

## ORDER OF BIG HORN COUNTY LOCAL HEALTH OFFICER

### No. 2020-13

WHEREAS, the Montana Department of Public Health and Human Services (DPHHS) recognizes COVID-19 as a threat to the residents of Montana; and

WHEREAS, response plans and protocols have been activated to prepare for cases of COVID-19 in Big Horn County, Montana; and

WHEREAS, the Montana DPHHS, local health departments, allied health and medical departments, and local jurisdictions have activated response plans and protocols to prepare for the arrival of the virus in Montana; and

WHEREAS, proactively implementing mitigation measures to slow the spread of the virus is in the best interests of the State of Montana, Big Horn County and its people, as set forth in the Board of Big Horn County Commissioners' Emergency Proclamation Resolution No 2020-7, A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF BIG HORN COUNTY, MONTANA PROCLAIMING AN EMERGENCY RESULTING FROM THE IMMINENT THREAT OF A DISASTER CAUSING IMMEDIATE PERIL TO LIFE OR PROPERTY THAT TIMELY ACTION CAN AVERT OR MINIMIZE; and

WHEREAS Administrative Rule of Montana 37.114.102 LOCAL BOARD RULES provides:

1. A local board of health may adopt rules for the control of communicable diseases, if such rules are as stringent as, and do not conflict with, the requirements of this chapter.

WHEREAS, the Local Board of Health has adopted QUARANTINE AND ISOLATION MEASURES; and

WHEREAS, Montana Code Annotated § 50-2-118 provides:

**50-2-118. Powers and duties of local health officers.** In order to carry out the purpose of the public health system, in collaboration with federal, state, and local partners, local health officers or their authorized representatives shall:

- (1) make inspections for conditions of public health importance and issue written orders for compliance or for correction, destruction, or removal of the condition;
- (2) take steps to limit contact between people in order to protect the public health from imminent threats, including but not limited to ordering the closure of buildings or facilities where people congregate and canceling events;

(3) report communicable diseases to the department as required by rule;

(4) establish and maintain quarantine and isolation measures as adopted by the local board of health; and

(5) pursue action with the appropriate court if this chapter or rules adopted by the local board or department under this chapter are violated.;

and

WHEREAS, based upon the foregoing, the Local Health Officer should institute her authority to close buildings and facilities to prevent the spread of COVID-19 to Big Horn County, Montana and take steps to limit contact between people; and

WHEREAS Orders of the Big Horn County Local Health Officer [hereinafter Orders shall be referred to as Order \_\_\_\_\_ with the appropriate number]; and

WHEREAS Order 12 provided that “this Order may be revised, updated, amended, changed, or revoked in whole or in part at any time”; and

WHEREAS, Big Horn County attempted to reopen through a phased reduction of restrictions and, in fact, the number of cases has increased, by way of example, but not limitation, the number of persons in Big Horn County who have been diagnosed with COVID-19 has increased since the implementation of Order 12 on the 1<sup>st</sup> day of July 2020; and

NOW THEREFORE, IT IS ORDERED that:

- A. **Revocation of Order 12** Order 12 is hereby revoked immediately upon the execution of this Order, Order 13.
- B. **Gubernatorial Executive Orders and Directives** All persons shall, in addition with this Order, comply with the requirements of all other Executive Orders and Directives issued by the Governor of the State of Montana, provided, however if the restrictions in the Executive Orders or Directives issued by the Governor of the State of Montana are less restrictive than the restrictions in this Order, then the restrictions in this Order shall apply.
- C. **Self-reporting of Contact and Quarantine** To further contain the spread of COVID-19, if a person has had close contact with a person who has tested positive for COVID-19, or with a person for which there is a strong suspicion that the person has COVID-19,

or if there is a strong suspicion that a person has COVID-19, such person, shall report, verbally or in writing, to Office of the Local Health Officer and shall quarantine under an Order of Quarantine issued by the Local Health Officer [hereinafter referred to as LHO] or the authorized representative of the LHO, the Big Horn County Public Health Nurse [hereinafter PHN], or a Quarantine Agreement a template of which is attached hereto as Exhibit "A" and by this reference, made a part hereof.

