



BEAR RIVER HEALTH DEPARTMENT

PUBLIC HEALTH ORDER 2020-01

COVID-19 PANDEMIC WITHIN BOX ELDER, CACHE, AND RICH COUNTIES

March 28, 2020

WHEREAS, on March 6, 2020, Governor Gary R. Herbert issued an Executive Order declaring a state of emergency due to novel coronavirus disease 2019 (COVID-19); and

WHEREAS, the Governor's Executive Order recognizes the need for state and local authorities, and the private sector to cooperate to slow the spread of COVID-19; and

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national state of emergency based on the continuing spread of COVID-19; and

WHEREAS, on March 13, 2020, the Governor dismissed all Utah public schools for two weeks to combat the spread of COVID-19; and

WHEREAS, on March 16, 2020, President Trump and the White House Coronavirus Task Force issued guidelines to help protect Americans during the global COVID-19 outbreak; and

WHEREAS, on March 17, 2020, Joseph K. Miner, MD, Executive Director of the Utah Department of Health ("UDOH") issued a State Public Health Order closing dine in restaurant and bar services and recommendations for all individuals and businesses to help protect the citizens of Utah during the global COVID-19 outbreak; and

WHEREAS, on March 27, 2020, the Governor of the State of Utah issued a directive establishing minimum statewide standards and referenced that in order to address unique situations in different areas of Utah local authorities are authorized and may impose more stringent directives and orders; and

WHEREAS, Utah Code Annotated Section 26A-1-114 authorizes the local health department to:

- Establish, maintain, and enforce isolation and quarantine, and exercise physical control over property and over individuals as the local health department finds necessary for the protection of the public health;
- Establish measures not in conflict with state law which are desirable for the promotion or protection of the public health and the control of disease; or may be necessary to ameliorate the major risk factors associated with the major causes of injury, sickness, death, and disability; and
- Close theaters, schools, and other public places and prohibit gatherings of people when necessary to protect the public health; and

WHEREAS, Bear River Health Department ("Health Department") recognizes that confirmed community transmission in the State of Utah and within the local community

significantly increases the risk of exposure and infection to the general public within Bear River Health district which creates a public health risk that may spread quickly; and

WHEREAS, the Bear River Health Officer (“Health Officer”) finds the above facts raise the likelihood of widespread community transmission occurring among the general public, and that it is imperative for the Health Department and the public to work cooperatively, proactively, and in measured ways to slow the spread of COVID-19 in order to address any challenges that may arise due to this disease in Box Elder, Cache, and Rich Counties;

NOW, THEREFORE, PURSUANT TO UTAH CODE 26A-1-114, BE IT HEREBY ORDERED BY LLOYD C. BERENTZEN, MBA, BEAR RIVER HEALTH OFFICER, AS FOLLOWS:

Section 1. General Prohibitions. Effective immediately, the following prohibitions shall apply throughout Box Elder, Cache, and Rich Counties:

- **Public Gathering Places.** Gatherings of more than ten (10) individuals is prohibited; provided, however, that this prohibition of gatherings of more than ten (10) individuals does not apply to critical government services such as fire, police, emergency response, and court services, or to other necessary services such as hospitals, domestic violence shelters, homeless shelters, licensed or contracted residential care providers, grocery stores, stores that sell other commodities, gas stations, convenience stores, building and construction worksites, and the shipping, transportation, and airline industry (the "Exempted Services"). These Exempted Services are encouraged to use appropriate precautions to prevent and control the spread of COVID-19. Grocery stores and gas stations are encouraged to remain open to provide necessary food items, fuel and other goods.
- This Order shall not be interpreted as requiring a business to limit staff in a single location to a maximum of ten (10) employees. Rather, businesses are encouraged to use social distancing and teleworking wherever possible.
- This prohibition on gatherings does not apply to a family with more than ten (10) people in the same household.
- Access to long-term care facilities shall be governed by the guidance issued by the Centers for Medicare and Medicaid Services, Center for Clinical Standards and Quality.

