TWENTY-THIRD CONTINUATION, AND MODIFICATION, OF STATEWIDE PUBLIC HEALTH ORDER #2: REGARDING LARGE INDOOR EVENTS OF MORE THAN FIVE HUNDRED (500) PEOPLE, WITH EXCEPTIONS

In an effort to stop the spread of the coronavirus (COVID-19), the Wyoming Department of Health finds it necessary to protect the health of the public by modifying and continuing certain restrictions/requirements as outlined in this Order. Additionally, this Order implements measures in line with the White House unveiling, on April 16, 2020, of certain guidelines for Opening Up America Again - a three-phased approach beginning with State or Regional Gating Criteria and continuing through three phases of removing restrictions when there is no evidence of resurgence of the virus.

The metrics measuring outbreak progress and healthcare system capacity support the Wyoming Department of Health continuing certain provisions in the previous statewide public health orders through a measured and data-based approach (except Statewide Public Health Order #4 which will expire on March 15, 2021, and will not be renewed). As with previous statewide public health orders, this Order continues to authorize countywide variances to the restrictions/requirements within this Order, in the form of a Countywide Variance Order, if approved in writing by the County Health Officer and the State Health Officer.

This Order removes the personal gathering restriction but continues to apply restrictions/requirements to large indoor events of more than five hundred (500) people. There are no restrictions/requirements for outdoor events. This Order also maintains the exceptions outlined in the prior statewide public health order #2.

This Order is effective on March 16, 2021, and shall remain in effect through March 31, 2021, unless the Wyoming Department of Health revokes or extends this Order before March 31, 2021.

FINDINGS

1. COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 60 countries including the United States. There are 46,676 confirmed cases of COVID-19 in Wyoming as of March 11, 2021, as well as the presence of community spread. It is expected that more cases will be diagnosed. There have been 691 deaths among Wyoming residents related to COVID-19.

2. COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death, especially among older adults and persons with serious underlying health conditions. New information about the implications of this virus is ongoing.

3. The World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020.

4. On March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that, in "December 2019 a novel (new) coronavirus known as SARS-CoV-2 ("the virus") was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally [...] The spread of COVID-19 within our Nation's communities threatens to strain our Nation's healthcare systems. [...] Additional measures [...] are needed to successfully contain and combat the virus in the United States."

5. On March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, stating that on March 11, 2020, an individual within the State of Wyoming tested presumptive positive for COVID-19 and the State of Wyoming is experiencing a public health emergency in response to the evolving COVID-19 outbreak.

6. Governor Gordon's Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare.

7. A significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19, place other vulnerable members of the public at significant risk.

8. A large number of persons with serious infections may compromise the ability of healthcare systems in Wyoming to deliver the necessary healthcare to the public.

9. Wyoming Statute § 35-1-240(a)(i), (ii), (iii), and (iv) provides all the rights and powers for the Wyoming Department of Health, through the State Health Officer, Dr. Alexia Harrist, MD, PhD, or under her directive through other employees of the Wyoming Department of Health, to control the causes of communicable disease; and to forbid gatherings of people when necessary to protect public health.

10. In addition to the above findings, stopping the spread of COVID-19 includes washing your hands often, practicing social distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your face, eyes, nose and mouth, covering your cough or sneeze into your elbow or by using a tissue, and by wearing a face covering when in public.

ORDER

1. As used in this Order "Face Covering" means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.

2. "Event" is a planned or spontaneous gathering, public or private, bringing together, or likely bringing together people in a single room or a single confined space at the same time. Events include by way of example but are not limited to rodeos, concerts, organized sporting events, fairs, track and field races, farmer's markets, weddings, and any other event of a similar nature.

3. If a business or other entity (child care facility, K-12 school, college, university, and trade school) is governed by statewide public health order #1, the restrictions/requirements in that order govern those businesses or entities unless otherwise specifically noted herein.