- D. **Persons Opined to be Infected and Isolation** To further contain the spread of COVID-19, people who, in the sole opinion of the LHO or PHN are infected with COVID-19 shall be immediately isolated at a location and time deemed suitable by the LHO or the PHN. Such isolation may be made at the Order of the LHO or PHN or, at the sole discretion of the LHO or PHN pursuant to an Isolation Agreement a template hereof which is attached hereto as Exhibit "B" and by this reference incorporated herein as if set forth in full. The LHO or PHN may direct such person to be examined by a physician licensed in Montana of the LHO's or PHN's choosing. Such examination may be paid for by the Local Board of Health. Any person who refuses examination or treatment shall be isolated until such time as the LHO or PHN makes a judgment that releasing the person from isolation would not endanger others. The LHO or PHN shall investigate sources of the infection.
- E. **Staying in Place of Quarantine except for Medical Emergency** Any person ordered to quarantine or isolate must not leave the place of quarantine or isolation without written permission of the LHO or PHN. Provided said person may leave the place of quarantine or isolation in the event of a medical emergency, in which case said person must go directly from the place of quarantine or isolation to the nearest medical provider that is open.
- F. **Wearing of Masks** People in Big Horn County Montana **must** wear masks when they are outside their home. This requirement to wear a mask, shall apply to each instance set forth in this Order as if in each clause particularly mentioned.

People need not wear a mask:

- When outdoors in areas where it is unlikely that they will come within six (6) feet of persons who are not members of the same household.
- When they are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, whether alone or with household members, when they are able to maintain a distance of at least six feet from others.
- If such person is the age two years or under. These very young children must not wear a face covering because of the risk of suffocation. It is recommended that whenever feasible children should be left in the care of an appropriate person and only one (1) family member should be out in public.
- While working, if so directed by their employer, **in writing**, because wearing a mask would endanger the individual's health and welfare; as determined by local, state, or federal regulators or workplace safety guidelines. Employers must provide, **in writing**, to such persons an explanation of how else the individual may safely mitigate the virus. Persons exempted from wearing a face covering due to working conditions should wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their working condition permits it.
- If directed, **in writing**, by a healthcare provider licensed by the State of Montana who regularly provides medical services to that person. The writing shall not be required in emergent situations. Persons exempted from wearing a face covering due to a medical condition should wear a non-restrictive alternative, such as a face shield with a drape on the bottom edge, as long as their condition permits it.
- When communicating with a person who is hearing impaired a person may lower their mask while talking, when the ability to see the mouth is essential for communication.
- When they are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service.
- When incarcerated, people will be directed by their detention officer on how to mitigate the virus if masks cannot be worn in that facility.

G. **Food and Beverage Workers to Wear Masks** Without limiting the generality of the foregoing, employees and vendors of, and all suppliers of goods or services to, all establishments, profit or non-profit, that deal with food or drink for public usage and/or

consumption, including but not limited to, hospitals, senior citizen group residences, group homes, restaurants, licensed mobile food vendors, permitted temporary food operations, farmers' markets, senior citizen centers, convenience stores, bars, casinos, and grocery stores, while pursuing their employment, must wear face coverings, such as face masks, unless they can guarantee that they will not come within six (6) feet of a patron of the establishment. All patrons must be offered a mask at the door by the establishment, and verbally encouraged to wear said mask/face covering, except while eating/drinking. For purposes of this Clause, it is not relevant that the food or drink is packaged in a container of any sort, including but not limited to cans, bottles, and boxes.

- H. **Temperature Checks for Employees** Employees at all businesses must have their temperature checked before starting work. If an employee's temperature is above one hundred degrees (100.0°) Fahrenheit that employee may not work and must self-quarantine for eight (8) hours (not including a one (1) hour meal break). If after eight (8) hours, during which the employee has taken nothing to reduce the employee's elevated temperature, and the employee has a temperature of one hundred degrees (100.0°) or less the employee may return to work. If after such eight (8) hours the employee still has a temperature of one hundred degrees (100.0°) Fahrenheit or more such employee shall immediately consult with a medical professional regarding the need for COVID-19 screening. If any employee's shift is longer than eight (8) hours (not including a one (1) hour meal break), the employee's temperature must be rechecked eight (8) hours after the first temperature check, and if that employee's temperature is above one hundred degrees (100.0°) Fahrenheit that employee may not work and must proceed as set forth above in this Clause, H. A temperature log must be kept and be available at any time for review by the public health department.
- I. **Barber Shops, Salons, and Massage Therapy Businesses** Barber shops, salons, and massage therapy businesses must practice Social Distancing and follow strict sanitation guidelines. They must limit the number of clients to 50% of the maximum allowed occupancy, or the maximum allowed while still providing Social Distancing, whichever is less.

