STATE OF NORTH DAKOTA
DEPARTMENT OF HEALTH

STATE HEALTH OFFICER CONFINEMENT ORDER RELATING TO DISEASE CONTROL MEASURES TO PREVENT THE SPREAD OF 2019-nCoV/COVID-19 PURSUANT TO NORTH DAKOTA CENTURY CODE § 23-01-05(12)

ORDER # 2020-05.2

SECTION A: SUBJECT PERSONS

ALL PERSONS RESIDING IN THE STATE OF NORTH DAKOTA WHO TEST, OR HAVE TESTED, POSITIVE FOR 2019-nCoV/COVID-19.

HEALTH CARE WORKERS ARE EXEMPT FROM THIS ORDER SOLEY FOR PURPOSES OF WORKING IN A COVID UNIT WITHIN A LICENSED HEALTH CARE FACILITY AND PROVIDING SERVICES TO INDIVIDUALS WHO HAVE TESTED POSITIVE FOR 2019-nCoV/COVID-19, SO LONG AS THEY REMAIN ASYMPTOMATIC AND ADDITIONAL PRECAUTIONS, AS RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION AND THE NORTH DAKOTA DEPARTMENT OF HEALTH, ARE IMPLEMENTED TO PROTECT THE WORKER AND THE COMMUNITY.

ADDITIONAL PRECAUTIONS AS RECOMMENDED BY THE CENTERS FOR DISEASE CONTROL AND PREVENTION CAN BE LOCATED AT THE FOLLOWING WEBSITE:

https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html

SECTION B: FINDINGS

1. The Director General of the World Health Organization has declared that the 2019-nCoV/COVID-19 constitutes a Public Health Emergency of International Concern. The Secretary of the U.S. Department of Health and Human Services has declared that 2019-nCoV/COVID-19 constitutes a public health emergency.

2. On March 13, 2020, President Donald Trump issued a declaration of national emergency due to the growing 2019-nCoV/COVID-19 crisis in the United States.

3. On March 13, 2020, Governor Doug Burgum declared a state of emergency in response to the public health crisis resulting from 2019-nCoV/COVID-19; Executive Order 2020-03 activated the State Emergency Operation Plan (SEOP), implementing appropriate response and recovery actions and future mitigation measures.

4. Both travel related cases and community contact transmission of 2019-nCoV/COVID-19 have been documented in North Dakota and are expected to continue.

5. The State Health Officer reasonably believes the subject persons are infections as they have tested positive for 2019-nCoV/COVID-19. Individuals who are positive for 2019-nCoV/COVID-19 are capable of to transmitting the disease to other people, even with mild symptoms. As a result, the subject persons pose a substantial threat to the public health as they are capable of transmitting the disease to others;

6. Increased transmission poses a substantial threat to the public health and the health care system.

7. Isolation is necessary and the least restrictive alternative to protect and preserve the public health and to reduce the significant burden on the health care system.

8. Delay in imposing this Order would significantly jeopardize the ability of the Department of Health to prevent or limit the transmission of 2019-nCoV/COVID-19, a contagious disease, to others.

9. Isolation is authorized pursuant to N.D.C.C. 23-01-05(12).

SECTION C: PLACE AND TIME OF ISOLATION

All subject persons, as defined by SECTION A, who have previously tested positive for 2019-nCoV/COVID-19, are subject to isolation immediately upon execution of this order and for at least ten (10) days after the onset of symptoms and twenty-four (24) hours after becoming fever free and with symptom improvement.

All subject persons, as defined by SECTION A, who test positive for 2019-nCoV/COVID-19, are subject to isolation immediately upon receiving positive test results and for at least ten (10) days after the onset of symptoms and twenty-four (24) hours after becoming fever free and with symptom improvement.

The place of confinement for all subject persons, as defined by SECTION A, is the subject person's home or residence, including hotels, motels, rented lodging, shelters, and similar facilities to the extent they are used for lodging.

SECTION D: REQUIREMENTS

1. You are required to remain under isolation at the location and for the period specified in SECTION C.

2. While under isolation, you must take precautions, as directed by healthcare staff and Department of Health personnel, to prevent the possible spread of 2019-nCoV/COVID-19.

3. You must cooperate with the efforts of state or local health authorities to contact other exposed people to prevent the possible spread of 2019-nCoV/COVID-19. This includes providing information regarding people you have had contact with, places you visited or traveled to, and your medical history.

4. Only immediate household members are allowed to be at the place of isolation. No other individuals are allowed at the place of isolation unless approved by the North Dakota Department of Health.

5. You are only authorized to leave isolation for reasons approved by the Department of Health. Prior to leaving isolation for an approved reason, such as a physician appointment, you must coordinate your plan with the state or local health authority.

6. If any immediate household members at the place of isolation, have any symptoms suggestive of 2019-nCoV/COVID-19 you must contact the state or local health department immediately. Symptoms may include fever, cough, shortness of breath, body aches, headache, chills, sore throat, fatigue, nausea, vomiting, diarrhea, loss of taste or smell.

7. If any immediate household members at the place of isolation, become ill or are diagnosed with 2019-nCoV/COVID-19, it is necessary for the North Dakota Department of Health to investigate and trace any persons who may have been in contact with you while you were infectious with 2019-nCoV/COVID-19. You are required to cooperate with this investigation and provide complete and true information to the investigator. This includes providing information regarding people you had contact with, places you visited or traveled to, and your medical history.

SECTION E: FAILURE TO ADHERE TO ORDER

Notice is hereby given that a person is guilty of a class B misdemeanor if that person fails to cooperate with this order to isolation. N.D.C.C. § 23-07.6-02(3).

Notice is further given that a person is guilty of an infraction if that person violates or fails to obey any order issued by the State Health Officer. N.D.C.C. § 23-07-21(1).

SECTION F: REVOCATION AND EFFECTIVENESS

This Order revokes and supersedes *Order # 2020-05.1: State Health Officer Confinement Order Relating to Disease Control Measures to Prevent the Spread of 2019-nCoV/COVID-19 Pursuant to North Dakota Century Code § 23-1-05(12),* dated April 8, 2020.

The requirements of this Order are effective until revocation by the State Health Officer.

SECTION G: STATE HEALTH OFFICER EXECUTION

Dated this 9 day of November, 2020.

Dirk Wilke, J.D., M.B.A.
State Health Officer
North Dakota Department of Health