

## ORDER OF BIG HORN COUNTY LOCAL HEALTH OFFICER

### No. 2020-9

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 8 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 exponentially since the termination of Order 6 on the 20<sup>th</sup> 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 8 is hereby revoked immediately upon the execution of this Order, Order 9.
- 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 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, 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, 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 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 to every person who enters and, with the exception of persons from the same household, must conform to Social Distancing requirements.
  
- M. People with no increased risk may congregate in groups of up to fifty (50) people, or the maximum allowable to provide for Social Distancing, whichever is less. Unless prior written approval is obtained from the LHO or PHN, gatherings, including but not limited to worship services, wedding ceremonies, and funeral services, may have up to one hundred (100) people, or the maximum allowable to maintain Social Distancing, whichever is less. Family/household units may sit in close proximity to one another, but need to maintain Social Distancing from other family/household units. Unless prior written approval is obtained from the LHO or PHN, receptions, after-services, or ceremonies, however, are limited to fifty (50) people, or the maximum allowable to maintain for Social Distancing, whichever is less. All persons at said gatherings or receptions must be offered masks on entrance to the event and encouraged to wear said mask/face covering, 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, provided however those who are to furnish masks to clients/guests/patrons under the terms of this Order shall have until 11:31 a.m. Saturday, June 13, 2020, to begin providing masks for these persons. The employees of such facilities will need to commence wearing masks/face coverings effective immediately.
- 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. Whenever this Order, calls for furnishing of masks, the person or entity furnishing the goods or services, or in the case of an event,, the organizer of the event, must furnish masks to patrons or attendees at no charge and must offer masks in-person and not merely by the way of signage to the persons or attendees.

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 5 day of June 2020 at 11:00 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 5<sup>TH</sup> 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

Exhibit "B"

**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](mailto: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](mailto: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.

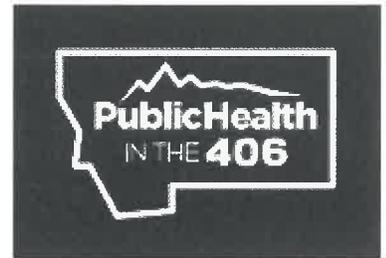
\_\_\_\_\_  
Signature of County Local Health Officer

\_\_\_\_\_  
Date of Approval

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



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

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<<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"