IDAHO DEPARTMENT OF HEALTH & WELFARE

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March 25, 2020

TO: All Citizens of the State of Idaho, Elected and Appointed Officials

FROM: Dave Jeppesen, Director

RE: Order to Self-Isolate for the State of Idaho

Please find attached, an Order to Self-Isolate for all individuals living in Idaho. The isolation order was issued in order to fight the community spread of coronavirus that has been confirmed in Idaho. It is based on the advice and direction of state, federal and local public health experts.

- The isolation order requires Idaho residents to stay and work from home as much as possible while ensuring all essential services and business remain available.

- The isolation order identifies the essential services and businesses that will remain open, including grocery stores, health care facilities, all utilities, gas stations, financial institutions, residential and home-based care, and other businesses essential to the safety and well-being of the residents of citizens of Idaho. Restaurants will still be able to provide delivery and carry out service.

- America's supply chain is the strongest in the world and the Governor has already taken steps to ensure there will be no delay or shortage of supplies. There is no need to rush to the store or hoard supplies.

- The isolation order does not prohibit outdoor activity such as walking, hiking, running, and biking, but a safe distance of six (6) feet must be kept between those who do not live in the same household.

- The isolation order is a crucial step in fighting the spread of coronavirus and ensuring our healthcare system is not overrun with many cases at the same time.

Please do your part to protect your family and neighbors, stay calm, and isolate yourself to help our state get through this difficult time safely.

IDAHO DEPARTMENT OF HEALTH AND WELFARE
ORDER OF THE DIRECTOR

ORDER TO SELF-ISOLATE
DATE OF ORDER: March 25, 2020

THIS ORDER DIRECTS ALL INDIVIDUALS LIVING IN THE STATE OF IDAHO TO SELF-ISOLATE AT THEIR PLACE OF RESIDENCE.

1. EXCEPT THAT THEY MAY LEAVE TO PROVIDE OR RECEIVE CERTAIN ESSENTIAL SERVICES OR ENGAGE IN CERTAIN ESSENTIAL ACTIVITIES AND WORK FOR ESSENTIAL BUSINESS AND GOVERNMENT SERVICES;

2. EXEMPTING INDIVIDUALS EXPERIENCING HOMELESSNESS FROM THE SELF-ISOLATION ORDER BUT URGING THEM TO FIND SHELTER AND GOVERNMENT AGENCIES TO PROVIDE IT;

3. DIRECTING ALL BUSINESSES AND GOVERNMENTAL AGENCIES TO CEASE NONESSENTIAL OPERATIONS AT PHYSICAL LOCATIONS IN THE STATE OF IDAHO;

4. PROHIBITING ALL NON-ESSENTIAL GATHERINGS OF ANY NUMBER OF INDIVIDUALS; AND

5. ORDERING CESSATION OF ALL NON-ESSENTIAL TRAVEL.

The Director of the Idaho Department of Health and Welfare ("the Director") is authorized by Idaho Code § 56-1003(7) "to impose and enforce orders of isolation and quarantine to protect the public from the spread of infectious or communicable diseases."

This Order shall become effective at 1:30 p.m. on March 25, 2020 and will continue to be in effect until 11:59 p.m. on April 15, 2020 or until it is extended, rescinded, superseded, or amended in writing by the Director.

Please read this Order carefully. Violation of or failure to comply with this Order could constitute a misdemeanor punishable by fine, imprisonment, or both. Idaho Code § 56-1003(7)(c).

SUMMARY

The virus that causes Coronavirus 2019 Disease ("COVID-19") is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety.

Because of the risk of the rapid spread of the virus, and the need to protect all citizens of the State of Idaho, especially individuals most vulnerable to the virus and health care providers, this Order requires all individuals anywhere in the State of Idaho to self-isolate – that is, stay at home – except for certain essential activities and work to provide essential business and government services or perform essential public infrastructure construction, including housing.

This order begins at 1:30 p.m. on March 25, 2020, and will continue to be in effect until 11:59 p.m. on April 15, 2020, or until it is extended, rescinded, superseded, or amended in writing by the Director, subject to the limited exceptions and under the terms and conditions more particularly set forth below.

Gatherings of individuals outside the home are prohibited, with certain exceptions for essential activities or essential travel or to perform work for essential businesses and government agencies or perform essential infrastructure work.

This Order requires during the effective period of the Order that all bars and nightclubs are ordered closed. Restaurants and cafes, regardless of their seating capacity, that serve food are ordered closed except solely for takeout and delivery service.

Additionally, all indoor gyms and recreation facilities are ordered closed. Homeless individuals are not subject to this Order to Self-Isolate but are strongly urged to find shelter and government agencies are urged to take steps needed to provide shelter for those individuals.

Under any of the limited circumstances in which individuals are allowed to interact in person outside their residence, the Director orders individuals to abide by the following requirements:

(i) Maintain at least six feet from other individuals, wash hands with soap and water for at least 20 seconds as frequently as possible or using hand sanitizer, cover coughs or sneezes, and not shake hands;

(ii) For people with medical conditions, regardless of age, that put them at higher risk of serious complications should they contract COVID-19, and other than health care workers and other essential providers, avoid leaving their homes to the extent possible; and

(iii) For employers in the State of Idaho that do not provide essential businesses or government services, take all steps necessary for employees to work remotely from home to the extent possible.

