SECOND CONTINUATION OF STATEWIDE PUBLIC HEALTH ORDER CLOSING BARS, RESTAURANTS, THEATERS, GYMNASIUMS, CHILD CARE FACILITIES, K-12 SCHOOLS, COLLEGES, UNIVERSITIES, AND TRADE SCHOOLS STATEWIDE

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 implementing emergency measures to close all restaurants, bars, theaters, gymnasiums, child care facilities, K-12 schools, colleges, universities, and trade schools, in the State of Wyoming, with certain exceptions. This Order is effective immediately, and shall remain in effect through April 30, 2020, unless the Wyoming Department of Health revokes or extends this Order before April 30, 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 150 confirmed cases of COVID-19 in Wyoming as of April 2, 2020, as well as the presence of community spread. It is expected that more cases will be diagnosed.

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.

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. The guidelines issued from the White House on March 16, 2020, specify that with evidence of community transmission within a state, bars, restaurants, food courts, gyms, and other indoor and outdoor venues where groups of people congregate should be closed.

8. 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.

9. Counties in Wyoming have requested orders of this kind following the White House guidelines, and the best manner of protecting the health of the citizens of Wyoming is through a consistent order spanning the entire State.

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

11. Wyoming Statute §§ 35-1-240(a)(i) 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 close theaters, schools, and other public places, and forbid public gatherings when necessary to protect the public health.

12. In addition to the above findings, stopping the spread of COVID-19 includes washing 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, and covering your cough or sneeze into your elbow or by using a tissue.

ORDER

1. The following places of public accommodation are ordered closed to ingress, egress, use, and occupancy by members of the public:

   a. Restaurants, food courts, cafes, coffeehouses, and other similar places of public accommodation offering food or beverage for on-premises consumption;

   b. Bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, and other places of public accommodation offering alcoholic beverages for on-premises consumption;

   c. Cigar bars;

   d. Gymnasiums; and

   e. Movie and performance theaters, opera houses, concert halls, and music halls.

2. The following conditions apply to places of public accommodation subject to this Order:

   a. Places of public accommodation are encouraged to offer food and beverage using delivery service, window service, curbside delivery, drive-through service, or drive-up service, and to use precautions in doing so to mitigate the potential transmission of COVID-19, including social distancing. Online and telephonic credit card transactions are strongly encouraged (e.g. Venmo, Squarecash, Googlepay, Apple Pay and similar payment apps).

   b. Staff who handle cash or credit cards may not be involved in the preparation, handling, or delivery of food.

   c. For hotel restaurants, food items may only be delivered as room service or as described above.

   d. Management shall ensure, on a daily basis, that no employee who presents symptoms of illness will be permitted to work.

3. For clarity, this Order does not apply to any of the following:

   a. Places of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, retail stores that offer food, convenience stores, pharmacies, drug stores, and food pantries;

b. Room service in hotels;

c. Health care facilities, residential care facilities, congregate care facilities, and juvenile justice facilities;

d. Crisis shelters or similar institutions;

e. Airport concessionaires; and

f. Any emergency facilities necessary for the response to the events surrounding the public health emergency and state of emergency caused by COVID-19.

4. All child care centers and home daycares are ordered closed, subject to the following:

   a. Child care centers or home daycares that provide care for children of essential personnel may continue to operate to provide child care for children of essential personnel. Essential personnel includes:

      i. Staff and providers of childcare and education services, including custodial and kitchen staff and other support staff, who do not do their work remotely;

      ii. Providers of healthcare including, but not limited to, employees of clinics, hospitals, nursing homes, long-term care and post-acute care facilities, respite houses, designated agencies, emergency medical services, as well as necessary custodial, kitchen, administrative, and other support staff;

      iii. Criminal justice personnel including those in law enforcement, courts, and correctional services;

      iv. Public health employees;

      v. Firefighters, Wyoming National Guard personnel called to duty for responding to COVID-19, and other first responders;

      vi. State employees determined to be essential for response to the COVID-19 crisis;

      vii. Active duty military staff;

      viii. Pharmacy staff;

      ix. Foster families with children through grade 8;

      x. 2-1-1 and 9-1-1 call center staff; critical infrastructure and utility workers, including electrical, plumbing, telecommunications, water, and wastewater operators, workers, and staff;

      xi. State, municipal, and commercial public works and sanitation crews;

      xii. Grocery and food supply workers;

      xiii. Supply chain, postal, and delivery drivers and warehouse workers;

      xiv. Manufacturers of medical devices, equipment, testing equipment, and supplies; and

      xv. Fuel distribution workers.

b. In circumstances where a child care center or home daycare remains open, the center or home is required to have fewer than 10 people in a room or together at any time, including for meals or recreation.

c. Further, a child care center or home daycare that remains open is required to follow all health guidelines from the CDC and Wyoming Department of Health for limiting the risk of transmission of COVID-19, to the extent possible when caring for children.

d. As childcare is a critical part of the infrastructure of Wyoming, allowing essential systems to function, in the event a county health officer wants to close a childcare facility under the direction and supervision of the State Health Officer, the County Health Officer shall work with local childcare providers to make available limited childcare services for essential personnel, as described above.

5. All K-12 schools shall not hold in person classes until no sooner than May 1 unless an exception is granted under paragraph 8 below. Staff and teachers may continue to work in school buildings to facilitate adaptive learning/instruction or to complete administrative tasks as directed by school superintendents. Food may still be prepared to be made available to those in need, as directed by school superintendents.

6. All colleges, universities, and trade schools shall not hold in person classes until no sooner than May 1, 2020 unless an exception is granted under paragraph 8 below. Staff and teachers may continue to work in facility buildings to facilitate adaptive learning/instruction or to complete administrative tasks. Food may still be prepared to be made available to those in need.

7. This Order supersedes all previous individual county orders authorized by the Wyoming State Health Officer under Wyoming Statute § 35-1-240(a)(iv). To the extent the county order is more restrictive, the more restrictive provisions still apply.

8. Exceptions to the closures in paragraphs 1-6 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.

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 3 DAY OF April, 2020.

Alexia Harrist
Wyoming State Health Officer