



# County of Fresno

## DEPARTMENT OF PUBLIC HEALTH

**County of Fresno**

**Department of Public Health**

**ORDER OF THE HEALTH OFFICER**

**Amended December 22, 2020**

Pursuant to California Health and Safety Code Sections 101040, 120175, and 120175.5(b) the Health Officer of the County of Fresno orders as follows:

1. This order is issued as a result of the World Health Organizations declaration of the worldwide pandemic of Coronavirus Disease (COVID-19). COVID-19 is a respiratory illness that can spread from person to person. COVID-19 is contained in the droplets that can be sneezed, coughed, or exhaled into the air by infected individuals.
2. This Order is issued in accordance with, and incorporates by reference, the: March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom; the March 13, 2020 Declaration of a National Emergency issued by President Donald Trump; the March 15, 2020 Declaration of Local Health Emergency based on an imminent and proximate threat to public health from the introduction of COVID-19 in Fresno County; the March 15, 2020 Declaration of Local Emergency; the March 17, 2020 Resolutions of the Board of Supervisors of the County of Fresno ratifying the Local Emergency and Local Health Emergency; the guidance issued on March 11, 2020 by the California Department of Public Health (CDPH) regarding large gatherings of 250 people or more; Governor Gavin Newsom's Executive order N-25-20 of March 12, 2020 preparing the State to commandeer hotels and other places or temporary residence, medical facilities, and other facilities that are suitable as places of temporary residence or medical facilities as necessary for quarantining, isolating, or treating individuals who test positive or COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention (CDC), the CDPH, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than fifty (50) or more persons in a single space at the same time; Governor Newsom's Executive Order N-33-20 giving the state the ability to increase the health care capacity in clinics, mobile health care units and adult day health care facilities and allowing local governments more flexibility to utilize the skills of retired employees in order to meet the COVID-19 surge; and Governor Newsom's Executive Order N-39-20 indented to expand the health care workforce and recruit health care professionals to address the COVID-19 surge. The Governor and the County Public Health Officer continue to issue COVID-19-related orders to mitigate the public health crisis.

***Promotion, preservation and protection of the community's health***

1221 Fulton Street /P. O. Box 11867, Fresno, CA 93775

(559) 600-3200 • FAX (559) 600-7687

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3. As of December 18, 2020, there were over 72 million cases in the world and over 1,643,000 deaths. In California, there are over 1,764,000 confirmed cases and 22,160 deaths. We can expect the number of cases to increase significantly should action not being taken to decrease the spread of the disease.
4. There currently is no widespread availability of treatment, however, transmission of the disease can be slowed through community mitigation measures that decrease the likelihood of being exposed to the droplets of an infected person. These measures include limiting large scale events and mass gatherings and practicing social distancing. Aggressive containment operations including isolating suspect cases and persons under investigation and quarantining their contacts can limit the spread of the disease, reduce the impacts of the disease on society, and avoid more stringent measures that would cause further detriment to civil society.
5. Within the public health system, every person who meets the CDC criteria for disease symptoms within Fresno County should be tested.
6. Effective December 22, 2020 the following will be in effect for Fresno County:
  - A. Any business wishing to re-open, expand operations, or do business in the County of Fresno, must follow State guidelines for ensuring safety of workers and customers during the COVID-19 crisis. If a business does not believe it can meet the State guidelines, the business must contact the FCDPH with an alternate plan to meet health and safety guidelines. Any alternate plans or regional variances must be approved by the Health Officer before deviating from the State guidelines. Please contact (559) 600-3200 to obtain contact information and instructions about how to proceed.
  - B. All Employers shall comply with the FCDPH Investigation and Guidance Requests in a timely manner when employees are confirmed with COVID-19 infection.
    - i. Nothing in this order shall supersede State or Federal requirements regarding employer reporting of employees confirmed with COVID-19 infection.
  - C. Health Care Providers shall:
    - i. Comply with the most recent Health Officer Testing Order and offer testing to all individuals who have any symptoms consistent with COVID-19, or those who are asymptomatic if they are working in essential fields where surveillance testing is required, or living in residential settings where surveillance testing is required, or identified as close contacts of COVID-19 patients
    - ii. Direct the patient, if no exclusionary diagnosis is found, and they are found to have new or worsening symptoms of any COVID-19 symptoms, to isolate him/herself for 10 days after onset of symptoms and for 24 hours after improvement of symptoms or fever without the use of fever-reducing medications UNLESS they subsequently test negative while symptomatic for COVID-19
    - iii. Direct patient to notify all close contacts to quarantine themselves for 10 days from the last known contact with the patient and follow additional Quarantine guidance outlined below