- J. **Food and Beverage Establishments** Self-service food bars and dining counters remain closed. Dine-in restaurants, bars, and casinos are limited to operations at no greater than 50% occupancy, 50% seating capacity, or the maximum allowed while still providing Social Distancing, whichever is less. Such businesses must demonstrate the ability to enforce such capacity restrictions and to follow strict sanitation guidelines. People may not be allowed to sit at the bar or any tables abutting the bar. Gaming machines have to be restricted to six (6) feet apart (or if immovable, keep at least every other machine inactive). Groups of up to six (6) people can be seated together, if they all arrive and leave together. All patrons must vacate establishment at or before 12:30 a.m. local time.
- K. **Encouragement of Lack of Person Contact** Businesses must limit non-essential travel, encourage teleworking, close common areas where people would congregate, and attempt to make special accommodations for high-risk employees.
- L. **Lodges, Shuttle Services, Long-Term Rental Units (Such As VRBO, Home Away, And Airbnb), Campgrounds, and Parks** Lodges, shuttle services, long-term rental units (such as VRBO, Home Away, and Airbnb), campgrounds, and parks must abide by strict sanitation guidelines. Unless Social Distancing requirements are being strictly adhered to at all times, all persons, including guests and employees, must wear masks except while eating/drinking.
- M. **Gyms, Theatres, and Museums** Gyms, theatres, and museums may reopen per the directives of the Governor of the State of Montana.
- N. **Outdoor Gatherings of 50 or More People** At all outdoor gatherings of 50 or more people, whether or not it constitutes an organized outdoor activities, all individuals except those covered under the listing above entitled "People need not wear a mask" in Section F above, are required to wear face coverings while in attendance where it is impracticable to maintain six feet of physical distance at all times, or when attendees are not observing at least six feet of physical distance from others. You should consult with your local public health office on a plan to implement adequate social distancing. The LHO and PHN will accept plans to implement adequate Social Distancing. A template of a plan is

attached hereto as Exhibit “C” and by this reference incorporated herein as if set forth in full. Comments or the lack thereof regarding any plan submitted shall not be construed to be an approval of a plan and it is the full and total responsibility of the organizer to ensure compliance with enhanced sanitation protocols and the law, including readily maintaining physical distancing throughout all aspects of the event. If appropriate physical distancing cannot be readily maintained throughout the entire event, the LHO or PHN may at their sole discretion decrease the size of the group or close / cancel the event in its entirety at any time prior to or during the event. When eating or drinking at such events, people must maintain Social Distancing and the maximum number of people allowed to sit at a table is six (6), unless all those seated at the table are members of the same household and tables must be appropriately spaced.

- O. **Power of Local Health Officer** Nothing in this Order shall be deemed to limit the power of the LHO under Federal or State Law, including but not limited to, those powers found under Title 50 of the Montana Code Annotated or Title 37 of the Administrative Rules of the State of Montana.
- P. **Definitions**
- Social Distancing or other terms of a similar import shall mean that there shall be a minimum distance of six (6) feet between persons.
  - The term mask(s) include any face covering which covers both the nose and the mouth of the wearer.
  - To the extent not defined herein, terms used herein, which are defined in Montana Code Annotated, or a current Gubernatorial Directive or Executive Order shall have the meanings given in the Montana Code Annotated in such documents. If there is a disagreement in the definitions among the Montana Code and those given in any current Gubernatorial Directive or Executive Order; Montana Code Annotated shall take precedence.
- Q. **Private Entities or Persons Can be More Restrictive** Nothing contained herein shall be construed from prohibiting any person or entity furnishing goods or services or organizing an event from implementing stricter standards, by way of example, but not limitation, the person or entity furnishing the goods or services or organizing the event may require everyone to whom the goods or

services are being furnished or who is attending the event to wear a mask and maintain social distancing.

- R. **Captions** The captions herein are included for convenience of reference only and shall be ignored in the construction or interpretation hereof.
- S. **Americans with Disabilities Act (ADA) and the Montana Human Rights Act, labor laws, or any other applicable law requiring accommodations in public accommodations** Businesses, government offices, persons responsible for indoor spaces open to the public, and sponsors of organized outdoor activities should afford accommodations from the provisions of this Directive to those who are entitled an accommodation under federal and state disability protection laws, including the Americans with Disabilities Act (ADA) and the Montana Human Rights Act, labor laws, or any other applicable law requiring accommodations in public accommodations.
- T. **No Additional Rights Created** This Order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against Big Horn County, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, amended, changed, or revoked in whole or in part at any time.