Section 1A. Additional Prohibitions. Effective at 12:01 a.m. (MDT) on March 30, 2020:

- **Additional Public Gathering Places.** All museums, gyms, exercise studios, spas, fitness centers, health clubs, indoor recreational facilities, and all entertainment venues, including without limitation music performance venues, live stage performances, and lectures, shall be closed to members, guests, patrons, and the general public.
- **Surgical Centers.** Surgical centers not located within a hospital are not considered necessary services, as referenced in Section 1 above, and shall be

closed. This closure is made in order to preserve valuable and scarce Personal Protective Equipment (PPE's) and other resources that may be needed to administer medical care during the COVID-19 pandemic. The closure of surgical centers is also consistent with the directives and orders of the President of the United States and the directive from the Centers for Medicare & Medicaid Services (CMS) that all elective surgeries, non-essential medical, surgical, and dental procedures be delayed during the 2019 Novel Coronavirus (COVID-19) outbreak.

Section 2. Restaurants, Bars, and Food Service Establishments. Effective immediately and consistent with the Utah Department of Health's prior order regarding establishments serving food:

- All food service, restaurants, self-serve buffets, salad bars, unpackaged self-serve food services, bars, taverns, nightclubs, private liquor clubs, and saloons in Cache, Box Elder, and Rich Counties shall immediately close to members, guests, patrons, customers, and the general public. Notwithstanding the foregoing, food service may operate on a limited basis subject to the following operational restrictions and prohibitions:
- Prohibition of all dine-in food service, whether inside or outside the establishment, and prohibition of admitting members, guests, patrons, and customers inside the establishment except to pick up food for take-out only.
- Curbside take-out, drive-thru food service or pickup service is permitted. Cash payments are strongly discouraged. Staff who accept payment shall use cleansing measures between each transaction, including using any best practices issued by the UDOH or the Health Department. Where possible, online (e.g., Venmo, Squarecash, Googleplay, Applepay, and similar payment apps) and telephonic credit card transactions are encouraged. Staff who handle cash or credit card payments shall not be involved in the preparation, handling, or delivery of food.
- For hotel restaurants, food items may only be delivered as room service delivered to the door or curbside services as described above.
- Third party food services (i.e., Uber Eats, Door Dash, etc.) are required to observe "no contact delivery," which means these services cannot have person to person contact. All employees of such services must not engage in any delivery services if they present any symptoms of illness.
- Management shall and must ensure on a daily basis that no employee who presents symptoms of illness (e.g., cough, fever, shortness of breath) will be permitted to work.
- Due to the evolving situation with the potential spread of COVID-19 virus, violations of these operational restrictions shall result in the immediate closure of individual businesses and establishments to all business activity.

Section 3. Hair and Nail Salons; Tanning Salons; Body Art Studios. Effective at 12:01 a.m. on Monday, March 30, 2020, all hair salons, nail salons, beauty shops, cosmetology salons, esthetician salons, advanced practice esthetician salons, eyelash salons, barber shops, tanning salons, and body art studios shall comply with the following restrictions and limitations:

- All employees shall wash their hands frequently throughout the business day.
- Sanitizer shall be available at each workstation and throughout the establishment.
- All lobbies shall be closed to clients, patrons and customers.
- Social distancing (minimum of six feet) shall be implemented between workstations. "Workstation" is defined as the entire space used by clients, patrons, customers, and cosmetologist to provide services. The parameter of each individual workstation shall be separated by at least six feet.
- All tools, chairs, and supplies shall be sanitized consistent with standards issued by the Health Department after serving each client, patron, or customer.
- Lobbies and establishments shall be cleaned frequently.
- Management shall ensure, on a daily basis and at the beginning of each shift, that no employee who presents any symptom of illness consistent with COVID-19 will be permitted to work. Employees who appear to have acute respiratory illness symptoms (i.e. cough, shortness of breath) upon arrival to work or become sick during the day shall be separated from other employees and sent home immediately.
- Cash payments are strongly discouraged. Staff who take cash or credit card payments shall use cleansing measures between each transaction, including using any best practices issued by the Health Department. Where possible, on-line (e.g.; *Venmo*, *Squarecash*, *Googlepays*, and similar payment apps) and telephonic credit card transactions are highly encouraged.
- Clients, patrons and customers shall be screened by phone and/or in-person prior to entering the establishment. If they are exhibiting any of the following symptoms, the client, patron or customer shall be rescheduled to the later of fourteen (14) days or three (3) days following the elimination of symptoms:
 - Cough
 - Shortness of Breath
 - Chills
 - Fever
 - Sneezing with nasal discharge

