THIRD CONTINUATION, AND MODIFICATION, OF STATEWIDE PUBLIC HEALTH ORDER #3: TEMPORARY CLOSURE OF NAIL SALONS, HAIR SALONS, BARBER SHOPS, MASSAGE THERAPY SERVICES, TATTOO, BODY ART AND PIERCING SHOPS, AND COSMETOLOGY, ELECTROLOGY, AND ESTHETIC SERVICES

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 continuing certain restrictions 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.

Due in part to the vigilance of Wyoming residents, the metrics measuring outbreak progress and healthcare system capacity allow for the Wyoming Department of Health to begin the process of incrementally lifting certain restrictions in previous statewide public health orders through a measured and data-based approach. This Order authorizes the re-opening of certain businesses and services listed in this Order, under certain specific conditions. This Order also authorizes countywide variances to the restrictions and closures within this Order, in the form of a Countywide Variance Order, if approved by the County Health Officer and the State Health Officer. This Order is effective on May 1, 2020, and shall remain in effect through May 15, 2020, unless the Wyoming Department of Health revokes or extends this Order before May 15, 2020.

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 389 confirmed cases of COVID-19 in Wyoming as of April 28, 2020, as well as the presence of community spread. It is expected that more cases will be diagnosed. There have been 7 deaths in Wyoming 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), and (iv) provides all the rights and powers for the Wyoming Department of Health, through the State Health Officer, Dr. Alexia Harrist, M.D., PhD, or under her directive through other employees of the Wyoming Department of Health, to control the causes of communicable disease; to close certain public places; 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. Pursuant to Wyo. Stat. Ann. § 35-1-240(a)(i), (ii), and (iv), beginning on May 1, 2020, and continuing through May 15, 2020, unless revoked or extended by the Wyoming Department of Health before May 15, 2020, the following are ordered to remain closed to members of the public in order to help stop the spread of COVID-19, except as outlined below in paragraph 2:

    a. Nail salons, hair salons, and barber shops;

    b. Cosmetology, electrology, and esthetic services;

    c. Massage therapy services (excluding massage performed for medical purposes); and

d. Tattoo, body art, and piercing shops.

2. The closures listed in Paragraph 1, above, may open in limited capacity, under the following conditions:

   a. At no time shall more than 9 people be present in a room or confined space.

   b. Patrons may only be served at stations that are at least 6 feet apart from other stations serving patrons.

   c. Staff must be screened at the beginning of their shift for symptoms of illness or exposure to a person with COVID-19 infection within the previous 14 days; staff with symptoms of illness or known exposure to a person with COVID-19 infection within the previous 14 days shall not be allowed to work.

   d. All patrons must wear face coverings as much as possible when receiving service.

   e. All staff must wear face coverings.

   f. Service may be provided by appointment only.

   g. The facility must maintain adequate records of its patrons, including names and telephone numbers, for purposes of COVID-19 tracing in the event contact tracing is necessary.

   h. The facility must maintain adequate records of its staff, for purposes of COVID-19 tracing in the event contact tracing is necessary.

   i. No patron shall remain in a waiting area prior to receiving services.

   j. Cleaning and sanitizing must be completed after each patron is served, including hand washing and surface sanitation.

3. The restrictions imposed by this Order do not prohibit owners, employees, contractors, vendors, or suppliers of the services listed above from entering, exiting, or occupying that place of business in their professional capacity.

4. Specific service provider exceptions to the restrictions and closures within 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 effective cleaning and safety measures are implemented by the service provider. Any specific exception under this paragraph must be approved in writing by the State Health Officer.

5. Countywide variances to the restrictions and closures 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.

6. This Order is entered in conjunction with the statewide public health orders titled "Third Continuation, and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide," entered April 28, 2020, and "Third Continuation, and Modification, of Statewide Public Health Order #2: Forbidding Gatherings of Ten (10) People or More," entered April 28, 2020.

7. This Order supersedes all individual county health orders currently in effect. To the extent any county health order currently in effect is more restrictive, the more restrictive provisions of the county health order shall continue to apply.

As the State Health Officer, I specifically deem this Order necessary to protect the public health. *See* Wyo. Stat. Ann. § 35-1-240(a)(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 28 DAY OF April, 2020.

Alexia Harrist
Wyoming State Health Officer