- iv. Provide testing results for the patients who are tested at their premises as soon as these are available consistent with Health Officer Testing Order
- D. All Employers, including agricultural employers shall:
- i. On a daily basis, while conducting business, screen all employees for fever, respiratory and other COVID-19 symptoms
  - ii. Exclude from work all employees who are on Isolation or Quarantine
    - (1) Exclude for 10 days employees who report symptoms of COVID-19 from the day that they are identified as having symptoms and until an improvement of symptoms and fever free for 24 hours without the use of fever-reducing medications or 10 days from date of test if asymptomatic
    - (2) Exclude quarantined employees for 10 days from the last possible close contact to a person positive for COVID-19
  - iii. Direct employees excluded from work to isolate at home AND to notify all close contacts to quarantine themselves for 10 days from the last known contact with the patient and to continue to monitor for symptoms of COVID-19 for 14 days
  - iv. The FCDPH, the Public Health Officer, and individual business Employee Health Departments with the approval of the Health Officer, may modify this guidance based on other factors. Businesses must contact the FCDPH and receive approval from the health officer before modifying the above guidance. Please contact 559-600-3332 to obtain contact information and instructions about how to proceed
- E. All Residents shall:
- i. Self-monitor for signs and symptoms of COVID-19; and
  - ii. Isolate themselves at home and separately from household members (if possible) if they have signs and symptoms of, or if they test positive for COVID-19 AND notify their close contacts to quarantine for 10 days
    - (1) If required to isolate because of a positive COVID-19 test while **symptomatic**, continue isolation for 10 days from the date of onset of symptoms AND until symptom improvement and fever free for 24 hours without the use of fever-reducing medications, unless they should require further medical attention
    - (2) If symptoms develop during isolation due to a positive COVID-19 test while **asymptomatic**, continue isolation for 10 days from onset of symptoms AND until improvement of symptoms and fever free for 24 hours without the use of fever-reducing medications, unless they should require further medical attention
  - iii. If a resident has symptoms of COVID-19 and is evaluated by a health care provider and subsequently tests negative while symptomatic for COVID-19, OR if a health care provider determines that symptoms are not new or worsening based on a chronic medical condition OR if a health care provider has made an alternative diagnosis based on a diagnostic test

such as a positive strep screen or a positive screen for influenza, they may stop isolation after improvement of symptoms for 24 hours without the use of fever reducing medications

- iv. Use a mask at all times when indoors around others if they develop COVID-19 symptoms to help slow the spread of the illness to other members of their household
- v. Comply, in a timely manner, with public health requests related to close contact tracing to ensure that infection containment is achieved in the interest of community health and safety
- vi. If it is determined that they are a close contact to a person positive with COVID-19, residents will quarantine until 10 days have passed from the last known contact with the person with the COVID-19 positive test, OR,
- vii. If they develop symptoms of COVID-19 during the quarantine period, they will isolate until at least 10 days have passed from the day of first COVID-19 symptoms AND at least 24 hours with improvement of symptoms and fever free without fever reducing medication
- viii. Quarantine and Isolation
  - (1) All residents will quarantine for 10 days from the last known contact with a person positive with COVID
  - (2) Adhere strictly to all recommended non-pharmaceutical interventions, including wearing face coverings at all times, maintaining a distance of at least 6 feet from others
  - (3) Self-monitor for COVID-19 symptoms through Day 14 and if symptoms occur, immediately self-isolate and contact their local public health department or healthcare provider and seek testing
  - (4) Persons who reside or work in a high-risk congregate living setting (e.g. skilled nursing facilities, prisons, jails, shelters) or persons residing or working with severely immunosuppressed persons (e.g. bone marrow or solid organ transplants, chemotherapy) **should still quarantine for 14 days** in the absence of staffing shortages
  - (5) If required to isolate because of a positive COVID-19 test while **asymptomatic**, follow isolation guidance and continue to isolate for 10 days from the date of the COVID-19 test
  - (6) If required to isolate because of a positive COVID-19 test while **symptomatic**, follow isolation guidance and continue to isolate for 10 days from the date of the COVID-19 symptom onset