Section 4. Physical Therapy Clinics and Services. Effective at 12:01 a.m. on Monday, March 30, 2020 all physical therapy clinics and services shall comply with the following restrictions and limitations:

- Therapy may be administered on-site in accordance with the proscriptions and guidelines set forth in this section.
- All lower acuity and routine visits are encouraged to either be delayed or transitioned to telehealth/virtual visits. For any services that cannot be done remotely, the following measures shall immediately be implemented:
 - Screening. Patients shall be screened by phone and/or in-person prior to entering the clinic or facility. If they are exhibiting any of the following symptoms, the patient shall be rescheduled to the later of fourteen (14) days or three (3) days following the elimination of symptoms:
 - Cough
 - Shortness of Breath
 - Chills
 - Fever
 - Sneezing with nasal discharge
 - All clinical and support staff shall also conduct daily self-screening for symptoms. Any employee presenting symptoms consistent with COVID- 19 must be sent home to self-quarantine for fourteen (14) days.
- Spacing and Distancing
 - All lobbies shall observe social distancing and not place patients, clients or patrons within six (6) feet of each other.
 - All non-remote care must be one-on-one. Group therapy sessions are prohibited.
 - Patient spacing must be actively monitored.
 - Vendors, observers, and other non-essential individuals are prohibited from entering the clinic or facility.
 - Social distancing (minimum of six feet) shall be implemented between workstations. "Workstation" is defined as the entire space used by patient and therapist to provide therapy. The parameter of each individual workstation shall be separated by at least six feet.
 - All clinics and facilities shall operate at 50% or less occupancy, unless otherwise able to achieve acceptable social distancing.
- Hygiene
 - Handwashing and hygiene protocols must be implemented with clinical and support staff.
 - Mandatory hand washing upon patient arrival and departure must be implemented.

- All tools, chairs, and supplies shall be sanitized consistent with standards issued by the Health Department after serving each patient.
- Alcohol-based sanitizer and/or soap and water must be available in all clinics and facilities for patient and employee use.
- Sanitizer shall be available at each workstation and throughout the clinic or facility.
- Lobbies and clinics shall be cleaned frequently.
- Cash payments are strongly discouraged. Staff who take cash or credit card payments shall use cleansing measures between each transaction, including using any best practices issued by the Health Department. Where possible, on-line (e.g.; *Venmo*, *Squarecash*, *Googlepay*, and similar payment apps) and telephonic credit card transactions are highly encouraged.

Section 5. Child Day Care Centers and Facilities. Effective at 12:01 a.m. on March 30, 2020, all child day care centers and facilities shall comply with the following restrictions and limitations:

