

ORDER OF BIG HORN COUNTY LOCAL HEALTH OFFICER

No. 2020-10

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 9 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 9 on the 20th day of May 2020 at 5:01 p.m., which termination, with the exception of Order 8 that provided for quarantine and isolation, had the effect of following the phased plans of the Governor’s Directives; and

NOW THEREFORE, IT IS ORDERED that:

- A. Order 9 is hereby revoked immediately upon the execution of this Order, Order 10.
- B. 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 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. 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. 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.

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.

- E. 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, 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.
- F. 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

for eight (8) hours (not including a one (1) hour meal break), at which time the employee's temperature must be rechecked before returning to work. If the 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 for eight (8) hours, at which time the employee's temperature must be rechecked before returning to work. A temperature log must be kept and be available at any time for review by the public health department.

- G. Barber shops, salons, and massage therapy businesses that have reopened under previous orders may remain open but 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.
- H. Self-service food bars and dining counters remain closed. Dine-in restaurants, bars, and casinos that have been reopened under previous orders, 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.
- I. A bar, casino, or dine-in restaurant that had not reopened prior to the effective date of this Order, after entering into a Reopening Plan, the template of which is attached hereto as Exhibit "C" and by this reference made a part hereof as if set forth in full, if it is issued, an Approval, a template of which is attached hereto as Exhibit "D" and by this reference made a part hereof as if set forth in full, and an Explanatory Letter, a template of which is attached hereto as Exhibit "E" and by this reference made a part hereof as if set forth in full, may open. It is the intent of this Order that bars, casinos, and dine-in-restaurants may not reopen until a Reopening Plan is approved.

- J. Businesses that are allowed to be open must limit non-essential travel, encourage teleworking, close common areas where people would congregate, and attempt to make special accommodations for high-risk employees.
- K. Lodges, shuttle services, long-term rental units (such as VRBO, Home Away, and Airbnb), campgrounds, and parks may reopen, but must abide by strict sanitation guidelines, must require the wearing of masks by all employees, and all others at such facilities must be offered masks and verbally encouraged to wear said mask/face covering, except while eating/drinking . Social Distancing requirements must be adhered to at all times.
- L. Gyms, theatres, and museums that had not reopened prior to the effective date of this Order, must submit a written reopening plan to the LHO, if it is issued, an Approval, a template of which is attached hereto as Exhibit “D” and by this reference made a part hereof as if set forth in full, and an Explanatory Letter, a template of which is attached hereto as Exhibit “E” and by this reference made a part hereof as if set forth in full, may open. It is the intent of this Order that gyms, theaters, or museums may not reopen until a Reopening Plan is approved. All Gyms, theatres, and museums, regardless of when they reopened, must offer masks and verbally encourage every person who enters and, with the exception of persons from the same household, must conform to Social Distancing requirements.
- M. People may congregate according to the Directive of the Governor of Montana dated May 19, 2020, which provided in part: “If you are planning an event with more than 50 people you should consult with your local public health office on a plan to implement adequate social distancing.” Directive May 19, 2020. To that end the LHO and PHN will accept plans to implement adequate Social Distancing. A template of a plan is attached hereto as Exhibit “F” 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. All persons at said gatherings or receptions who are not already wearing masks or face coverings must be offered masks on

entrance to the event and encouraged to wear said mask, except while eating/drinking. 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), and tables must be appropriately spaced.

- N. 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.
- O. This Order is in conformance with the Directive of the Governor, which allows counties to adopt stricter standards.
- P. This Order shall be effective immediately upon signing and until further notice.
- Q. Social Distancing or other terms of a similar import shall mean that there shall be a minimum distance of six (6) feet between persons. To the extent not defined herein, terms used herein, which are defined in Montana Code Annotated, shall have the meanings given in the Montana Code Annotated.
- R. The term masks include any face covering which covers both the nose and the mouth of the wearer.
- S. Whenever this Order, calls for furnishing of masks, the person or entity furnishing the goods or services, must furnish masks to patrons or attendees at no charge and must offer masks in-person and not merely by the way of signage and recommend the use of the mask in person and not merely by way of signage to the persons or attendees.
- T. 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.
- U. 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 the 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.

Penalties for violation of this Order may include, but are not limited to, the closing of any establishment that had been allowed to re-open or punishment as a misdemeanor.

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 19th day of June 2020 at 9:23 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

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 5 in favor, 0 opposed, and 0 abstaining and that a quorum was present on this 19th day of June, 2020.



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

BIG HORN COUNTY
APPLICATION FOR REOPENING
REQUIREMENTS FOR MONTANA RETAIL FOOD, LIQUOR, AND GAMING SERVICE ESTABLISHMENTS
TO RE-OPEN DURING COVID-19 PANDEMIC

ESTABLISHMENT NAME: _____

OWNER/OPERATOR: _____

LICENSE NUMBER: _____

PLEASE INITIAL EACH ITEM BELOW INDICATING YOUR UNDERSTANDING OF THE REQUIREMENTS:

A. INCREASE DISTANCE BETWEEN PATRONS, OR GROUPS OF PATRONS:

- Actions to be taken to increase the distance between tables by decreasing available seating (select all that apply):
- Remove half (or more) of the tables from a seating area and spread remaining tables throughout the available seating space.
 - Remove chairs from every other table.
 - Block entrance to every other booth (e.g., by visible tape).
 - Affix a sign on every other table and/or booth stating clearly that the table/booth is closed and not available for patrons' use.

