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COUNTY HEALTH OFFICER

COUNTY OF ORANGE HEALTH OFFICER'S STRONG RECOMMENDATIONS AND ORDERS (Revised August 25, 2023)

The following Orders and Strong Recommendations shall revise and replace the prior Orders and Strong Recommendations of the County Health Officer that were issued on March 24, 2023. The Orders and Strong Recommendations issued on March 24, 2023, are no longer in effect as of August 25, 2023.

Pursuant to California Health and Safety Code sections 101030, 101470, and 120175, the County Health Officer for the County of Orange orders and strongly recommends the following:

ORDERS

I. Seasonal Flu Vaccination

All Orange County residents and persons who work in Orange County, and who fall under one of the following categories, shall obtain the seasonal flu vaccination unless a medical or religious exemption applies:

- (i) Health care providers;
- (ii) Emergency responders.

Nothing herein shall be construed as an obligation, on the part of employers, public or private, to require employees obtain the seasonal flu vaccination as a term or condition of employment.

- *Health care providers* shall mean physicians; psychiatrists; nurses; nurse practitioners; nurse assistants; medical technicians; any other person who is employed to provide diagnostic services, preventive services, treatment services, or other services that are integrated with and necessary to the provision of patient care and, if not provided, would adversely impact patient care; and employees who directly assist or are supervised by a direct provider of diagnostic, preventive, treatment, or other patient care services; and employees who do not provide direct health care services to a patient but are otherwise integrated into and necessary to the provision those services – for example, a laboratory technician who processes medical test results to aid in the diagnosis and treatment of a health condition. A person is not a health care provider merely because his or her employer provides health care services or because he or she provides a service that affects the provision of health care services. For example, IT professionals, building maintenance staff, human resources personnel, cooks, food services workers, records managers, consultants, and billers are not health care providers, even if they work at a hospital or a similar health care facility.

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- *Emergency responder* shall mean military or national guard; law enforcement officers; correctional institution personnel; fire fighters; emergency medical services personnel; physicians; nurses; public health personnel; emergency medical technicians; paramedics; emergency management personnel; 911 operators; child welfare workers and service providers; public works personnel; and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency; as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility.

II. **COVID-19 Outbreaks**

All employers in Orange County that are subject to Cal/OSHA Standards shall follow applicable Cal/OSHA requirements during COVID-19 Outbreaks.

Further details about Cal/OSHA COVID-19 Prevention Non-Emergency Regulation Standards can be found at:

https://www.dir.ca.gov/dosh/coronavirus/Non_Emergency_Regulations.

STRONG RECOMMENDATIONS

I. **General Public**

The SARS-CoV-2 Virus (COVID-19) continues to circulate in Orange County and seasonal changes will continue to fluctuate in the disease's activity. State of California and federal guidance on effective actions individuals could take, individually and collectively, to protect themselves from contracting and spreading COVID-19 disease continues to be reviewed and updated, based on evolving knowledge and circumstances of the COVID-19 disease.

Further guidance from California Department of Public Health (CDPH) about COVID-19 can be found at the following site:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/COVID-19Resources.aspx>

It is strongly recommended that all Orange County residents and individuals who visit Orange County follow the State of California's guidance found at the above-referenced guidance.

II. **Workplaces**

It is strongly recommended that all employers in Orange County continue to follow CDPH guidance to protect workers against COVID-19, which may be found at the following site: <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/EmployeesAndWorkplaces.aspx>.

III. **Health Care Facilities and Health Care Workers**

It is strongly recommended that all health care facilities located in Orange County and health care workers who work in Orange County follow the applicable State of California

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guidance, which may be found at the following site:

<https://www.cdph.ca.gov/Programs/CID/DCDC/pages/guidance.aspx>.

IV. **Skilled Nursing Facilities**

To further protect the most vulnerable at Skilled Nursing Facilities (SNF), all staff, residents, and visitors of a skilled nursing facility, the universal use of face masks or NIOSH certified respirators is strongly recommended in these settings when two or more cases of COVID-19 are identified in residents within a seven-day period in that facility. Universal use of face masks or NIOSH certified respirators is strongly recommended until seven days after the last case is identified. This is exclusive of residents who are COVID-19 positive on admission or identified with infection within 72 hours of admission.