These requirements build on the United States Centers for Disease Control and Prevention guidelines issued March 11, 2020, extended as necessary to address the health emergency affecting the State of Idaho.

No individual who is sick may go to the workplace or be outside the home except as necessary to seek or receive medical care in accordance with guidance from public health officials.

The Director may revise this Order as the situation evolves. Check the Governor's coronavirus website (coronavirus.idaho.gov) regularly.

UNDER THE AUTHORITY OF IDAHO CODE § 56-1003(7) THE IDAHO DEPARTMENT OF HEALTH AND WELFARE DIRECTOR ORDERS:

1. This Order is issued based on evidence of increasing occurrence of COVID-19 within the State of Idaho, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the state places its citizens at risk for serious health complications, including death, from COVID-19.

   Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the State of Idaho. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in transmission of the virus.

   The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the State of Idaho.

2. This Order is necessary to slow the rate of spread and will be re-evaluated as further data becomes available.

3. The intent of this Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the maximum extent possible. When people need to leave their places of residence, whether to obtain or perform vital services, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times reasonably possible comply with Social Distancing Requirements as defined in Section 8.j. below. All provisions of this Order should be interpreted to effectuate this intent.

4. All individuals currently living within the State of Idaho are ordered to self-isolate at their place of residence. To the extent individuals are using shared or outdoor spaces, they must at all times as reasonably possible maintain social distancing of at least six feet from any other person when they are outside their residence. All persons may leave their residences only for Essential Activities, Essential Governmental Functions, or to operate Essential

Businesses, all as defined in Section 8. Individuals experiencing homelessness are exempt from this Section, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make such shelter available as soon as possible and to the maximum extent practicable and to use COVID-19 risk mitigation practices in their operation.

5. All businesses with a facility in the State of Idaho, except Essential Businesses as defined below in Section 8, are required to cease all activities at facilities located within the state except Minimum Basic Operations, as defined in Section 8.g. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home). All Essential Businesses are strongly encouraged to remain open. To the greatest extent feasible, Essential Businesses shall comply with Social Distancing Requirements as defined in Section 8.j. below, including by maintaining six-foot social distancing for both employees and members of the public, including, but not limited to, when any customers are standing in line.

6. All people in Idaho shall immediately cease hosting or participating in all public and private gatherings and multi-person activities for social, spiritual and recreational purposes, regardless of the number of people involved, except as specifically identified in Section 8. Such activity includes, but is not limited to, community, civic, public, leisure, faith-based, or sporting events; parades; concerts; festivals; conventions; fundraisers; and similar activities. This prohibition also applies to planned wedding and funeral events, with the exception that funerals are permitted so long as they occur outside and comply with the Social Distancing Requirements as defined in Section 8.j.

7. All travel is prohibited, including but not limited to, travel on scooter, motorcycle, automobile, or public transit, except Essential Travel and Essential Activities as defined below in Section 8.h. and 8.a., respectively. People must use public transit only for purposes of performing Essential Activities or to travel to and from work to operate Essential Businesses or maintain Essential Governmental Functions. All travel must comply with Social Distancing Requirements as defined in Section 8.j. below, to the greatest extent feasible. This Order allows travel into or out of the State of Idaho to perform Essential Activities, operate Essential Businesses, or maintain Essential Governmental Functions.

8. Definitions and Exemptions

   a. For purposes of this Order, individuals may leave their residence only to perform any of the following "**Essential Activities**." But people at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

      i. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets) or livestock, such as, by way of example only and without

limitation, obtaining medical supplies or medication, visiting a health care professional, or obtaining supplies they need to work from home.

ii. To obtain necessary services or supplies for themselves and their family or household members, or to deliver, including by truck or rail, those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, livestock feed and supplies, fresh meats, fish, and poultry, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences.

iii. To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements as defined in Section 8.j., such as, by way of example and without limitation, walking, hiking, bicycling, or running.

iv. To perform work providing essential products and services at an Essential Business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations.

v. To care for a family member or pet in another household.

b. For purposes of this Order, individuals may leave their residence to work for or obtain services at any "**Healthcare Operations**" including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers, or any related and/or ancillary healthcare services. "Healthcare Operations" also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. "Healthcare Operations" does not include fitness and exercise gyms and similar facilities.

c. For purposes of this Order, individuals may leave their residence to provide any services or perform any work necessary to the operations and maintenance of "**Essential Infrastructure**," including, but not limited to, public works construction, commercial construction and the transfer and selling thereof, construction of housing (in particular affordable housing or housing for individuals experiencing homelessness) and the transfer and selling thereof, airport operations, water, sewer, gas, electrical, oil refining, mining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, telecommunications relay service, and web-based services), provided that they carry out those services or that work in compliance with Social Distancing Requirements as defined this Section, to the extent possible.

