

SARPY/CASS

Health Department

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March 31, 2020

ORDER

WHEREAS, pursuant to Nebraska Revised Statute § 71-1631, the Sarpy/Cass Health Department ("SCHD") is authorized to promulgate rules and regulations concerning contagious, infectious, and malignant disease in the counties under its jurisdiction;

WHEREAS, on January 31, 2006 the Sarpy County Board of Commissioners approved the adoption of rules and regulations for the prevention of spread of communicable disease, illness or poisoning by the SCHD;

WHEREAS, on December 20, 2005, the Cass County Board of Commissioners approved the adoption of rules and regulations for the prevention of spread of communicable disease, illness or poisoning by the SCHD;

WHEREAS, the Novel Coronavirus (COVID-19, also known as severe acute respiratory syndrome coronavirus 2, or "SARS-Cov-2") has dramatically impacted the citizens of Sarpy and Cass County, Nebraska;

WHEREAS, on March 16, 2020, the Center for Disease Control and Prevention ("CDC") issued Interim Guidance for COVID-19, specifically warning against gatherings of more than ten (10) people; and

WHEREAS, The Director makes the following findings:

1. Information from the World Health Organization, the CDC, the SCHD, and members of the Sarpy and Cass County medical community indicates that citizens of Sarpy and Cass County have and will continue to be exposed to COVID-19.
2. COVID-19 presents a risk of death to any exposed person; COVID-19 exposure will be wide-spread and poses a significant risk of harm to people in the general population; and there exists a particular subset of the population more vulnerable to COVID-19 and thus at increased risk.
3. In assessing the nature of the risk presented, the threat is from a novel infectious agent.
4. Directed Health Measures exist to effectively prevent, limit, or slow the spread of COVID-19 amongst the citizens of Sarpy and Cass County.
5. A delay in the imposition of Directed Health Measures would significantly jeopardize the ability to prevent or limit the transmission of COVID-19 and pose unacceptable risk to the citizens of Sarpy and Cass County.

THEREFORE, the following Directed Health Measures are hereby ordered for Sarpy and Cass County effective March 31, 2020 at 12:01 a.m. and continuing until April 30, 2020 unless renewed, extended, or terminated by subsequent order, and all persons are ordered to comply:

1. Gatherings are hereby prohibited.

Gatherings are defined as any event or convening that brings together more than ten (10) patrons, customers, or other invitees, excluding staff, in a single room or single space at the same time, including but not limited to, a school, daycare facility (including in-home facilities), gymnasium, fitness center, auditorium, stadium, arena, large event conference room, meeting hall, theater, library, weddings, funerals, parades, fairs, festivals, and concerts or other confined indoor or confined outdoor space.

Any event or convening with fewer than ten (10) patrons, customers, other invitees where a minimum distance of six (6) feet between all individuals cannot be maintained in the venue are prohibited. This includes, but is not limited to, tattoo parlors, massage therapy, barber shops, and beauty/nail salons.

If a venue is subdivided into multiple spaces separated by either physical walls or sufficient airspace each subdivided area may contain up to ten (10) patrons, customers, or other invitees, excluding staff.

Food and beverage sales at restaurants, bars, taverns, private clubs and any dine-in establishments are restricted to carry-out, drive-thru, and delivery only. This does not apply to and/or exempts food service in health care facilities.

Lines for carry-out and drive-thru in the above-referenced establishments must have an environment where patrons and staff maintain social distancing (a distance of six feet away from other person) whenever possible.

2. Daycare and childcare facilities shall operate under the following conditions:

- a. Childcare shall be carried out in groups of ten (10) or fewer children; and, to the extent possible, providers shall maintain the same ten (10) or fewer children daily in each group.
- b. If more than one group of children is cared for at one facility, each group shall be in a separate room separated by either physical walls or sufficient airspace. Each subdivided area may contain up to ten (10) or fewer children. Groups shall not mix with each other to the extent possible.
- c. To the extent possible, childcare providers shall remain solely with the same group of children daily.

3. Elective surgeries and elective procedures are hereby prohibited. For the purpose of this Order, this means a surgery or procedure that is scheduled in advance because it does not involve a medical emergency. Surgeries or procedures that must be done to

preserve the patient's life or physical health, but do not need to be performed immediately, are allowed by a case-by-case determination of the medical provider.

4. Individuals who test positive for COVID-19 or who have any of the following symptoms: fever of 100.4 F or above, cough, shortness of breath and individuals who reside or resided with individuals who have tested positive for COVID-19 or with individuals who have any of the above symptoms shall home-quarantine, unless quarantined in a health care facility, for a period of no less than 14 days, from the date of the positive test or onset of symptoms, per attached Quarantine Directions. For household members of a person under home-quarantine, home-quarantine can be discounted seven (7) days (a total of fourteen (14) days). Please see the attached, and hereby incorporated in full, Quarantine directions, per 173 NAC 6-006.03B. Individuals who reside or have resided with individuals who have tested positive for influenza or an alternative diagnosis are not subject to quarantine under this Order.
5. This order does not apply to courts of law; healthcare facilities; medical providers; public utilities; critical federal, state, county and city operations; continuity of business operations; logistics/distribution centers; congregate living settings; shelters; public transportation; airport travel; necessary shopping at fuel states; stores or malls; election offices; polling places on an election day; or to a family residence housing ten (10) or more people. However, these settings are directed to observe all applicable state and federal guidelines for infection control and to use heightened, diligent and effective disinfection of exposed surfaces meeting the directions of the Nebraska Department of Health and Human Services, CDC and Environmental Protection Agency.
6. This Order is issued because of the worldwide pandemic of COVID-19 disease, also known as "novel coronavirus", which has infected at least 509,000 individuals worldwide and is implicated in over 23,000 worldwide deaths. SCHD jurisdiction has thirteen (13) cases.
7. This Order is issued based on evidence of increasing transmission of COVID-19 both within the Sarpy and Cass County, Nebraska 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.
8. This Order is intended to reduce the likelihood of exposure to COVID-19, thereby slowing the spread of COVID-19 in communities worldwide. As the presence of illness increases, the difficulty and magnitude of tracing individuals who may have been exposed to a case rises exponentially, increasing the likelihood that such gatherings will impair efforts at mitigating the spread of the illness.
9. To the extent necessary, the Director requests that the Sarpy and Cass County Sheriff and all Chiefs of Police in the SCHD jurisdiction ensure compliance with and

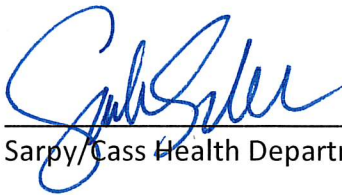
enforcement of this Order. Pursuant to Nebraska Revised Statute sections 71-501 and 506 and Nebraska Administrative Code 173 sections 6-009 and 6-006, any person violating this order may be subject to a Class V Misdemeanor for each offense.

10. This order takes effect when it has been disseminated to the mass media.

This Order will remain in effect no longer than necessary to ensure that individuals or groups affected by COVID-19 no longer pose a public health threat.

Failure to comply with this Order will result in legal action for enforcement by civil and/or criminal remedies.

You have the right to present evidence to the Director of the Sarpy/Cass Health Department or her designee to show that the Order should be modified or terminated. Please contact the Director's office at 402-537-6967 to make the arrangements.



Sarpy/Cass Health Department Director or Designee

March 29, 2020

Date