STATE OF MICHIGAN
GRETCHEN WHITMER
GOVERNOR
DEPARTMENT OF HEALTH AND HUMAN SERVICES
LANSING
ROBERT GORDON
DIRECTOR

Emergency Order Under MCL 333.2253 – Reporting of Confirmed and Probable Cases of COVID-19 at Schools

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine for this disease. On March 10, 2020, the Michigan Department of Health and Human Services ("MDHHS") identified the first two presumptive-positive cases of COVID-19 in Michigan. Throughout the pandemic, Michigan has used a range of public health tools and guidance to contain the spread of COVID-19 in communities throughout the state.

Recent outbreaks throughout the country demonstrate that COVID-19 can spread quickly in the school setting. Quickly identifying cases of potential COVID-19 exposure and communicating that information to affected persons is essential to slowing its spread. Timely communication from schools to parents, guardians, students, teachers, staff, and other persons affiliated with schools promotes awareness of how COVID-19 is affecting and being addressed within schools. The best available evidence demonstrates that these notifications must be made no later than 24 hours after suspected or confirmed exposure, so that potentially exposed persons can self-isolate and take other measures to mitigate spread. Given the presence of COVID-19 throughout the state, it is likely that there will be cases who have spent time at schools. This is why it is important that schools strictly enforce health and safety protocols to reduce potential for exposure and reduce risk of transmission in the facility. Having cases present in school buildings does not indicate that the person's exposure occurred at school.

Considering the above, and upon the advice of scientific and medical experts employed by MDHHS, I have concluded pursuant to MCL 333.2253 that the COVID-19 pandemic continues to constitute an epidemic in Michigan. I further conclude that control of the epidemic is necessary to protect the public health and that it is necessary to establish procedures to be followed during the epidemic to ensure the continuation of essential public health services and enforcement of health laws. As provided in MCL 333.2253, these emergency procedures are not limited to the Public Health Code.

I therefore order that:

1. The critical terms included in this order are defined as follows:
    a. "School" means public and nonpublic schools.
    b. "Close Contact" means any individual who was within 6 feet of an COVID-19 infected person for at least 15 minutes starting from two days before illness onset (or, for asymptomatic patients, two days prior to positive specimen collection).
    c. "School Associated Case" means a case of probable or confirmed COVID-19 amongst students, teachers, staff members, coaches, volunteers, or any other person who was present on school property or at a school function under circumstances that may result in the transmission or contraction of COVID-19 during their infectious period.
    d. "School Community" means the set of persons who are affiliated with the school. This set may include, but is not limited to, parents, guardians, students, teachers, staff members, coaches, and volunteers.

e. "Public Notice" means providing the new and cumulative counts of School Associated Case(s) of COVID-19, including the date on which the School was notified of the new School Associated Case(s).

2. Upon learning that a probable or confirmed case of COVID-19 is a School Associated Case, the local health department must, within 24 hours, notify the School to which the School Associated Case(s) relate, including the affected building or location and other information that may assist the School with carrying out its duties under this order.

3. Within 24 hours of being notified by a local health department of School Associated Case(s), the School must provide Public Notice to the School Community in a highly visible location on the School's website that covers the impacted building or location. Schools are encouraged to provide information about measures in place at the School to prevent transmission of COVID-19, as well as measures that individuals can take to prevent transmission.

4. Public Notice does not replace the need for direct notification to persons who were, or are suspected to have been, a Close Contact of School Associated Case(s); such notice is the responsibility of the local health department.

5. Sections 2 and 3 of this order take effect at 8 AM on October 12, 2020.

This order is effective immediately, and remains in effect until lifted.

Date: October 6, 2020

Robert Gordon

Robert Gordon, Director

Michigan Department of Health and Human Services