HEALTH OFFICER ORDER No. 2020-11.1
COUNTY OF SANTA BARBARA

HOSPITALS & LICENSED RESIDENTIAL FACILITY VISITOR RESTRICTIONS FOR THE CONTROL OF COVID-19

Health Officer Order No. 2020-11.1
Supersedes and Replaces Health Officer Order No. 2020-11

Effective JUNE 12, 2020 5:00 PM PDT

Please read this Order carefully. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine of up to $1,000, imprisonment, or both. (Health and Safety Code §§ 101029, 120295 et seq.) Violators are also subject to civil enforcement actions including fines or civil penalties per violation per day, injunctive relief, and attorneys' fees and costs.

WHEREAS, on March 4, 2020, Governor Newsom declared a state of emergency for conditions caused by a novel coronavirus, COVID-19, and on March 11, 2020, the World Health Organization declared COVID-19 a global pandemic, and on March 12, 2020, the County of Santa Barbara declared a local emergency and a local health emergency in relation COVID-19 in the community; and

WHEREAS, there has been significant community-based transmission in California; and

WHEREAS, in the County of Santa Barbara as well as throughout California and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time – should the virus spread unchecked; and

WHEREAS, in direct response to the lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to "flatten the curve" of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread; and

WHEREAS, in furtherance of this effort, on March 19, 2020, Governor Newsom issued Executive Order N-33-20 requiring all persons residing in the State to remain in their homes or places of residence, except as needed to maintain the continuity of operations for critical infrastructure (the "State Stay-at-Home Order"); and

WHEREAS, also on March 19, 2020, the State Public Health Officer ordered all individuals living in the State of California to stay home or at their place of residence, except as needed to maintain continuity of operations for the federal critical infrastructure sectors, which was updated on March 28, 2020; and

WHEREAS, The California Department of Public Health (CDPH) has found due to the community spread of COVID-19, considerations must be made for the safety of health facility staff and patients, resulting in many health care facilities suspending visitation, except when medically necessary or essential to the care of the patient. The CDPH has recognized the importance that visitors play in the mental well-being of patients, including pediatric patients, patients in labor and delivery, and patients at end-of-life. CDPH has also recognized the importance of ensuring people with disabilities receive the support they need while hospitalized. CDPH considers visitors an essential part of patient care and recovery.

WHEREAS, the County Health Officer finds (1) that COVID-19 places residents at licensed residential facilities and individuals in hospitals 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; and, (2) distinctions made in this Order are to minimize the spread of COVID-19 that could occur through proximity and duration of contact between individuals; and

WHEREAS, the intent of this Order is to restrict Visitors and Non-Essential Personnel from hospitals and types of licensed residential facilities listed in Section 7 and to slow the spread of COVID-19 to the maximum extent possible. All provisions of this Order should be interpreted to effectuate this intent.

ACCORDINGLY, UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, TITLE 17 CALIFORNIA CODE OF REGULATIONS SECTION 2501, THE HEALTH OFFICER OF THE COUNTY OF SANTA BARBARA ORDERS:

1. This Order is effective 5:00 p.m. (PDT) June 10, 2020 and continuing until 5:00 p.m. (PDT), on July 30, 2020 or until it is extended, rescinded, superseded, or amended in writing by the County of Santa Barbara Health Officer ("Health Officer"). This Order applies in the incorporated and unincorporated areas of Santa Barbara County ("County").

2. Effective as of the date of this Order, the staff of each hospital, and types of licensed residential facilities listed in Section 7 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 limited exceptions described below.

3. Each Hospital or Residential Facility must discourage Non-Essential Resident Movement, as defined in Section 6 below, onto and off of Hospital or Residential Facility Premises where feasible.

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 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"). 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. 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. Nothing in this Order obligates a Hospital or Residential Facility to allow Necessary Visitation or prohibits a Hospital or Residential Facility from adopting stricter guidance or requirements for Necessary Visitation than provided by this Order.

5. **Exceptions to this Order.**

i. **First Responders.** 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.

ii. **One Visitor Allowed at Hospitals.** One Unique Designated Visitor ("UDV") per patient per day is allowed at hospitals for the length of the patient's stay. The UDV must be screened for temperature and symptoms before entering the Hospital. The UDV may not be a COVID positive case or a confirmed contact of a COVID positive case. UDVs may not visit COVID positive or COVID-suspect patients. The UDV must wear a procedural face mask at all times while inside the Hospital. If sufficient procedural face masks are not available, the UDV may wear a clean Face Covering at all times while inside the Hospital..

