



County of Fresno

DEPARTMENT OF PUBLIC HEALTH

County of Fresno

Department of Public Health

ORDER OF THE HEALTH OFFICER

Amended May 20, 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 novel 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), CDPH, and other public health officials through the United States and around the world recommending the cancellation of gatherings involving more than 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

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3. As of today, there are over 4.4 million cases in the world and over 302,000 deaths. In California, there are over 73,000 confirmed cases and 3,000 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 available 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 within Fresno County has been and will be tested. However, both locally and nationally there is limited testing capabilities due to availability and number of laboratory test kits and specimen collection kits.
6. Effective May 18, 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 Fresno County Department of Public Health (FCDPH) with an alternate plan to meet health and safety guidelines. Any alternate plans or regional variances must be approved by the County Public 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:
 - i. Comply with FCDPH Investigation and Guidance Requests in a timely manner when employees are confirmed with COVID-19 infection.
 - C. Health Care Providers shall:
 - i. On a daily basis report to the public health branch of the Health and Human Services Agency all patients seen in their practice with a febrile respiratory illness
 - ii. The patient information will include demographic information, including age, as well as residential address and clinical status, indicate whether rapid point of care testing was performed and their results, and indicate if COVID-19 testing was done; and
 - iii. Direct the patient, if no exclusionary diagnosis is found, to isolate him/herself for 10 days after onset of symptoms or 3 days after cessation of fever without the use of fever-reducing medications AND to notify all close contacts to quarantine themselves for 14 days from the last known contact with the patient
 - iv. Provide testing results for the patients who are tested at their premises as soon as these are available

D. Agricultural Employers shall:

- i. On a daily basis, demonstrate compliance with the Safety & Health Guidance: COVID-19 Infection Prevention for Agricultural Employers and Employees issued on April 7, 2020 by the California Department of Industrial Relations Division of Occupational Safety & Health Publication Unit.
- ii. FCDPH, and/or the County Public Health Officer may modify this guidance based on other factors.

E. All Other Employers shall:

- i. On a daily basis, while conducting business, screen all employees for febrile respiratory illness.
- ii. Exclude from work all employees that report symptoms of febrile respiratory illness for 10 days from the day that they are identified as having symptoms; and
- iii. Direct employees excluded from work to isolate at home AND to notify all close contacts to quarantine themselves for 14 days from the last known contact with the patient.
- iv. The FCDPH, the County Public Health Officer, and individual business Employee Health Departments with the approval of the County Public Health Officer, may modify this guidance based on other factors. Businesses must contact the FCDPH and receive approval from the County Public Health Officer before modifying the above guidance. Please contact (559) 600-3200 to obtain contact information and instructions about how to proceed.

F. All Residents shall:

- i. Self-monitor for signs and symptoms of COVID-19; and
- ii. Isolate themselves if they have signs and symptoms for 10 days after onset of symptoms, unless they should require further medical attention, AND notify their close contacts to quarantine for 14 days.
- iii. 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.

7. Criteria for clearance to return to work:

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 FCDPH, the County Public Health Officer, and individual business Employee Health Departments with the approval of the County Public Health Officer, may modify this guidance based on other factors.
- ii. Businesses must contact the FCDPH and receive approval from the County Public Health Officer before modifying the following guidance to allow employees to return to work.

B. Workers may return to work:

- i. After 10 days have passed since positive COVID-19 test date, if they remain asymptomatic.
- ii. After 10 days have passed since ONSET of COVID-19 symptoms and 3 days since recovery from these symptoms, if they are symptomatic.

8. For the purpose of this order:

- A. Febrile respiratory illness is defined as “a new or worsening episode of either cough or shortness of breath, presenting with fever (temperature 38 degrees C or 100.4 degrees F or higher) or chills in the previous 24 hours;”
- B. Close contact is defined as “someone who has spent 15 minutes or more time within 6 feet or less of the index person while unmasked;”
- 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:
 - (i) Fever
 - (ii) Cough
 - (iii) Shortness of breath
 - (iv) Chills
 - (v) Repeated shaking/ tremors
 - (vi) Muscle pains
 - (vii) Headache
 - (viii) Sore throat
 - (ix) New loss of taste or smell

9. County-wide Masking Requirement Effective May 22, 2020:

To facilitate safe business reopening in Phase 2 of the State Roadmap to Modify the Stay-At-Home Order, all residents 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 guidelines to prevent spread of respiratory droplets when physical distancing cannot be maintained.

- i. Face coverings with one-way exhalation valves are not sufficient to comply with this order.

- ii. Adults with respiratory illnesses, certain medical conditions, and children under 12 years old are excused from use of face coverings due to suffocation risk; however, they should still comply with social distancing of at least 6 feet from others outside their households.
 - iii. Hands should be clean when masks are being placed or removed, and hand-to-face activity kept to a minimum to prevent the introduction of viral droplets to the airway.
 - iv. This requirement is to help slow the spread of novel coronavirus in situations where social distancing is not maintained due to social spacing or professional conditions.
 - v. Voluntary compliance from the residents of the county is requested, and businesses are encouraged to inform employees and post signage about their specific masking policy or preferences.
 - vi. Individuals dining at restaurants are exempt from this requirement.
 - vii. Additional guidance related to masking in schools and those businesses permitted to reopen in Phase 3 will be made separately.
10. This order shall supersede the previous orders issued on March 27, April 14, and May 18, 2020. The County Public Health Officer may amend this order as needed. This Order shall remain in full force and effect until terminated, superseded, or amended.
11. The CDPH and the CDC may recommend further guidance.

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,
Interim Health Officer

5/20/2020
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 FCDPH at (559) 600-3332 during normal business hours Monday – Friday from 8:00am – 5:00pm.
- 4.** All requests to contact the County Health Officer will be through FCDPH at (559) 600-3332 during normal business hours Monday – Friday from 8:00am – 5:00pm.