person that has been diagnosed with or likely to have COVID-19. They may not leave their place of quarantine except to receive necessary medical care or to obtain such other goods or services necessary for their basic subsistence.

Exemptions: The following categories of persons shall not be subject to the quarantine order, above:

- Health care providers and emergency responders, as defined by the U.S. Department of Labor’s Families First Coronavirus Response Act Q&A (see Questions 56 and 57, respectively, available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>).
- Social workers in residential assisted living facilities.

For the purposes of this Order, “close contact” means being within 6 feet of an infected person for a cumulative total of 15 minutes or more, over a 24-hour period, starting from 2 days before illness onset (or, for asymptomatic persons, 2 days prior to test specimen collection) until the time the infectious person is isolated. A person who is diagnosed with or likely to have COVID-19 is considered infectious from 48 hours before the moment his or her symptoms first appeared until that time when the person is no longer required to be isolated. A person who is diagnosed with COVID-19 but has no symptoms is considered infectious from 48 hours prior to the date the person was tested until 10 days after that date.

If the County Health Officer for any county issues a more specific quarantine, order resident that order shall be followed instead of this order #5.

This self-quarantine order DOES NOT in any way restrict access by first responders to a quarantine site during an emergency.

6. **Wear a Cloth Face-Covering.** To help prevent the spread of droplets containing COVID-19, all County residents and visitors shall wear face coverings when outside of the home (with certain individuals exempted), as required by the *Guidance for the Use of Face Coverings* issued by California Department of Public Health (CDPH) on November 16, 2020. The Guidance is attached as Exhibit A and also available at: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>.

Please refer to this link or Exhibit A for a list of individuals who are exempt from wearing a face covering.

7. **Limited Stay at Home Order**. To help prevent the spread of COVID-19 virus, all County residents and visitors shall comply with the Limited Stay At Home Order, issued by CDPH and effective November 21, 2020 10:00 pm PST. The Limited Stay At Home Order is attached as Exhibit B and also available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/limited-stay-at-home-order.aspx>.
8. **Seasonal Flu Vaccination for Certain County Residents and Visitors**. All County residents and visitors who fall under one of the following categories shall obtain the seasonal flu vaccination unless a medical or religious exemption applies: (i) current providers for congregate settings; (ii) current health care providers; and (iii) current emergency responders. See the U.S. Department of Labor's *Families First Coronavirus Response Act Q&A* (Questions 56 and 57, respectively, available at <https://www.dol.gov/agencies/whd/pandemic/ffcra-questions>) for definitions of health care provider and emergency responder. However, nothing herein shall be construed as an obligation, on the part of employers, public or private, to require employees obtain the seasonal flu vaccination as a term or condition of employment.

STRONG RECOMMENDATIONS

Effective immediately, and continuing until further notice, the following shall be in effect in unincorporated and incorporated territories in Orange County, California:

1. **Maintain Six Feet of Physical Distancing**. All Orange County residents and visitors should maintain at least 6 feet of physical distance from another person who is not a family/household member or live in the same living unit, when (i) in a public place; (ii) visiting a retail, commercial or other place of business; or (iii) at work.
2. **For Vulnerable Population**. All Orange County residents who are 65 years old or older; have serious underlying medical conditions (for example, chronic lung disease, moderate to severe asthma, serious heart conditions, severe obesity, diabetes, chronic kidney disease undergoing dialysis, liver disease); or have a compromised immune system should remain at home consistent with guidance provided by the California Department of Public Health (CDPH) available at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/PublicHealthGuidanceSelfIsolationforOlderAdultsandThoseWhoHaveElevatedRisk.aspx>.
3. **Seasonal Flu Vaccination for County Residents**. All County residents should obtain the seasonal flu vaccination unless a medical or religious exemption applies.
4. **Other Recommendations**. All Orange County residents should avoid contact with people who are sick; not gather in groups; stay out of crowded places; avoid mass gatherings; wash hands frequently; wash face coverings frequently; cover coughs and sneezes; and clean and disinfect frequently touched surfaces daily, including tables, doorknobs, light switches, countertops, handles, desks, phones, keyboards, toilets, faucets, and sinks.

GENERAL PROVISIONS

1. The Orders and Strong Recommendations, above, shall not supersede any conflicting or more restrictive orders issued by the State of California or federal government. If any portion of this document or the application thereof to any person or circumstance is held to be invalid, the remainder of the document, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of the orders and strong recommendations are severable.
2. The Orders contained in this document may be enforced by the Orange County Sheriff or Chiefs of Police pursuant to California Health and Safety Code section 101029, and California Government Code sections 26602 and 41601. A violation of a health order is subject to fine, imprisonment, or both (California Health and Safety Code section 120295).

REASONS FOR THE ORDERS AND STRONG RECOMMENDATIONS

1. On February 26, 2020, the County of Orange Health Officer declared a Local Health Emergency based on an imminent and proximate threat to public health from the introduction of a novel coronavirus disease (COVID-19) in Orange County.
2. On February 26, 2020, the Chairwoman of the Board of Supervisors, acting as the Chair of Emergency Management Council, proclaimed a Local Emergency in that the imminent and proximate threat to public health from the introduction of COVID-19 created conditions of extreme peril to the safety of persons and property within the territorial limits of Orange County.
3. On March 2, 2020, the Orange County Board of Supervisors adopted Resolutions No. 20-011 and No. 20-012 ratifying the Local Health Emergency and Local Emergency, referenced above.
4. On March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of COVID-19.
5. The State of California, like the Nation, continues to record a surge in the level of community spread of COVID-19, resulting in a statewide increase in the number of new hospital admissions.
6. On December 3, 2020, California public health officials announced a Regional Stay at Home Order that will be triggered if Intensive Care Unit (ICU) capacity drops below 15 percent in a given region.
7. The Regional Stay at Home Order instructs Californians to stay at home as much as possible to limit mixing with other households that can lead to COVID-19 community spread.