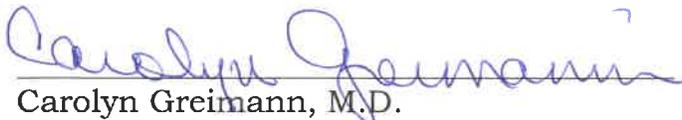
IT IS HEREBY FURTHER ORDERED that this Order shall be effective immediately upon signing and until further notice.

Members of the public are urged to encourage and assist one another in complying with this Order.

Penalties for violation of this Order are set forth in Montana Code Annotated §50-2-124.

To the extent this Order is more restrictive, this Order supplements any Orders or Directives of the State of Montana or the United States Government regarding the COVID-19 virus.

Done and Dated at Hardin, MT this 23<sup>rd</sup> day of July, 2020 at 9:47 a.m.



Carolyn Greimann, M.D.

Local Health Officer for Big Horn County, Montana

809 N Custer Avenue

Hardin, MT 59034

(406) 665-8720

[publichealth@bighorncountymt.gov](mailto:publichealth@bighorncountymt.gov)

**SEE MONTANA CODE ANNOTATED TITLE 50 CHAPTER 2 PART 1 and  
ADMINISTRATIVE RULES OF MONTANA 37.114.102**

**ACTION OF BIG HORN COUNTY HEALTH BOARD**

I hereby certify that this **ORDER OF BIG HORN COUNTY LOCAL HEALTH OFFICER** was duly approved by the Big Horn County Health Board to further implement public health laws with a vote of 4 in favor, 0 opposed, and 0 abstaining and that a quorum was present on this 23<sup>rd</sup> day of July, 2020.



George Real Bird III

Chairman of Health Board



# BIG HORN COUNTY

## HOME QUARANTINE AGREEMENT



Date: \_\_\_\_\_

For Questions, please call: (406) 665-8720

Patient Name: \_\_\_\_\_

DOB: \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

You have been exposed to SARS-CoV-2 (COVID-19) in an infectious stage and are being placed in home quarantine by your local health jurisdiction and your physician. These conditions must be followed:

1. Remain quarantined in your home (or other agreed upon address listed below) until determined to be non-infectious (Other address: \_\_\_\_\_);
2. No contact with persons who do not reside in your home or at the other agreed upon address listed above. No visitors will be allowed in your home or other agreed upon address until the quarantine has ended;
3. Allow Health Department Staff to monitor compliance with home quarantine, including unscheduled visits and phone calls;
4. Go to medically necessary medical appointments AND wear a mask when going to a medical appointment until quarantine has ended.
5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your SARS-CoV-2 status will be determined by your clinical signs and symptoms and additional testing. Quarantine will be discontinued by the local health jurisdiction as soon as you are determined to be non-infectious.

**I understand that if I fail to comply with these conditions, legal action may be taken, possibly resulting in court ordered detainment. I have read the above information and understand it.**

Patients Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Interpreter's Signature (if needed): \_\_\_\_\_ Date: \_\_\_\_\_

PHN or Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Copy given to patient  PHN or designee initials: \_\_\_\_\_

Source of Authority:

Mont. Code Ann. § 50-2-116, 118 ("Powers and Duties of Local Boards of Health" and "Power and Duties of Local Health Officers");  
Administrative Rules of Montana § 37.114.307;

Quarantine and Isolation Measures enacted April 10, 2020 by the Big Horn County Public Health Board

Exhibit "A"



# BIG HORN COUNTY

## HOME ISOLATION AGREEMENT



Date: \_\_\_\_\_

For Questions, please call: (406) 665-8720

Patient Name: \_\_\_\_\_

DOB: \_\_\_\_\_

Street Address: \_\_\_\_\_

Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ ZIP: \_\_\_\_\_

You have SARS-CoV-2 (COVID-19) in an infectious stage and are being placed in home isolation by your local health jurisdiction and your physician. **These conditions must be followed:**

1. Remain isolated in your home (or other agreed upon address listed below) until determined to be non-infectious (Other address: \_\_\_\_\_);
2. No contact with persons who do not reside in your home or at the other agreed upon address listed above. No visitors will be allowed in your home or other agreed upon address until the isolation has ended;
3. Allow Health Department Staff to monitor compliance with home isolation, including unscheduled visits and phone calls;
4. Go to medically necessary medical appointments AND agrees to wear a mask when going to a medical appointment until isolation has ended.
5. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Your SARS-CoV-2 status will be determined by your clinical signs and symptoms and additional testing. Isolation will be discontinued by the local health jurisdiction as soon as you are determined to be non-infectious.