The UDV is restricted from all public areas. The UDV must stay in the patient room at all times, except upon entering and leaving the Hospital. The UDV's purchase and/or consumption of food and beverages or use of the cafeteria will be determined by the hospital, based on their infection prevention and control program. A UDV is not allowed to stay overnight.

iii. **Two Visitors Allowed at Hospitals for Pediatric, and Obstetrics Patients.** Two Unique Designated Visitors per pediatric or obstetrical patient per day are allowed at hospitals for the length of the patient's stay. One or both UDVs may be present during each day. The UDV must be screened for temperature and symptoms before entering the Hospital. The UDV may not be a COVID positive case or a confirmed contact of a COVID positive case. UDVs may visit COVID positive patients upon express exceptions made by Hospital. The UDV must wear a procedural face mask at all times while inside the Hospital. If sufficient procedural face masks are not available, the UDV may wear a clean Face Covering at all times while inside the hospital. The UDV is restricted from all public areas. The UDV must stay in the patient room at all times, except upon entering and leaving the Hospital. The UDV's purchase and/or consumption of food and beverages or use of the cafeteria will be determined by the hospital, based on their infection prevention and control program. One UDV may be allowed to stay overnight for pediatric and obstetrics patients.

iv. Visitors For Patients Near End of Life. The Hospital or Residential Facility Administrator may make the determination for the number of visitors, based on the needs and context of a particular request and guided by their infection prevention and control program.

v. **Visitors for Other Licensed Care Facility Types**. This exception does not apply to Skilled Nursing Facilities Two Unique Designated Visitors may be allowed per resident at licensed residential care facility and intermediate care facility types listed in Section 7. Visitation may be implemented at the facility administrator's discretion and as feasible at the facility. Two UDV may be allowed to visit with residents in outside areas. The UDV must be screened for temperature and symptoms before visiting. The UDV may not be a COVID positive case or a confirmed contact of a COVID positive case. The two UDVs may visit at the same time. Visits must occur in outdoor areas and all persons must maintain a 6-foot distance. Resident and UDVs must wear a procedural face mask or Face Covering at all times. UDVs may not enter the facility.

i. **Resident Movement at Adult Residential Facilities such as** Social Rehabilitation Facilities, Enhanced Behavioral Support Facilities, and residential treatment facilities. Facility administrators at these types of facilities may, but are not obligated to, allow Residents to travel off or onto their facility's premises for purposes other than specific treatment or pressing legal purposes.

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 7 below.

iv. "Residential Facility" are those licensed facility types listed in Section 7 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 may make essential visits, 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.

vi. "Unique Designated Visitor" or "UDV" is a person who is designated as a visitor for the patient or resident each day. The Unique Designated Visitor may change from day to day or week to week. However, this Order strongly recommends visitors to be consistent and not change day to day or week to week when feasible, especially in non-hospital / non-hospice settings.

vii. "Face Covering" means a covering made of cloth, fabric or permeable materials, without holes, that covers only the nose and mouth and surrounding areas of the lower face. It may be factory-made or handmade from household materials. Any face covering or mask incorporating a one-way valve that is designed to facilitate easy exhaling is not a Face Covering under this Order. These one-way valve masks cannot be used to comply with this Order because the valve permits respiratory droplets to easily escape which places others at risk.

7. This Order applies to each facility licensed type listed below:

ii. Hospitals including General Acute Care and Psychiatric Health Facilities

iii. Skilled Nursing Facilities

iv. Intermediate Care Facilities of all license types

v. Residential Care Facilities for the Elderly "RCFE" of all license types

vi. Adult Residential Care Facilities ("ARF")

vii. Hospice Facilities

viii. Social Rehabilitation Facility

ix. Enhanced Behavioral Support Facility

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 two (2) 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 No. 2020-11.1 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 three (3) business days of receipt of the objection, the objection will be considered not granted.

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, they may still be violation of this Order if their presence is not a Necessary Visitation.

This Order is issued as a result of the worldwide pandemic of COVID-19 which has infected at least 7,154,389 individuals worldwide, in 213 countries and territories, including 1787 cases and 15 deaths in the County, and is implicated in over 407,715 worldwide deaths.

This Order is issued based on evidence of increasing transmission of COVID-19 both within the County and worldwide, scientific evidence regarding the most effective approach to slow transmission of communicable diseases generally and COVID-19 specifically, as well as best practices as currently known and available to protect the public from the risk of spread of or exposure to COVID-19.