- Providers shall conduct a health and wellness check of children and staff upon their arrival at the center or facility each day. Health and wellness checks are a great way for providers to take a few moments to notice how each child or staff member is looking, feeling, and acting when they first arrive. A child or staff member who presents signs of illness shall be sent home. Upon arrival, all children and staff shall wash their hands with soap and water.
- Providers shall question the adult who drops off the child as to whether any other family members residing in the home present signs of illness. Where other family members present such signs of illness, the provider shall prohibit the child from entering the center or facility, and send him or her home with the adult. Providers shall keep a daily log of every person who is physically present at the center or facility, including children, children's family, staff, and visitors. The log should include: date, time, name, association (child, parent, teacher, staff, etc.), health and wellness check results, and reliable phone number.
- Providers shall restrict groups of individuals within the center or facility to ten (10) or less. These groups include children and staff. A provider can allow more than ten (10) individuals in the center or facility if each group of (10) individuals or less is in a room separated by full walls from the other group(s).
- Providers shall limit child drop-off or pick-up at the clinic or facility to one family at a time. No other families shall be present during the drop-off or pick-up.
- Providers shall conduct daily health and wellness checks on all children and staff throughout the day. Having conducted a health and wellness check upon arrival will make it easier to notice if the child's or staff member's behavior or symptom's change throughout the day.
- Provider shall ensure that any visitors to any center or facility, including families seeking care, wash their hands with soap and water or an alcohol-based hand sanitizer before touching any center or facility surface.

- Providers must stay vigilant about hand hygiene and keeping a close eye on children and staff who are showing signs of illness.
- Providers shall protect children and staff by taking the following additional precautions:
 - Staff must wash their hands frequently throughout the day with soap and water for at least twenty (20) seconds. If soap and water are not available, use an alcohol- based hand sanitizer.
 - Staff must avoid touching their eyes, nose, and mouth with unwashed hands.
 - If possible, staff should cover coughs or sneezes with a tissue, then throw the tissue in the trash.
 - Staff must clean and disinfect frequently touched objects and surfaces. More specifically, staff must ensure that surfaces and areas that are used and touched often are cleaned and sanitized after each use (i.e.; shared toys, keyboards, desks, and remote controls), or at least twice a day (i.e.; doorknobs, light switches, toilet handles, sink handles, and counter tops).

Section 6. Recommendations for All Individuals. Effective immediately.

- All individuals practice good social distancing (six feet) measures.
- All individuals should refrain from visiting nursing care facilities, assisted living facilities, and retirement homes except to provide critical assistance.
- All individuals should avoid discretionary travel, shopping trips (other than shopping for food and other essentials), and social visits.
- Individuals over the age of 60 and individuals who are immunocompromised should avoid contact with other individuals.

Section 7. General Protocols for Businesses. Effective immediately, all establishments shall comply with the following regulations:

- Implement social distancing (six feet) measures in all areas, especially communal areas of the establishment.
- Where feasible, employers should encourage their employees to work remotely from home.
- Employees who are sick shall stay at home.
- Staff who have to take cash or credit cards shall use cleansing measures, including best practices issued by the UDOH or Health Department between transactions. Cash transactions are strongly discouraged.
- Management shall and must ensure on a daily basis that no employee that presents symptoms of illness (e.g., cough, fever, shortness of breath) will be permitted to work.

- Members, guests, patrons, or customers who present symptoms of illness shall be excluded from the establishment.
- Management shall post signage approved by the Health Department which advises patrons of COVID-19 protocols.

Section 8. Long-Term Care and Other Care Facilities. Effective immediately, all care facilities shall comply with the following regulations:

- Access to long-term care facilities shall be governed by the guidance issued by the Centers for Medicare & Medicaid Services and Center for Clinical Standards and Quality

Section 9. Duration. This Order is effective immediately and shall remain in effect until April 13, 2020. The Bear River Health Department Health Officer shall re-evaluate this Order at the conclusion of the Effective Date and may extend or modify the Order as needed.

Section 10. Publication. This Order shall be on file for public inspection with the Bear River Health Department.

Section 11. Appeal. This Order may be appealed to the Bear River Board of Health within ten (10) calendar days in accordance with Bear River Health Department grievance policy.

Section 12. Violations. An initial violation of this Order is punishable as a Class B Misdemeanor. Subsequent violations are punishable as Class A Misdemeanors. Each day of violation constitutes a separate offense (Utah Code 26A-1-123(1)(a) and (b)).

Effective Date: March 28, 2020

By Order of the Bear River Health Department Health Officer



Lloyd C. Berentzen
Health Officer

Approved as to Form:



James M. Swink
Cache County Attorney