



## Disease Control and Prevention

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### HEALTH OFFICER ORDER No. 2020-2

#### COUNTY OF SANTA BARBARA

#### HOSPITALS & LICENSED RESIDENTIAL FACILITIES

**EFFECTIVE DATE: MARCH 19, 2020**

On March 12, 2020, the County of Santa Barbara declared a local emergency and a local health emergency in relation to the arrival of a novel coronavirus, COVID-19, in the community. Our precautions since issuance of that Order and what we do over the next few days and weeks will determine how well we weather this emergency.

On March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic. The Centers for Disease Control and Prevention advises us that COVID-19 spreads easily from person to person and has issued guidelines recommending that the public adopt policies and routines to enable social distancing wherever possible.

COVID-19 places residents at hospitals and licensed residential facilities at high risk, especially given that visitors to such facilities may have the virus but may not have symptoms or may have mild symptoms. Such visitors can easily pass the virus on to vulnerable residents. Because of this risk, and the need to protect these most vulnerable members of the community, this Order restricts Visitors and Non-Essential Personnel from those facilities. This Order applies to the incorporated and unincorporated areas of the County of Santa Barbara and shall be effective until 11:59 p.m. on April 21, 2020, or until it is earlier rescinded, superseded, or amended by the Health Officer or by the State Public Health Officer, in writing.

This Order restricts Visitors and Non-Essential Personnel from hospitals and types of licensed residential facilities listed in Section 11.

**ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF SANTA BARBARA (THE "HEALTH OFFICER") ORDERS:**

1. Effective as of the date of this Order, the staff of each hospital, and types of licensed residential facilities listed in Section 11 below (each defined as a "Residential Facility") shall exclude from entry or access to its Premises any Visitors and Non-Essential

Personnel including, but not limited to, visitors of residents at the Hospital or Residential Facility. Such Visitors and Non-Essential Personnel, including but not limited to family members of residents and authorized decision-makers, are hereby ordered not to visit any Hospital or Residential Facility except as permitted by this Order. This visitation restriction has a limited exception described in Section 6 below. This restriction is in place for the limited duration listed in Section 8 below.

2. Each Hospital or Residential Facility must discourage Non-Essential Resident Movement, as defined in Section 7 below, onto and off of Hospital or Residential Facility Premises where feasible. Whenever a Hospital or Residential Facility resident leaves the Hospital or Residential Facility Premises, the resident is ordered to comply with Santa Barbara County Public Health Department Orders on gatherings. The Public Health Department Orders are available online at [www.sbcphd.org](http://www.sbcphd.org), this Order automatically incorporates those changes by this reference.
3. 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 12, 2020 Declaration of Local Health Emergency for the County of Santa Barbara issued by the Santa Barbara County Health Officer, the March 12, 2020 Proclamation of Local Emergency for the County of Santa Barbara issued by the Director of Emergency Services, and the March 13, 2020 Proclamation Declaring a National Emergency issued by the President of the United States.
4. This Order restricts physical contact between Hospital or Residential Facility residents and Visitors and Non-Essential Personnel. When Visitors and Non-Essential Personnel seek to visit or contact a resident, there are two ways a Hospital or Residential Facility may facilitate contact:
  - i. *First*, each Hospital or Residential Facility must make reasonable efforts to facilitate such contact by other means (such as telephone or videoconference) that do not expose the resident to in-person contact.
  - ii. *Second*, each Hospital or Residential Facility may authorize Necessary Visitation on a case-by-case basis using the following protocol. Necessary Visitation means a visit or contact that is based on urgent health, legal, or other issues that cannot wait until later. If the needs and context of a particular request for Necessary Visitation justifies a temporary exception to this Order, the Hospital or Residential Facility Administrator may arrange for Necessary Visitation by one visitor of a Hospital or Residential Facility resident. Whether the needs and context justify a temporary exception is left to the determination of the Hospital or Residential Facility Administrator, who must make the decision based on this Order and the COVID-19 Guidance issued by federal, state, or the County of Santa Barbara (referred to as "COVID-19 Guidance"). For example, one designated visitor could be allowed for women in active labor, a pediatric patient, or patients near the end of life. Also, any Necessary Visitation permitted under this Section must

be done subject to requirements of the COVID-19 Guidance and as otherwise deemed appropriate by the Hospital or Residential Facility. For example, Necessary Visitation must include appropriate steps to protect residents from exposure to the COVID-19 virus, such as hand washing, masking, maintaining at least six feet distance from other people, and a short duration of visit. Visitors permitted under this paragraph are hereby ordered to comply with all conditions of visitation imposed COVID-19 Guidance and by the Hospital or Residential Facility at the time of entry or access to the Premises.

5. If any Visitor or Non-Essential Person refuses to comply with this Order, then the Hospital or Residential Facility may contact local law enforcement to request assistance in enforcing this Order. The Hospital or Residential Facility shall take whatever steps are possible within the bounds of the law to protect residents from any such visitor or person who refuses to comply with this Order. For example, a Hospital or Residential Facility should contact facility security and ask the unauthorized visitor or person to comply with conditions of visitation imposed by the Hospital or Residential Facility and this Order. Even if a Visitor or Non-Essential Person otherwise complies with the facility's visitation protocols as outlined in this paragraph, they are still in violation of this Order if their presence is not a Necessary Visitation.

