

ORDER OF BIG HORN COUNTY PUBLIC HEALTH OFFICER

No. 2020-7

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, 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, 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.

Therefore, no rules, regulations or orders of the local board of health are needed for the Local Health Officer to issue Orders

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 the County of Big Horn, Montana and take steps to limit contact between people; and

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

WHEREAS, Order of Big Horn County Public Health Officer 2020-6 [hereinafter Order 6] was adopted on May 8, 2020, and which provided in part: "IT IS HEREBY FURTHER ORDERED that this Order may be revised, updated, changed or revoked in whole or in part at any time."

NOW THEREFORE IT IS HEREBY ORDERED that Graduation Ceremonies that do not conform with the requirements of Order 6, but for which a written plan that addresses the safety of those involved, including social distancing and restricting the number of people who may attend, has, prior to such ceremony, been filed with and approved by the Local Health Officer ,may proceed according to such written, filed, and approved plan.

IT IS FURTHER ORDERED, that the Graduation for Ceremonies for Plenty Coup High School in Pryor, Montana met the above requirements and that the approval of the plan for its Graduation Ceremonies is approved nunc pro tunc to the date of said Ceremonies.

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

To the extent 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 22nd day of May 2020 at 10 : 10 a.m.



Carol Greimann, M.D.

Public Health Officer for Big Horn County, Montana

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**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 PUBLIC 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 22nd day of May, 2020.


Chairman of Health Board