7. Criteria for clearance to return to work or school:

- A. The following items relate to criteria to allow employees to return to work, based on current best practice guidance from the CDC

- i. The Department of Public Health, the Public Health Officer, and individual business Employee Health Departments with the approval of the Health Officer, may modify this guidance based on other factors
    - (1) Businesses must contact the Health Department (559-600-3200) and receive approval from the health officer before modifying the following guidance to allow employees to return to work
  - ii. If the worker or student has a positive test result with no symptoms of COVID-19, they may return to work or school after 10 days have passed since the date of the positive COVID-19 test result
  - iii. If the worker or student has a positive test result and symptoms of COVID-19, they may return to work or school after 10 days have passed from onset of symptoms with improvement of symptoms of COVID-19 and 24 hours fever free without the use of fever reducing medications
  - iv. If the worker or student has COVID-19 symptoms and has either not tested or is awaiting COVID-19 test results, they may return to work or school after 10 days have passed since ONSET of COVID-19 symptoms with symptoms improving and be fever free for 24 hours without the use of fever reducing medications
    - (1) If the symptomatic worker or student has a subsequent negative COVID-19 test while symptomatic, OR if a health care provider determines that symptoms are not new or worsening based on a chronic medical condition OR if a health care provider has made an alternative diagnosis based on a diagnostic test such as a positive strep screen or a positive screen for influenza, they may return to work or school after improvement of symptoms and be fever free for 24 hours without the use of fever reducing medications
  - v. Immunocompromised workers and students (as determined by their physician or DPH Medical Investigations Team in consultation with DPH Medical Staff) may be asked to wait until 14-20 days have passed since symptom onset, in concordance with current recommendations from the CDC. This determination will be made on an individual basis.
- B. Health Care Workers, Emergency Service Personnel, Social Service Workers and other Essential Workers
- i. For additional guidance for Health Care Workers, Emergency Service Personnel, Social Service Workers follow Health Officer Order for Shortened Quarantine Criteria for Critical Health Care Personnel available at <https://www.co.fresno.ca.us/Home/ShowDocument?id=51241>
  - ii. Nothing in this health officer order will negate other CDPH and OSHA guidance regarding essential workers and preventing undue risk to health and safety including:
    - (1) Information related to health care workers, emergency service personnel and social service workers can be found on the CDPH guidance posted on December 14, 2020. This guidance is available at:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID-19-Quarantine.aspx>

(2) Information related to OSHA Regulations on quarantine in workplace settings can be found here: <https://www.dir.ca.gov/OSHSB/documents/COVID-19-Prevention-Emergency-apprvd.txt.pdf> or through the Governors December 14, 2020 Order at: <https://www.gov.ca.gov/wp-content/uploads/2020/12/12.14.20-EO-N-84-20-COVID-19.pdf>

(3) OSHA Regulations copied below shall apply to essential workers as defined here (Section 11E): <https://covid19.ca.gov/essential-workforce>

*(a) If there are no violations of local or state health officer orders for isolation or quarantine, the Division may, upon request, allow employees to return to work on the basis that the removal of an employee would create undue risk to a community's health and safety. In such cases, the employer shall develop, implement, and maintain effective control measures to prevent transmission in the workplace including providing isolation for the employee at the workplace and, if isolation is not possible, the use of respiratory protection in the workplace*

8. For the purpose of this order:

- A. Close contact is defined as someone who has been within 6 feet of an infected person for a total of 15 minutes or more over a 24-hour period, cumulative time, during the infectious period;
- B. For the purposes of determining a close contact, cumulative time is defined as the period of time of exposure to ANY/ALL COVID-19 positive person(s), and is calculated as 15 minutes or more of time where a close contact has been in contact to a person(s) positive with COVID-19 while that person(s) was infectious - i.e. – 2 days prior to symptom onset while symptomatic, or 2 days prior to test date if asymptomatic, up to the last contact with the COVID-19 positive person(s).
- C. Isolation is defined as “separation of sick people with a contagious disease from people who are not sick;”
- D. Quarantine is defined as “separation and restricts the movement of people who were exposed to a contagious disease to see if they become sick.”
- E. Social distancing is defined as “maintain a six-foot separation from all persons except for family members;” and
- F. Symptoms of COVID-19 includes new or worsening presence of the following:
  - i. Fever or chills
  - ii. Cough
  - iii. Shortness of breath or difficulty breathing

