Ohio | Department of Health

Mike DeWine, Governor
Jon Husted, Lt.Governor

Lance D. Himes, Interim Director

# DIRECTOR'S ORDER

**Re: Director's Order for Facial Coverings throughout the State of Ohio**

I, Lance D. Himes, Interim Director of the Ohio Department of Health (ODH), pursuant to the authority granted to me in R.C. 3701.13 to "make special orders…for preventing the spread of contagious or infectious diseases" **Order** the following to prevent the spread of COVID-19 into the State of Ohio:

1. **Preamble:** As the spread of COVID-19 accelerates in Ohio, the Department of Health supplemented existing statewide Orders with a system of further guidance to protect Ohioans. The majority of the residents of this State now live in a county that has triggered four or more of the key indicators in the Ohio Public Health Advisory System. This reveals that the State of Ohio is experiencing a very high exposure and spread of COVID-19. Immediate action is necessary to mitigate the danger that this presents to the residents of this State. Therefore, to mitigate the spread of COVID-19 in Ohio, I Order all residents of the State of Ohio to wear facial coverings (masks) when out in public in accordance with the requirements set forth in Section 3 of this order.
2. **Facial Coverings (Masks).** Except as provided herein, all individuals, in the State of Ohio shall wear facial coverings at all times when:
    a. In any indoor location that is not a residence;
    b. Outdoors and unable to consistently maintain a distance of six feet or more from individuals who are not members of their family/household; or
    c. Waiting for, riding, driving, or operating public transportation, a taxi, car service, or a ride sharing vehicle. This does not apply to private or rental vehicles where members of a family/household are sharing a vehicle.

The requirement to wear a facial covering does not apply when:

a. The individual is under ten years of age;

b. A medical condition including those with respiratory conditions that restrict breathing, mental health conditions, or disability contraindicates the wearing of a facial covering;

c. The individual is communicating or seeking to communicate with someone who is hearing-impaired or has another disability, where the ability to see the mouth is essential for communication;

d. The individual is alone in an enclosed space, such as an office, or in lieu of an enclosed space, the individual is separated by at least six feet in all directions from all other individuals, and in either case the space is not intended for use or access by the public;

e. The individual is actively engaged in exercise in a gym or indoor facility so long as six or more feet of separation between individuals exists;

f. The individual is actively participating in athletic practice, scrimmage, or competition that is permitted under a separate Department of Health order;

g. The individual is actively engaged in a public safety capacity, including but not limited to law enforcement, firefighters or emergency medical personnel;

h. The individual is seated and actively consuming food or beverage in a restaurant or bar;

i. Facial coverings are prohibited by law or regulation;

j. Facial coverings are in violation of documented industry standards;

k. Facial coverings are in violation of a business's documented safety policies;

l. Individual is actively participating in broadcast communications;

m. Individual is an officiant of a religious services; or

n. In an industrial or manufacturing facility, employees are separated by at least six feet in all directions, or by a barrier in a manufacturing line or work area.

o. Schools offering kindergarten through grade twelve instruction (or some portion of it) that comply with the guidelines set forth by the Ohio Department of Education and the Ohio Department of Health.

p. Child care centers, family child care, in-home aids, day camps, and after school programs licensed by the Ohio Department of Job and Family Services (ODJFS) that comply with current and future guidelines set forth by ODJFS and the Ohio Department of Health.

Nothing in this order is intended to interfere with the separation of powers under the Ohio Constitution. Businesses must apply exceptions to wearing a mask equally to all persons. This Order does not apply to jails or prison facilities. This Order is not intended to supersede, supplant or preempt any order or law of a local jurisdiction that is more restrictive than this Order. For the purposes of this Order, a facial covering (mask) is any material covering an individual's nose, mouth, and chin.

3. **Social Distancing Requirements.** For purposes of this Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

   a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:

      i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;

      ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers; and

iii. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.