This Order is issued because of the propensity of the virus to spread person to person and also because the virus physically is causing property loss or damage due to its proclivity to attach to surfaces for prolonged periods of time.

This Order is issued in accordance with, and incorporates by reference: the March 4, 2020 Proclamation of a State Emergency issued by Governor Gavin Newsom; the March 12, 2020 Declaration of Local Health Emergency and Proclamation of Emergency based on an imminent and proximate threat to public health from the introduction of novel COVID-19 in the County; the March 17, 2020 Resolution of the Board of Supervisors ratifying the County Declaration of Local Health Emergency and Proclamation of Emergency regarding COVID-19; the guidance issued on March 11, 2020 by the California Department of Public Health 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 of 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 for COVID-19 or who have had a high-risk exposure and are thought to be in the incubation period; the March 13, 2020 Presidential Declaration of a National Emergency due to the national impacts of COVID-19; the guidance issued on March 15, 2020 by the Centers for Disease Control and Prevention, the California Department of Public Health, 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; the March 16, 2020 Order of the State Public Health Officer prohibiting all gatherings with expected presence above ten (10) individuals; and Governor Newsom's Executive Order N-33-20 of March 19, 2020 ordering all persons to stay at home to protect the health and well-being of all Californians and to establish consistency across the state in order to slow the spread of COVID-19; the March 22, 2020, Presidential Declaration of a Major Disaster in California beginning on January 20, 2020 under Federal Emergency Management Agency (FEMA) Incident 4482-DR-CA.

This Order is made in accordance with all applicable State and Federal laws, including but not limited to: Health and Safety Code sections 101040 and 120175; Health and Safety Code sections 101030 et seq., 120100 et seq.; and Title 17 of the California Code of Regulations section 2501.

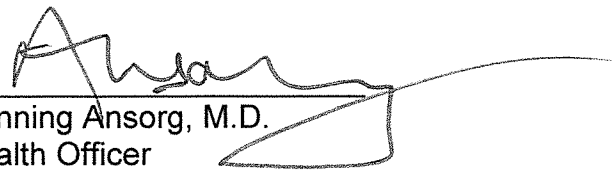
If any provision of this Order or the application thereof to any person or circumstance is held to be invalid by a court of competent jurisdiction, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

The violation of any provision of this Order constitutes a threat to public health. Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code sections 101029 and 120295, the Health Officer requests that the Sheriff and all chiefs of police in the County ensure compliance with and enforce this Order.

Copies of this Order shall promptly be: (1) made available at the County Public Health Department; (2) posted on the County Public Health Department's website (publichealthsbc.org); and (3) provided to any member of the public requesting a copy of this Order.

This Order 2020-11.1 supersedes and replaces Order 2020-11 previously issued by the County of Santa Barbara Health Officer on May 31, 2020.

IT IS SO ORDERED:



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

ATTACHMENT A

HEALTH OFFICER ORDER NO. 2020-12
COUNTY OF SANTA BARBARA

Businesses that Must Keep Physical Locations Closed

1. Amphitheaters, concert halls and venues, performing arts centers
2. Amusement and theme parks
3. Arenas
4. Banquet halls
5. Body art facilities including piercing, branding, and tattoos (except for the sale of retail items)
6. Celebrations (such as weddings, family reunions, birthday parties, bar/bat mitzvah, quinceañeras, bachelor/bachelorette parties, baby showers, etc.)
7. Climbing gyms
8. Community centers
9. Conference and convention centers
10. Dance halls, dances
11. Fairs, festivals, public exhibitions
12. In-person higher education including technical schools, colleges, universities, adult education, and trade schools (distance learning is permitted)
13. Ice skating rinks
14. Live performance venues, live theatre
15. Music events, concerts
16. Nail salons, manicurist, and pedicurist, except those required for medical necessity, such as treatment for diabetes, or persons taking prescribed blood thinners
17. Nightclubs
18. Indoor paintball, laser tag, or air soft facilities
19. Personal services such as day spas, body waxing and massage parlors, except those required for medical necessity
20. Playgrounds
21. Raceways
22. Rodeos, public equestrian events
23. Roller skating rinks, roller derby
24. Saunas and steam rooms
25. Organized sports (except professional sports without a live audience)
26. Sports stadiums and facilities (except as necessary for professional sporting events without live audiences)
27. Trampoline and bounce houses

ATTACHMENT B

HEALTH OFFICER ORDER NO. 2020-12
COUNTY OF SANTA BARBARA

COVID-19 SELF-EVALUATION

The County Health Officer has defined COVID-19 symptoms as follows:

Mild to Moderate Symptoms Related to or
Other Respiratory Illness such as:

Sore Throat

Runny Nose

Fever

Chills

Not Feeling Well

Sneezing

Coughing

Gastro-Intestinal symptoms such as:

Soft Stool

Stomach Cramps

New Loss of smell and/or taste

ATTACHMENT C: SOCIAL DISTANCING PROTOCOL

Businesses must complete Social Distancing Protocol or similar COVID- 19 protection plan described in CDPH industry guidance and checklists required by the state for all businesses prior to reopening.

