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Governor Michael J. Dunleavy
STATE OF ALASKA

** COVID-19 HEALTH MANDATE **

Issued: March 27, 2020

By: Governor Mike Dunleavy
Commissioner Adam Crum, Alaska Department of Health and Social Services
Dr. Anne Zink, Chief Medical Officer, State of Alaska

To prevent the spread of Coronavirus Disease 2019 (COVID-19), the State of Alaska is issuing its eleventh health mandate based on its authority under the Public Health Disaster Emergency Declaration signed by Governor Mike Dunleavy on March 11, 2020.

Given the increasing concern for new cases of COVID-19 being transmitted via community spread within the state, Governor Dunleavy and the State of Alaska are issuing the following mandate to **go into effect March 28, 2020 at 5:00 pm and will be reevaluated by April 11, 2020**.

This mandate is issued to protect the public health of Alaskans. The Governor looks to establish consistent mandates across the State in order to mitigate the impact of COVID-19. The goal is to flatten the curve and disrupt the spread of the virus.

The purpose of this mandate is to restrict the movement of individuals within the State of Alaska in order to prevent, slow, and otherwise disrupt the spread of the virus that causes COVID-19.

The State of Alaska and the Alaska Department of Health and Social Services (DHSS) acknowledge the importance of social distancing, while maintaining essential healthcare services, public government services, and other essential business activities, to prevent, slow, and otherwise disrupt the spread of COVID-19 in Alaska. It is imperative that Alaskans heed these guidelines.

Health Mandate 011 – Social Distancing

Effective 5:00 pm March 28, 2020:

All persons in Alaska, except for those engaged in essential health care services, public government services, and essential business activities, are mandated to remain at their place of residence and practice social distancing. For the purpose of this mandate, social distancing is defined as maintaining a distance of six feet or greater from any individuals with whom you do

not currently reside. Read the **"Mandate 11 & 12 FAQ's"** for more details, which can be found here: http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx

Critical infrastructure includes those items listed in "Alaska's Essential Services and Critical Infrastructure" (formerly Attachment A) https://gov.alaska.gov/wp-content/uploads/sites/2/03232020-COVID-19-Health-Mandate-010-Attachment-A.pdf

I. The Governor orders individuals to abide by the following:

a. Work from home as much as possible (see Alaska Essential Services and Critical Workforce Infrastructure Order).
b. Immediately isolate any family member who is ill. https://www.cdc.gov/coronavirus/2019-ncov/hcp/guidance-prevent-spread.html#precautions
c. Outdoor activity (e.g., walking, hiking, bicycling, running, fishing or hunting) is permitted when a distance of six or more feet can be maintained between individuals not in the same household.
d. Any individual who exhibits symptoms of illness must not leave their home, including to work, except as necessary to seek or receive medical care.
e. All individuals shall cease participation in public or private gatherings that include non-household members, regardless of the number of people involved. This includes, but is not limited to, weddings, faith gatherings, graduations, and funeral events.
f. Individuals experiencing homelessness are exempt from this mandate but are urged to obtain shelter.

II. The Governor orders the closure of non-essential businesses:

a. All businesses within Alaska, except those listed in Alaska Essential Services and Critical Workforce Infrastructure Order, are required to cease all activities at facilities located within the state except Minimum Basic Operations, as defined in Section II(c). For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).
b. For purposes of this Mandate, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or corporate or entity structure
a. "**Minimum Basic Operations**" include the following, provided that employees comply with Social Distancing Requirements as defined in this Section, to the extent possible, while carrying out such operations:
    i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.
    ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

III. The Governor orders employers to abide by the following:

a. Businesses providing essential services and critical infrastructure will, to the extent reasonably feasible, take reasonable precautions to ensure the health of their service sector and employees.
b. Public-facing businesses providing essential services and critical infrastructure will proactively promote social distancing between employees and others, including, but not limited to, expanding delivery options, drive-through services, limiting the number of individuals in a building, clearly spacing lines to keep individuals six feet apart, or making appointment times to minimize interactions between members of the public.
c. Employers will evaluate which of their employees can feasibly work remotely from home and to the extent reasonable, take steps to enable employees to work from home.

A violation of a state COVID-19 Mandate may subject a business or organization to an order to cease operations and/or a civil fine of up to $1,000 per violation.

In addition to the potential civil fines noted above, a person or organization that fails to follow the state COVID-19 Mandates designed to protect the public health from this dangerous virus and its impact may, under certain circumstances, also be criminally prosecuted for Reckless Endangerment pursuant to Alaska Statute 11.41.250. Reckless endangerment is defined as follows:

> **(a) A person commits the crime of reckless endangerment if the person recklessly engages in conduct which creates a substantial risk of serious physical injury to another person.**
> **(b) Reckless endangerment is a class A misdemeanor.**

Pursuant to Alaska Statute 12.55.135, a defendant convicted of a class A misdemeanor may be sentenced to a definite term of imprisonment of not more than one year.

Additionally, under Alaska Statute 12.55.035, a person may be fined up to $25,000 for a class A misdemeanor, and a business organization may be sentenced to pay a fine not exceeding the greatest of $2,500,000 for a misdemeanor offense that results in death, or $500,000 for a class A misdemeanor offense that does not result in death.

This mandate supersedes any local government or tribal mandate, directive, or order.