**I understand that if I fail to comply with these conditions, legal action may be taken, possibly resulting in court ordered detainment. I have read the above information and understand it.**

Patients Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Interpreter's Signature (if needed): \_\_\_\_\_ Date: \_\_\_\_\_

PHN or Designee Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Copy given to patient  PHN or designee initials: \_\_\_\_\_

Source of Authority:

Mont. Code Ann. § 50-2-116, 118 ("Powers and Duties of Local Boards of Health" and "Power and Duties of Local Health Officers");

Administrative Rules of Montana § 37.114.308 ("Isolation of Patient: Notice");

Quarantine and Isolation Measures enacted April 10, 2020 by the Big Horn County Public Health Board

Exhibit "B"



## Big Horn County Guidance for Event Planning

The following recommendations and guidelines should be considered when planning an event during the COVID-19 pandemic. As far in advance of your event as possible, submit this completed form to Big Horn County Public Health ([publichealth@bighorncountymt.gov](mailto:publichealth@bighorncountymt.gov)) for review and recommendations. Public Health will review your plans and provide feedback to help you plan a safer event.

Food vendors that prepare and serve food to the public, with or without charge, must be licensed and/or permitted by Big Horn County Sanitarian (406) 665-8720 or [ctaft@bighorncountymt.gov](mailto:ctaft@bighorncountymt.gov).

Following these guidelines will protect people attending your event and decrease the potential of the novel coronavirus (COVID-19) spread in our community. The checklist provides recommendations and best practices to consider when planning your event.

***Name & contact information of the person responsible for event planning:***

**Name:** \_\_\_\_\_

**Email:** \_\_\_\_\_ **Phone:** \_\_\_\_\_

**Type of Event** (check those that apply):

- |                                       |   |  |
|---------------------------------------|---|--|
| <input type="checkbox"/> Wedding      | <input type="checkbox"/> Rodeo          | <input type="checkbox"/> Trade Show      |
| <input type="checkbox"/> Street Fair  | <input type="checkbox"/> Craft Fair     | <input type="checkbox"/> Farmers' Market |
| <input type="checkbox"/> Live Theater | <input type="checkbox"/> Sporting Event | <input type="checkbox"/> Concert         |
| <input type="checkbox"/> Other: _____ |   |  |

**Date(s) of Event:** \_\_\_\_\_

**Event Location:** \_\_\_\_\_

**Estimated Number of Guests:** \_\_\_\_\_

***Please attach additional sheet(s) as needed to answer the following questions.***

**Describe activities planned for the event:**

**Describe your sanitation plan (disinfecting, handwashing, and toilet facilities):**

**Describe your plan to maintain six (6) feet of space between family groups throughout the event:**



## Big Horn County Event Planning Checklist



Check each box to confirm your agreement and understanding of need for plan for each point below.

### Event Size

- Under Local Health Order 9, event size is limited to 50 people unless six (6) feet of distance can be maintained between non-household members throughout the event

### Event Venue

- Plan of how physical distancing will be maintained before and during the event. The event venue should allow for a minimum of six (6) feet of space between attendees who are not members of the same household. Attendees should be able to appropriately distance during all aspects of the event, including but not limited to:
  - Seating
  - Bathroom
  - Standing in line (for entrance, registration, food, etc.)

### Sanitation

- Plan for sanitation protocols before, during, and after the event. The plan should include what products will be used, the frequency of disinfection, what surfaces require disinfection, the availability of hand sanitizer or handwashing stations, and access to toilet facilities.

### Food and Bar

- Plan for safe serving of food and beverages, adhering to current food-service guidelines. Self-service buffets and bars/kegs are not allowed under Health Order 9. Staff may fill a plate or cup from a buffet or keg and serve it to guests, or a bartender can serve drinks directly to guests. "Plated" meals served directly to guests are a best practice. Drink refills are not allowed unless a new cup is used.

### Entertainment/Activities

- Plan for maintaining physical distancing for all entertainment/activities because there is a higher risk for virus transmission with singing, dancing, and other physical activities.

### Staff

- Plan for training, for both paid and volunteer event staff, on the importance of personal hygiene (including proper handwashing), physical distancing, and cleaning and sanitizing. In addition, staff cannot work if they are sick.

### Guests

- Plan on how and when to communicate expectation with guests that they respect physical distancing requirements.
- Guests who are ill should not attend the event.
- Keep a list of event attendees in case of future illness that may be traced back to people at the event.