Further information can be found at:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-for-Face-Coverings-as-Source-Control-in-Healthcare-Settings.aspx>

V. **Seasonal Flu Vaccination for County Residents**

It is strongly recommended that all Orange County residents who are six months of age or older obtain the seasonal flu vaccination.

GENERAL PROVISIONS

1. The Orders and Strong Recommendations, above, shall not supersede any conflicting or more restrictive orders issued by the State of California or federal government. If any portion of this document or the application thereof to any person or circumstance is held to be invalid, the remainder of the document, 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 the Orders and Strong Recommendations, above, are severable.
2. The Orders contained in this document may be enforced by the Orange County Sheriff or Chiefs of Police pursuant to California Health and Safety Code section 101029, and California Government Code sections 26602 and 41601. A violation of a health order is subject to fine, imprisonment, or both (California Health and Safety Code section 120295).

REASONS FOR THE ORDERS AND STRONG RECOMMENDATIONS

1. On February 26, 2020, the County of Orange Health Officer and the Chairwoman of the Board of Supervisors declared a Local Health Emergency and Local Emergency, respectively, based on an imminent and proximate threat to public health from the introduction of COVID-19 in Orange County. On March 2, 2020, the Orange County Board of Supervisors ratified both declarations.
2. On March 4, 2020, the Governor of the State of California declared a State of Emergency to exist in California as a result of the threat of COVID-19.

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3. With the burden of COVID-19 disease abating and a large proportion of the population vaccinated, the Governor of the State of California terminated the State's COVID-19 State of Emergency on February 28, 2023. The Orange County Board of Supervisors also terminated the Local Health Emergency and Local Emergency on February 28, 2023.
4. The Orders and the Strong Recommendations contained in this document are based on the following facts: (i) As of August 24, 2023, 731,559 recorded confirmed COVID-19 cases and 8,274 COVID-19 related deaths have been reported in Orange County; (ii) Safe and effective Food and Drug Administration authorized COVID-19 vaccines have been widely available, but certain populations have been slow to getting vaccinated or boosted; (iii) the current consensus among public health officials for avoiding severe illness caused by COVID-19 is for persons to complete a COVID-19 vaccination series and receive an updated (bivalent) booster if eligible, wear a well-fitted face mask in indoor settings when around others outside of their household, practice distancing, and frequently wash hands; (iv) some individuals who contract COVID-19 have no symptoms or have only mild symptoms and so are unaware that they carry the virus and are transmitting it to others; (v) current evidence shows that the novel coronavirus can survive on surfaces and can be indirectly transmitted between individuals; (vi) older adults and individuals with medical conditions are at higher risk of severe illness; (vii) sustained COVID-19 community transmission continues to occur; (viii) the age and health status of a portion of Orange County's residents place them at risk for serious health complications, including hospitalization and death, from COVID-19; (ix) younger and otherwise healthy people are also at risk for serious health outcomes and for transmitting the novel coronavirus to others.
5. The strong recommendation for universal masking at skilled nursing facilities when two or more COVID-19 cases are identified in a facility is based on the disproportionate burden of serious disease and death caused by COVID-19 in these facilities' residents throughout the pandemic.
6. The Orders and Strong Recommendations contained in this document are necessary and the least restrictive preventive measures to control and reduce the spread of COVID-19 in Orange County, help preserve critical and limited health care capacity in Orange County and save the lives of Orange County residents.
7. The California Health and Safety Code section 120175 requires the County of Orange Health Officer knowing or having reason to believe that any case of a communicable disease exists or has recently existed within the county to take measures as may be necessary to prevent the spread of the disease or occurrence of additional cases.
8. The California Health and Safety Code sections 101030 and 101470 require the County Health Officer to enforce and observe in the unincorporated territory of the county and within the city boundaries located within a county all of the following: (a) Orders and ordinances of the Board of Supervisors, pertaining to the public health and sanitary matters; (b) Orders, including quarantine and other regulations, prescribed by the department; and (c) Statutes relating to public health.
9. The California Health and Safety Code section 120130 (d) authorizes the County of Orange Health Officer to require strict or modified isolation, or quarantine, for any case of contagious, infectious, or communicable disease, when such action is necessary for the protection of the public health.

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IT IS SO ORDERED:

Date: August 25, 2023

Regina Chinsio-Kwong, DO

County Health Officer

Chief of Public Health Services

County of Orange