As explained in Section 8.k. below, this Order incorporates by reference the guidance in the Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued by the Cybersecurity and Infrastructure Security Agency of the United States Homeland Security on March 19, 2020 ("CISA Guidance").

d. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions." **Essential Government Functions** means all services needed to ensure the continuing operation of local, state, federal, or tribal government agencies and provide for the health, safety and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements as defined by Section 8.j., to the extent possible.

As explained in Section 8.k. below, if any provisions in this Order conflict with any of the guidance in the CISA Guidance then the provisions of this Order shall control.

e. For the purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.

f. For the purposes of this Order, "**Essential Businesses**" means:

i. Healthcare Operations and Essential Infrastructure;

ii. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish, and poultry, liquor, beer, and wine and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences;

iii. Food cultivation and production, including farming, livestock, fishing, and food processing;

iv. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;

v. Newspapers, television, radio, and other media services;

vi. Gas stations and auto-supply, auto-repair, and related facilities;

vii. Banks, credit unions, and financial institutions, including processing and maintaining systems for processing financial transactions and services (e.g., payment clearing, and settlement; wholesale funding; insurance services; and capital markets activities);

viii. Hardware stores and firearms businesses as provided for in Idaho Code section 46-601(3);

ix. Plumbers, electricians, exterminators, landscapers, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;

x. Businesses providing mailing and shipping services, including post office boxes;

xi. Educational institutions—including public and private K-12 schools, colleges, and universities—for purposes of facilitating distance learning or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible;

xii. Laundromats, dry cleaners, and laundry service providers;

xiii. Restaurants and other facilities that prepare and serve food, but only for delivery or carry out. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site;

xiv. Hotels, motels, shared rental units, and similar facilities for purposes of housing, or to quarantine, those individuals exempted under Section 8.

xv. Businesses that supply products needed for people to work from home;

xvi. Businesses that supply other Essential Businesses or Essential Government Functions with the support or supplies necessary to operate;

xvii. Businesses that ship or deliver groceries, food, goods or services directly to residences;

xviii. Airlines, taxis, and other private transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;

xix. Home-based care for seniors, adults, or children;

xx. Residential facilities and shelters for seniors, adults, and children;

xxi. Essential tribal operations;

xxii. All operations at or related to the Idaho National Laboratory or needed to support or provide supplies to the Idaho National Laboratory;

xxiii. Professional services, such as legal or accounting services, when necessary to assist in compliance with legally mandated activities;

xxiv. Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following condition: childcare must be carried out in as small and stable groups as possible.

As explained in Section 8.k. below, this Order incorporates by reference CISA Guidance issued by the Cybersecurity and Infrastructure Security Agency of the United States Homeland Security on March 19, 2020.

g. For the purposes of this Order, "**Minimum Basic Operations**" include the following, provided that employees comply with Social Distancing Requirements as defined this Section, to the extent possible, while carrying out such operations:

i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.

ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

h. For the purposes of this Order, "**Essential Travel**" includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in Section 8.j.

i. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses, or Minimum Basic Operations.

ii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.

iii. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.

iv. Travel to return to a place of residence from outside the jurisdiction.

v. Travel required by law enforcement or court order.

vi. Travel required for non-residents to return to their place of residence outside the State of Idaho. Individuals are strongly encouraged to verify that their transportation out of the State of Idaho remains available and functional prior to commencing such travel.

i. For purposes of this order, residences include hotels, motels, shared rental units, and similar facilities.

j. For purposes of this order "**Social Distancing Requirements**" includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

k. This Order incorporates by reference the Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response issued by the Cybersecurity and Infrastructure Security Agency of the United States Homeland Security on March 19, 2020. That guidance is located at https://www.cisa.gov/publication/guidance-essential-critical-infrastructure-workforce. This order also incorporates federal guidance from the Department of the Treasury and the Department of defense that are located at https://home.treasury.gov/news/press-releases/sm956 and https://media.defense.gov/2020/Mar/22/2002268024/-1/-1/1/DEFENSE-INDUSTRIAL-BASE-ESSENTIAL-CRITICAL-INFRASTRUCTURE-WORKFORCE-MEMO.PDF

9. The Director requests that the Sheriff and the Chiefs of Police in the State of Idaho, and the Idaho State Police ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat to public health.

10. This Order shall become effective at 1:30 p.m. on March 25, 2020 and will continue to be in effect until 11:59 p.m. on April 15, 2020 or until it is extended, rescinded, superseded, or amended in writing by the Director.

11. To decrease the spread of COVID-19, the cities, counties, and public health districts of the State of Idaho may enact more stringent public health orders than those set out in this Order.

12. This Self-Isolation Order supersedes and replaces the prior Self-Isolation Order I issued for Blaine County, Idaho on March 20, 2020.

13. Each county and each city must promptly provide copies of the Order as follows: (1) by posting the Order on its website, (2) by posting the Order at each county courthouse and each city hall, and (3) by providing a copy to any member of the public requesting it. The Order will also be posted on the website of the Department of Health and Welfare.

14. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, 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 this Order are severable.

IT IS SO ORDERED:

Dated: March 25, 2020

DAVE JEPPESEN, DIRECTOR
IDAHO DEPARTMENT OF HEALTH
AND WELFARE