- iv. Fatigue
- v. Congestion or runny nose
- vi. Repeated shaking/ tremors
- vii. Muscle pains or body aches
- viii. Headache
- ix. Sore throat
- x. New loss of taste or smell
- xi. Nausea, vomiting or diarrhea

9. County-wide Masking Requirement Effective July 23, 2020:

All residents including children two years of age and older should use cloth masks or equivalent face covering while indoors at work, while visiting a business, or while coming into close contact with someone who is not a family member, in accordance with CDC and CDPH guidelines to prevent spread of respiratory droplets when physical distancing cannot be maintained. Face coverings with one-way exhalation valves are not sufficient to comply with this order. Adults and children older than two who are exempted from wearing a face covering due to a medical condition should wear a non-restrictive alternative such as a face shield with a drape on the bottom edge while in regular contact with others, as long as their medical condition permits it. Children under 2 years old are excused from use of face coverings and face shields due to suffocation risk. Adults and children two years of age and older with serious medical conditions including respiratory illnesses may be exempted from either the masking requirement or the face shield and drape requirement by a licensed health care provider who has included documentation in their medical record indicating the medical diagnosis that is the basis for their exemption(s). However, anyone exempted from face coverings should still comply with social distancing of at least 6 feet from others outside their households. This requirement is to help slow the spread of COVID-19 in situations where social distancing is not maintained due to social spacing or professional conditions. For those individuals who have been diagnosed with COVID-19, they are ordered to use face coverings indoors even within their household to help slow the spread of illness to other members of their family when distancing of 6 feet or greater cannot be accomplished.

10. This order shall supersede the previous orders issued on March 27, April 14, May 18, July 23, and October 9, and November 23, 2020. The Health Officer may amend this order as needed. This Order shall remain in full force and effect until terminated, superseded, or amended.

The CDPH and the CDC may recommend further guidance.

IT IS SO ORDERED:

I, as Interim Health Officer for the County of Fresno, encourage voluntary compliance with this Health Officer's Order. However, violation of this order is subject to fine, imprisonments or both (California Health and Safety Code Section 120295.)

Violation of or failure to comply with this Order is punishable by fine, imprisonment or both under various criminal statutes:

Cal. Penal Code section 148 makes it a misdemeanor to resist, delay, or obstruct a public officer, in the discharge of his or her duty. Sheriff deputies and city police officers are authorized to enforce health orders in the discharge of his or her duty.

Cal. Penal Code section 69 may be charged as a felony for the attempt, by means of any threat or violence, to deter or prevent an executive officer from performing any duty imposed by law, or to knowingly resist, by the use of force or violence, the officer, in the performance of the officer's duty. Sheriff deputies and city police officers are authorized to enforce health orders in the discharge of his or her duty.

Cal. Penal Code section 409.5 allows the health officer to close an area where a calamity has created an immediate menace to public health.

California Health and Safety Code sections 120275 and 120295 makes it a misdemeanor to violate certain sections of the Health and Safety Code, including those requiring individuals to comply with health orders to facilitate isolation or quarantine.

*Rais Vohra MD*

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Rais Vohra, MD  
Interim Health Officer

12/22/2020

Date

## NOTICE OF RIGHTS

1. If you object to this isolation/quarantine order, you have a right to arrange for your own legal representative.
2. You have a right to also file a Writ of Habeas Corpus under California Penal Code Section 1473 to seek release from the isolation/quarantine order.
3. You have a right to request release from isolation by contacting the FCDPH at (559) 600-3332 during normal business hours Monday – Friday from 8:00am – 5:00pm.

All requests to contact the County Health Officer will be through the FCDPH at (559) 600-3332 during normal business hours Monday – Friday from 8:00am – 5:00pm.