4. **General COVID-19 Information and Checklist for Businesses/Employers.** Business and employers are to take the following actions:

   a. Strongly encourage as many employees as possible to work from home by implementing policies in areas such as teleworking and video conferencing, subject to the discretion of the employer;

   b. Actively encourage sick employees to stay home until they are free of fever (without the use of medication) for at least 24 hours (one full day) AND symptoms have improved AND at least ten days have passed since symptoms first began. Do not require a healthcare provider's note to validate the illness or return to work of employees sick with acute respiratory illness; healthcare provider offices and medical facilities may be extremely busy and not able to provide such documentation in a timely way;

   c. Ensure that your sick leave policies are up to date, flexible, and non-punitive to allow sick employees to stay home to care for themselves, children, or other family members. Consider encouraging employees to do a self-assessment each day to check if they have any COVID-19 symptoms (fever, cough, or shortness of breath);

   d. Separate employees who appear to have acute respiratory illness symptoms from other employees and send them home immediately. Restrict their access to the business until they have recovered;

   e. Reinforce key messages — stay home when sick, use cough and sneeze etiquette, and practice hand hygiene — to all employees, and place posters in areas where they are most likely to be seen. Provide protection supplies such as soap and water, hand sanitizer, tissues, and no-touch disposal receptacles for use by employees;

   f. Frequently perform enhanced environmental cleaning of commonly touched surfaces, such as workstations, countertops, railings, door handles, and doorknobs. Use the cleaning agents that are usually used in these areas and follow the directions on the label. Provide disposable wipes so that commonly used surfaces can be wiped down by employees before each use; and

   g. Be prepared to change business practices if needed to maintain critical operations (e.g., identify alternative suppliers, prioritize customers, or temporarily suspend some of your operations).

   h. Comply with all applicable guidance from the U.S. Centers for Disease Control and Prevention and the Ohio Department of Health regarding social distancing.

5. **Duration.** This Order shall be effective at 6:00 p.m. on July 23, 2020 and remains in full force and in effect until the Governor's Executive Order expires or the Director of the Ohio Department of Health rescinds or modifies this Order, whichever occurs sooner.

COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans and can easily spread from person to person. The virus is spread between individuals who are in close contact with each other (within about six feet) through respiratory droplets produced when an infected person

coughs or sneezes. It may be possible that individuals can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose or eyes.

On January 23, 2020, the Ohio Department of Health issued a Director's Journal Entry making COVID-19 a Class A reportable disease in Ohio.

On January 28, 2020, the Ohio Department of Health hosted the first statewide call with local health departments and healthcare providers regarding COVID-19.

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the outbreak of COVID-19 a public health emergency of international concern.

On January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the United States to aid the nation's healthcare community in responding to COVID-19.

On February 1, 2020, the Ohio Department of Health issued a statewide Health Alert Network to provide local health departments and healthcare providers with updated guidance for COVID-19 and revised Person Under Investigation (PUI) criteria.

On February 3, 2020, the Ohio Department of Health trained over 140 personnel to staff a call center for COVID-19, in the event it was needed.

On February 5, 2020, the Ohio Department of Health began updating and notifying the media of the number of PUIs in Ohio every Tuesday and Thursday.

On February 6, 2020, the Ohio Department of Health updated all agency assistant directors and chiefs of staff on COVID-19 preparedness and status during the Governor's cabinet meeting.

On February 7, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency met to conduct advance planning for COVID-19.

On February 13, 2020, the Ohio Department of Health conducted a Pandemic Tabletop Exercise with State agencies to review responsive actions should there be a pandemic in Ohio.

On February 14, 2020, the Ohio Department of Health held a conference call with health professionals across the state. The purpose of the call was to inform and engage the healthcare community in Ohio. Presentations were provided by the Department of Health, Hamilton County Public Health, and the Ohio State University.

On February 27, 2020, the Ohio Department of Health and the Ohio Emergency Management Agency briefed the directors of State agencies during the Governor's cabinet meeting regarding preparedness and the potential activation of the Emergency Operations Center.

On February 28, 2020, the "Governor DeWine, Health Director Update COVID-19 Prevention and Preparedness Plan" was sent to a broad range of associations representing healthcare, dental, long-term

care, K-12 schools, colleges and universities, business, public transit, faith-based organizations, non-profit organizations, and local governments.