Business name: _____ Facility Address: _____

Approximate gross square footage of space open to the public: _____

Businesses must implement all applicable measures listed below, and be prepared to explain why any measure that is not implemented is inapplicable to the business.

Signage:

- ☐ Signage at each public entrance of the facility to inform all employees and public that they should: avoid entering the facility if they have a cough or fever; maintain a minimum six-foot distance from one another; sneeze and cough into a cloth or tissue or, if not available, into one's elbow; and not shake hands or engage in any unnecessary physical contact.
- ☐ Signage posting a copy of the Social Distancing Protocol at each public entrance to the facility.

Measures To Protect Employee Health (check all that apply to the facility):

- ☐ Everyone who can carry out their work duties from home has been directed to do so.
- ☐ All employees have been told not to come to work if sick.
- ☐ All desks or individual work stations are separated by at least six feet.
- ☐ Break rooms, bathrooms, and other common areas are being disinfected frequently, on the following schedule:
  - ☐ Break rooms: _____
  - ☐ Bathrooms: _____
  - ☐ Other: _____
- ☐ Disinfectant and related supplies are available to all employees at the following location(s):
  - ☐ Hand sanitizer effective against COVID-19 is available to all employees at the following location(s): _____
  - ☐ Soap and water are available to all employees at the following location(s): _____
  - ☐ Copies of this Protocol have been distributed to all employees.
  - ☐ Optional—Describe other measures: _____

Measures To Prevent Crowds From Gathering (check all that apply to the facility):

- ☐ Limit the number of public in the store at any one time to _____, which allows for public and employees to easily maintain at least six-foot distance from one another at all practicable times.
- ☐ Post an employee at the door to ensure that the maximum number of persons in the facility set forth above is not exceeded.
- ☐ Placing per-person limits on goods that are selling out quickly to reduce crowds and lines. Explain: _____
- ☐ Optional—Describe other measures: _____

Measures To Keep People At Least Six Feet Apart (check all that apply to the facility)

- ☐ Placing signs outside the store reminding people to be at least six feet apart, including when in line.
- ☐ Placing tape or other markings at least six feet apart in customer line areas inside the store and on sidewalks at public entrances with signs directing customers to use the markings to maintain distance.
- ☐ Separate order areas from delivery areas to prevent persons from gathering.
- ☐ All employees have been instructed to maintain at least six feet distance from the public and from each other, except employees may momentarily come closer when necessary to accept payment, deliver goods or services, or as otherwise necessary.
- ☐ Optional—Describe other measures: _____

Measures To Prevent Unnecessary Contact (check all that apply to the facility):

- ☐ Preventing people from self-serving any items that are food-related.
  - ☐ Lids for cups and food-bar type items are provided by staff; not to customers to grab.
  - ☐ Bulk-item food bins are not available for self-service use.
- ☐ Not permitting customers to bring their own bags, mugs, or other reusable items from home.
- ☐ Providing for contactless payment systems or, if not feasible, sanitizing payment systems regularly. Describe: _____
- ☐ Optional—Describe other measures (e.g. providing senior-only hours): _____

Measures To Increase Sanitization (check all that apply to the facility):

- ☐ Disinfecting wipes that are effective against COVID-19 are available near shopping carts and shopping baskets.
- ☐ Employee(s) assigned to disinfect carts and baskets regularly.
- ☐ Hand sanitizer, soap and water, or effective disinfectant is available to the public at or near the entrance of the facility, at checkout counters, and anywhere else inside the store or immediately outside where people have direct interactions.
- ☐ Disinfecting all payment portals, keypads, pens, and styluses after each use.
- ☐ Disinfecting all high-contact surfaces frequently.
- ☐ Optional—Describe other measures: _____

* Any additional measures not included here should be listed on separate pages, which the business should attach to this document.

You may contact the following person with any questions or comments about this protocol:

Name: _____ **Phone number:** _____