This Order does not restrict first responder access to Hospital or Residential Facility Premises during an emergency. Further, this Order does not restrict state or federal officers, investigators, or medical or law enforcement personnel from carrying out their lawful duties on Hospital or Residential Facility Premises. Persons other than first responders permitted access under this paragraph must comply with all conditions of visitation imposed by the Hospital or Residential Facility at the time of entry or access to the Hospital or Residential Facility Premises when feasible.

6. For the purposes of this Order, the following terms have the meanings given below:
  - i. "*Necessary Visitation*" means a visit or contact that is based on urgent health, legal, or other issues that cannot wait until later.
  - ii. "*Non-Essential Resident Movement*" means travel off or onto Hospital or Residential Facility Premises by a resident other than for specific treatment or pressing legal purposes as described more fully in the COVID-19 Guidance.
  - iii. "*Premises*" includes without limitation the buildings, grounds, facilities, driveways, parking areas, and public spaces within the legal boundaries of each Hospital or Residential Facility type listed in Section 11 below.
  - iv. "*Residential Facility*" are those licensed facility types listed in Section 11 below.

- v. *“Visitors and Non-Essential Personnel”* are employees, contractors, or members of the public who do not perform treatment, maintenance, support, or administrative tasks deemed essential to the healthcare mission of the Hospital or Residential Facility. This term includes family members and loved ones of residents and those who have legal authority to make healthcare or other legal decisions for a resident. The Ombudsperson is an authorized visitor and is not included in this term, but the Ombudsperson must still follow all conditions of visitation imposed by the Hospital or Residential Facility and should also try to avoid non-essential visits.
7. This Order applies to the incorporated and unincorporated areas of the County of Santa Barbara and shall be effective until 11:59 p.m. on April 21, 2020, or until it is earlier rescinded, superseded, or amended by the Health Officer or by the State Public Health Officer, in writing. It is possible this Order will be extended for the protection of Hospital or Residential Facility residents based on conditions at that time.
8. While this Order is in effect, the Hospital and Residential Facility must provide copies of the Order in all of the following ways: (1) post this Order on the its website (if any); (2) post this Order at all entrances to the Hospital or Residential Facility; (3) provide this Order to each resident; (4) provide this Order to any authorized decision maker for each resident if not the resident, including any conservator; (5) provide this Order to the Hospital or Residential Facility Ombudsperson (if any); and (6) offer it to anyone who visits or who contacts the Hospital or Residential Facility seeking to visit.
9. Each Hospital and Residential Facility must within 12 hours of receipt of this Order notify its respective licensing entity (whether the California Department of Public Health or otherwise) of the existence of this Order regarding the Hospital or Residential Facility.
10. This Order applies to each facility licensed type listed below:

Hospitals including General Acute Care and Psychiatric Health Facilities

Skilled Nursing Facilities

Intermediate Care Facilities of all license types

Residential Care Facilities for the Elderly “RCFE” of all license types

Adult Residential Care Facilities (ARF)

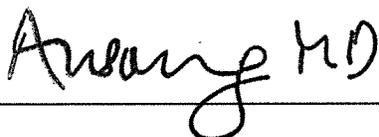
FOR EACH HOSPITAL OR RESIDENTIAL FACILITY LISTED ABOVE THE RESIDENT OR THE RESIDENT’S AUTHORIZED LAWFUL REPRESENTATIVE MAY CONTACT A

REPRESENTATIVE OF THE FACILITY TO SEEK CLARIFICATION OF ANY PART OF THIS ORDER BY CONTACTING THE ADMINISTRATOR OF THE HOSPITAL OR RESIDENTIAL FACILITY.

IF A RESIDENT OR THE RESIDENT'S AUTHORIZED LAWFUL REPRESENTATIVE OBJECTS TO THE APPROPRIATENESS OF THE LIMITATION OF ACCESS CONTAINED IN THIS ORDER, THE RESIDENT OR LAWFUL AUTHORIZED REPRESENTATIVE MUST FIRST RAISE THEIR CONCERN WITH THE FACILITY AT ISSUE. THE HOSPITAL OR RESIDENTIAL FACILITY IS ORDERED TO RESPOND TO THE CONCERN WITHIN 4 BUSINESS DAYS.

IF AFTER RECEIVING A RESPONSE FROM THE HOSPITAL OR RESIDENTIAL FACILITY THE OBJECTION IS NOT RESOLVED, THE RESIDENT OR LAWFUL AUTHORIZED REPRESENTATIVE MAY SUBMIT A WRITTEN OBJECTION FOR CONSIDERATION TO THE PUBLIC HEALTH DEPARTMENT THROUGH THE FOLLOWING METHOD: SUBJECT: OBJECTION TO HEALTH OFFICER ORDER [PHDAdmin@sbcphd.org](mailto:PHDAdmin@sbcphd.org). PLEASE PROVIDE A DESCRIPTION OF THE BASIS OF THE OBJECTION, INCLUDING ANY FACTS OR CONTEXT THAT ARE RELEVANT. THE DEPARTMENT OF PUBLIC HEALTH WILL TRY TO RESPOND PROMPTLY. THE LOCAL HEALTH EMERGENCY MAY NOT PERMIT A PROMPT RESPONSE. IF A RESPONSE IS NOT RECEIVED WITHIN 4 BUSINESS DAYS OF RECEIPT OF THE OBJECTION, THE OBJECTION WILL BE CONSIDERED NOT GRANTED.

IT IS SO ORDERED:



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Henning Ansorg, M.D.  
Health Officer  
Santa Barbara County Public Health Department

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code §§ 120295, et seq.)