4. The following are exempted from this Order:

   a. Hotels and motels for lodging purposes;

   b. Livestock auctions;

   c. Groups of workers being transported to a location for their jobs;

   d. Government business, military and National Guard facilities, law enforcement, jails, secure treatment centers, and correctional facilities, including any facility operated by the Wyoming Department of Corrections, and any facility used to respond to natural disasters or public health emergencies;

   e. Federal, State, and local government facilities, including government service centers;

   f. Relief facilities, including food pantries and shelter facilities;

   g. Residential buildings, excluding individual household residences;

   h. Grocery stores, markets, convenience stores, pharmacies, drug stores;

   i. Truck stops, gas stations, and auto-repair facilities;

   j. Retail or business establishments, where more than five hundred (500) people may be present but are generally not within six (6) feet of one another;

   k. Healthcare facilities, including hospitals, medical facilities, home health agencies, personal care agencies, hospices, adult family homes, mental health centers, and pharmacies;

   l. Alcohol and drug treatment centers;

   m. Long-term care and assisted living facilities, including nursing homes and assisted living facilities, as long as the facility complies with guidance and directives from the CDC, the Wyoming Department of Health, and appropriate licensing and regulatory agencies;

   n. Religious or faith based organizations and funeral homes; and

   o. Parades.

5. Indoor events of more than five hundred (500) people are subject to the following conditions, to be enforced by the host or organizer of the event.

   a. The indoor event must be held at no more than 50% of the venue's capacity;

   b. Social distancing should be maintained between individual groups to the greatest extent possible;

   c. Staff, hosts, organizers, or event participants with symptoms of illness, or known exposure to a person with COVID-19 infection within the previous 14 days, shall not participate in the event unless otherwise directed by public health officials;

   d. The entire event facility, to the extent there are facilities, shall be cleaned thoroughly, including all high touch areas before and after each event, according to the Centers for Disease Control and Prevention ("CDC") guidelines for cleaning;

   e. Staff, hosts, organizers, participants, and attendees/spectators must wear a Face Covering at all times during the event, however, participants are not required to wear a Face Covering when engaged in athletic activities or performances;

   f. The event shall not take place without appropriate protective equipment for staff (Face Coverings, gloves for serving and cleaning, etc.), EPA-approved disinfectants and sanitizers, soap and other necessary cleaning supplies; and

   g. For clarity, the 50% venue limitation is not calculated by adding participants and spectators/attendees together.

6. A Face Covering at an event is not required under the following circumstances:

   a. Children who are under 12 years of age. However, children 3 to 11 years of age are encouraged to wear Face Coverings.

   b. When a person is eating or drinking while at the event. However, individuals shall wear a Face Covering at all other times during the event.

   c. If a person has a medical condition, mental health condition, or disability that prevents him or her from wearing a Face Covering. This includes, by way of example, but is not limited to, persons with a medical condition for whom wearing a Face Covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Covering without assistance. A person is not required to provide any documentation demonstrating that the person cannot wear a Face Covering for any medical condition, mental health condition, or disability.

   d. Individuals who are hearing impaired, or communicating with an individual who is hearing impaired, where the ability to see the mouth is essential for communication.

e. Individuals who are purchasing a product or receiving a service at the event that requires identification may briefly remove a Face Covering as necessary, so that the retailer or service provider can verify identity.

f. When law enforcement asks an individual to remove a Face Covering for identification purposes.

g. Individuals for whom wearing a Face Covering would create a risk to the individual related to their work, as determined by local, state, or federal workplace safety guidelines.

7. Additional specific event exceptions to the restrictions/requirements in this Order may be granted, at the discretion of the County Health Officer, under the direction and supervision of the State Health Officer, if demonstrated, in writing, to the County Health Officer that recommended public health precautions will be taken before, during, and after the event. Any specific exception under this paragraph must be approved in writing by the State Health Officer, and may be modified or revoked by the County Health Officer under the supervision and direction of the State Health Officer.

8. Countywide variances to the restrictions/requirements mandated in this Order may be granted in the form of a Countywide Variance Order if approved and signed by both the County Health Officer and the State Health Officer. Countywide Variance Orders may be less restrictive (or more restrictive) than the measures imposed in this Order.

9. This Order is entered in conjunction with the other statewide public health order titled "Twenty-Third Continuation, and Modification, of Statewide Public Health Order Regarding Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools", entered March 11, 2021.

10. This Order does not alter but supplements the requirements outlined in the other statewide public health order.

As the State Health Officer, I specifically deem this Order necessary to protect the public health. *See* Wyo. Stat. Ann. § 35-1-240(a)(i), (ii), (iii), and (iv). I will reassess the necessity of this Order as appropriate to do so and according to accepted epidemiological and medical standards. Any person or legal entity that violates this Order shall be subject to criminal prosecution under Wyo. Stat. Ann. §§ 35-1-105 and -106.

DATED THIS 12 DAY OF March, 2021.

Alexia Harrist
Wyoming State Health Officer