John Bel Edwards
GOVERNOR

Dr. Courtney N. Phillips
SECRETARY

State of Louisiana

Louisiana Department of Health

EMERGENCY ORDER

TEMPORARY PARTIAL CLOSURE OF TANNING FACILITIES DUE TO COVID-19 OUTBREAK

FOR IMMEDIATE RELEASE

TO: All Tanning Facilities

FROM: LDH Office of Public Health
Jimmy Guidry, M.D. *Jimmy Guidry, M.D.*
State Health Officer

RE: Emergency Order
Partial Closure of Tanning Facilities

DATE: May 27, 2020

EFFECTIVE DATES: This Emergency Order shall be effective as of 12:01 a.m. on May 28, 2020 and shall remain in effect until further notice from the State Health Officer. This Emergency Order will supersede the previous Orders regarding the closure of Tanning Facilities, only as to the provisions affecting Tanning Facilities.

RATIONALE AND LEGAL AUTHORITY:

On January 30, 2020, the International Health Regulations Emergency Committee of the World Health Organization declared the COVID-19 outbreak a "public health emergency of international concern" (PHEIC). On January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency (PHE) for the United States, effective January 27, 2020. Pursuant to the Louisiana Health Emergency Powers Act, R.S. 29:760, *et seq*., a state of public health emergency resulting from the outbreak of "coronavirus disease 2019" ("COVID-19") was declared to exist in the entire State of Louisiana by Proclamation Number 25 JBE 2020.

In the days since the referenced declaration of a state of the public health emergency in the state, the COVID-19 outbreak in Louisiana has expanded significantly. Additional measures are necessary to protect the health and safety of the public. The measures ordered herein are in line with the best guidance and direction from the U.S. Centers for Disease Control and Prevention. The

measures ordered herein are necessary because of the ability of the COVID-19 virus to spread via personal interactions and because of physical contamination of property due to its propensity to attach to surfaces for prolonged periods of time.

The Department of Health permits and regulates Tanning facilities pursuant to La. R.S. 40: 2701 et seq. and LAC Title 49, Chapter 13.

The State Health Officer has determined that the services provided by the facilities under this order are not essential services, such that their partial closure will not affect the public health or any individual's health. The State Health Officer expressly finds that the measures ordered herein are necessary to help control and prevent further spread of COVID-19, a communicable, contagious, and infectious disease that represent a serious and imminent threat to the public health.

NOW THEREFORE, pursuant to the powers vested in me by La. R.S. 40:1 *et seq*., particularly La. R.S. 40:4(A)(13) and La. R.S. 40:5(A)(1) and (2), I, Jimmy Guidry, M.D., State Health Officer, do hereby issue the following emergency order:

(1) All facilities, businesses, or operations that meet the definition of a "Tanning facility" as defined in La. R.S. 40:2703, whether holding a permit from the Department of Health or not, shall remain closed and continue to suspend all operations until FURTHER NOTICE from the State Health Officer, subject to the exception in subparagraph (a) below:

(a) <u>Exception</u>: Beginning May 28, 2020, at 12:01 a.m., a facility, business, or operation that meets the definition of a "Tanning facility" as defined in La. R.S. 40:2703, whether holding a permit from the Department of Health or not, may re-open for the limited purpose of OFFERING TOUCHLESS/CONTACTLESS SPRAY TANNING METHODS or TOUCHLESS/CONTACTLESS UV TANNING METHODS, provided that such Tanning facility adheres to the <u>Office of the State Fire Marshall's *Open Safely* Phase I guidelines for Beauty Shops, Salons, Barber Shops, or Tanning Salons (Contact Tanning Only).</u>

Dr. Courtney N. Phillips

Dr. Courtney N. Phillips
Secretary

Jimmy Guidry, M.D.

Dr. Jimmy Guidry, M.D.
State Health Officer