On March 2, 2020, the Ohio Department of Health activated a Joint Information Center to coordinate COVID-19 communications.

On March 5, 2020, the Ohio Department of Health hosted the Governor's Summit on COVID-19 Preparedness, a meeting with the Governor, cabinet agency directors, local health department commissioners, and their staff.

On March 6, 2020, the Ohio Department of Health opened a call center to answer questions from the public regarding COVID-19.

On March 9, 2020, testing by the Department of Health confirmed that three (3) patients were positive for COVID-19 in the State of Ohio. This confirms the presence of a potentially dangerous condition which may affect the health, safety and welfare of citizens of Ohio.

On March 9, 2020, the Ohio Emergency Management Agency activated the Emergency Operations Center.

On March 9, 2020, the Governor Declared a State of Emergency in Executive Order 2020-01D.

On March 11, 2020, the head of the World Health Organization declared COVID-19 a pandemic.

On March 11, 2020, testing by the Ohio Department of Health confirmed that one (1) more patient was positive for COVID-19 in the State of Ohio.

On March 11, 2020, the Ohio Departments of Health and Veterans Services issued a Joint Directors' Order to limit access to Ohio nursing homes and similar facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit access to Ohio's jails and detention facilities.

On March 15, 2020, the Ohio Department of Health issued a Director's Order to limit the sale of food and beverages, liquor, beer and wine to carry-out and delivery only.

On March 15, 2020, the CDC issued Interim Guidance for mass gatherings or large community events, stating that such events that consist of 50 or more people should be cancelled or postponed.

On March 16, 2020 the Ohio Department of Health issued a Director's Order closing polling locations for the March 17, 2020 primary election.

On March 17, 2020 the Ohio Department of Health issued a Director's Order for the management of non-essential surgeries and procedures throughout Ohio.

On March 17, 2020 the Ohio Department of Health issued an Amended Director's Order to limit and/or prohibit mass gatherings and the closure of venues in the State of Ohio.

On March 19, 2020, the Ohio Department of Health issued a Director's Order closing hair salons, nail salons, barber shops, tattoo parlors, body piercing locations, and massage therapy locations.

On March 21, 2020, the Ohio Department of Health issued a Director's Order closing older adult day care services and senior centers.

On March 21, 2020, the Ohio Department of Health issued a Director's Order closing family entertainment centers and internet cafes.

On March 22, 2020, the Ohio Department of Health issued a Director's Order that all persons are to stay at home unless engaged in essential work or activity.

On March 24, 2020, the Ohio Department of Health issued a Director's Order that closed facilities providing child care services.

On March 30, 2020, the Ohio Department of Health issued an Amended Director's Order that closed all K-12 schools in the State of Ohio.

On April 2, 2020, the Ohio Department of Health issued an Amended Director's Order that all persons are to stay at home unless engaged in essential work or activity.

On April 30, 2020, the Ohio Department of Health issued the Stay Safe Ohio Order that reopened businesses, with exceptions, and continued a stay healthy and safe at home order.

Multiple areas of the United States are experiencing "community spread" of the virus that causes COVID-19. Community spread, defined as the transmission of an illness for which the source is unknown, means that isolation of known areas of infection is no longer enough to control spread.

SARS-CoV-2, the virus that causes COVID-19, has been demonstrated to transmit infection from infected persons when symptomatic, asymptomatic, and pre-symptomatic.

Mass gatherings (10 or more persons) increase the risk of community transmission of the virus COVID-19.

Accordingly, I hereby **ORDER** that all persons wear facial coverings in the State of Ohio, except as set forth in this Order. This Order shall remain in full force and effect until the Governor's Executive Order expires or the Director of the Ohio Department of Health rescinds or modifies this Order. To the extent any public official enforcing this Order has questions regarding the effect of this Order, the Director of Health hereby delegates to local health departments the authority to answer questions in writing and consistent with this Order.

July 23, 2020

Lance D. Himes
Interim Director of Health