Additional requirements include, but are not limited to, the following:

- No table may accommodate more than six (6) patrons and tables cannot be combined to accommodate more than six (6) patrons.
- No self-service or buffet-type service may be offered at this time.
- For bar areas, remove all chairs or affix a sign to every chair stating clearly that the bar area is closed and not available for patrons' use.
- For gaming areas, disable some machines to allow at least six (6) feet between players.
- Limit waiting areas to no more than ten (10) people as long as waiting area accommodates social distancing (more than six (6) feet between patrons).

B. EMPLOYEE REQUIREMENTS:

Employees will have temperature checked before starting work and the establishment will keep a temperature log that must be made available to Public Health officials upon request. Establishment will not allow employees who have a fever (temperature above 100.0), cough, or shortness of breath to work until symptoms are resolved.

Employees shall be required to wear masks at all times while working.

C. ENHANCED CLEANING AND DISINFECTING:

An enhanced cleaning and disinfecting plan must be available to all staff and must be made available to Public Health officials upon request.

_____ The enhanced cleaning and disinfecting plan must include at least the following components:

- Frequency of cleaning/disinfecting (e.g., before opening, hourly for gaming machines, after each patron/group of patrons, etc.).
- Extent of cleaning (e.g., table tops, chair seats and backs, arm rests, gaming machines, etc.).
- Cleaning products in use, including type of cleaning and disinfecting products and type of cleaning cloth used.

_____ All existing and new staff will be trained on enhanced cleaning and disinfecting protocols prior to re-opening.

_____ Records of training must be retained by the owner/operator and must be made available to Public Health officials upon request.

D. REQUIRED POSTING OF SIGNS/NOTIFICATIONS:

_____ Establishments must post a sign, provided by the Big Horn County Health Department, on every exterior entrance to the establishment that provides general infection prevention messages.

_____ A copy of the re-opening plan approval notification signed by the Public Health Officer must be placed on every exterior entrance to the establishment.

ATTESTATION:

By my signature, on behalf of the establishment identified on this plan, I commit to comply with the plan shown above, as approved by the Big Horn County Health Officer. I acknowledge that failure to comply with the approved plan may result in closure by order of the Health Officer for an indeterminate time.

PRINT NAME: _____

SIGNATURE: _____

TITLE: _____

DATE: _____

RETURN COMPLETED PLAN TO BIG HORN COUNTY HEALTH DEPARTMENT BY ONE (1) OF THE FOLLOWING OPTIONS:

- Email: publichealth@bighorncountymt.gov
- Fax: 406-665-1025
- Mail or hand-deliver to:
BIG HORN COUNTY HEALTH DEPARTMENT
809 N. Custer Ave.
Hardin, MT 59034

Questions? Call (406) 665-8720 or email publichealth@bighorncountymt.gov

BIG HORN COUNTY

Approval to Open for In-Facility Services

Establishment Name

Retail Food License Number

This retail establishment has implemented a plan for physical distancing, enhanced cleaning, and staff training and has been approved to open when the Health Officer's Order for Closure is rescinded or revised to allow in facility service.

Signature of County Local Health Officer

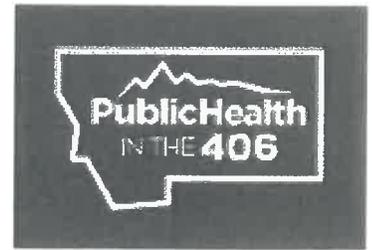
Date of Approval

Carol S. Greimann MD
Local Health Officer
Big Horn County, Montana
809 N. Custer Ave.
Hardin, MT 59034
406-665-8720



Exhibit "D"

**BIG HORN COUNTY
PUBLIC HEALTH DEPARTMENT
809 NORTH CUSTER AVENUE
HARDIN, MT 59034**



Phone: 406-665-8720

Fax: 406-665-1025 Email: publichealth@bighorncountymt.gov

<<Date>>

<<Name>>

<<Establishment>>

<<Address>>

<<City, MT <<Zip>>

Dear <<Name>>,

Your plan meets the required guidelines for the reopening of your establishment and has been approved.

When the Local Health Officer's Closure Order is rescinded or revised to allow for in-facility services, you may provide this service under the conditions outlined in your plan.

Please post the enclosed signage, "Approval to Open for In-Facility Service", in a visible location at all entrance doors. Please also post the "Stop Germs" sign at every entrance/exit door. Additional copies of the signage are available at our office.

If you have any questions or concerns please call the Big Horn County Health Department at 406-665-8720.

Sincerely,

Carolyn S. Greimann MD
Local Health Officer for Big Horn County Montana

Enclosures (2).

Exhibit "E"



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) 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.

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):

- | | | |
|--------------|----------------|-----------------|
| Wedding | Rodeo | Trade Show |
| Street Fair | Craft Fair | Farmers' Market |
| Live Theater | Sporting Event | Concert |

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.