8. On December 10, 2020, the Southern California region was at 9% ICU capacity, and the Regional Stay at Home Order remains in effect in the Orange County.
9. Orange County continues to record a surge in the level of community spread of COVID-19, resulting in a countywide increase in the number of new hospital admissions. On December 16, 2020, the County reported 2,615 newly recorded confirmed COVID-19 cases and 1,519 COVID-19 countywide hospitalization, including 343 ICU COVID-19 cases. To date, the cumulative County COVID-19 case count stands at 113,783, including 1,731 COVID-19 related deaths.
10. The rise in the level of community spread of COVID-19, if it continues, risks overwhelming the ability of hospitals in the County to deliver healthcare to County residents suffering from COVID-19 and from other illnesses requiring hospital care.
11. Effective COVID-19 vaccines have recently been recommended by the CDC; however, they will not be widely available to the County residents for months. According to the CDC, the novel corona virus is thought to spread mainly from person-to-person due to the following: (1) between people who are in close contact with one another (within about 6 feet); (2) through respiratory droplets produced when an infected person coughs, sneezes breathes, signs, or talks; (3) respiratory droplets cause infection when they are inhaled or deposited on mucous membranes, such as those that line the inside of the nose and mouth; (4) people who are infected but do not have symptoms can also spread the virus to others. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.
12. According to the CDC everyone should (1) wash their hands often; (2) avoid close contact; (3) cover their mouth and nose with a make when around others; (4) cover coughs and sneezes; (5) clean and disinfect; and (6) monitor their health daily. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html> for more detailed information and recommendations for how to accomplish the above listed items.
13. The CDC recommends that people wear masks in public settings, like on public and mass transportation, at events and gatherings, and anywhere they will be around other people. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>.
14. The CDPH also issued a Guidance for the Use of Face Coverings on November 16, 2020, available at:
<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/guidance-for-face-coverings.aspx>.
The Guidance requires people in California to wear face coverings at all times when outside of the home, and provides a number of exemptions, as well as providing a description of what is a face covering.
15. According to the CDC and CDPH, older adults and individuals with medical conditions are at higher risk of severe illness from See <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>; see also <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID->

[19/PublicHealthGuidanceSelfIsolationforOlderAdultsandThoseWhoHaveElevatedRisk.aspx](#).

16. The Orders and the Strong Recommendations contained in this document are based on the following facts, in addition to the facts stated under the foregoing paragraphs: (i) there is currently no COVID-19 vaccine widely available to the public to protect against transmission of COVID-19; (ii) there are currently limited therapeutic options proven effective that consistently prevents the severe illness associated with COVID-19; (iii) the current consensus among public health officials for slowing down the transmission of, and avoiding contracting, COVID-19 is to avoid gathering and practice social distancing, frequently wash hands with soap, and wearing face covering; (iv) some individuals who contract COVID-19 have no symptoms or have only mild symptoms and so are unaware that they carry the virus and are transmitting it to others; (v) current evidence shows that the novel coronavirus can survive for hours or even days on surfaces and can be indirectly transmitted between individuals; (vi) older adults and individuals with medical conditions are at higher risk of severe illness; (vii) there remains a strong likelihood of significant COVID-19 community transmission; (viii) the age, condition, and health of a significant portion of Orange County population place them at risk for serious health complications, including hospitalization and death, from COVID-19; (ix) younger and otherwise healthy people are also at risk for serious negative health outcomes and for transmitting the novel coronavirus to others.
17. The orders and strong recommendations contained in this document are necessary and least restrictive preventive measures to control and reduce the spread of COVID-19 in Orange County, help preserve critical and limited healthcare capacity in Orange County, and save the lives of Orange County residents.
18. The California Health and Safety Code section 120175 requires the County of Orange Health Officer knowing or having reason to believe that any case of a communicable disease exists or has recently existed within the County to take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases.
19. The California Health and Safety Code sections 101030 and 101470 require the county health officer to enforce and observe in the unincorporated territory of the county and within the city boundaries located with a county all of the following: (a) Orders and ordinances of the board of supervisors, pertaining to the public health and sanitary matters; (b) Orders, including quarantine and other regulations, prescribed by the department; and (c) Statutes relating to public health.
20. The California Health and Safety Code section 101040 authorizes the County of Orange Health Officer to take any preventive measure that may be necessary to protect and preserve the public health from any public health hazard during any “state of war emergency,” “state of emergency,” or “local emergency,” as defined by Section 8558 of the Government Code, within his or her jurisdiction. “Preventive measure” means abatement, correction, removal or any other protective step that may

be taken against any public health hazard that is caused by a disaster and affects the public health.

21. The California Health and Safety Code section 120130 (d) authorizes the County of Orange Health Officer to require strict or modified isolation, or quarantine, for any case of contagious, infectious, or communicable disease, when such action is necessary for the protection of the public health.

IT IS SO ORDERED:

Date: December 17, 2020



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