CABINET FOR HEALTH AND FAMILY SERVICES
OFFICE OF THE SECRETARY

Andy Beshear
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Eric C. Friedlander
Secretary

ORDER

August 10, 2020

On March 6, 2020, Governor Andy Beshear signed Executive Order 2020-215, declaring a state of emergency in the Commonwealth due to the outbreak of COVID-19 virus, a public health emergency. Pursuant to the authority in KRS 194A.025, KRS 214.020, and Executive Orders 2020-215 and 2020-323, the Cabinet for Health and Family Services, Department for Public Health, hereby orders the following directives to reduce and slow the spread of COVID-19:

1. The July 28, 2020 Order of the Cabinet for Health and Family Services that amended the March 16, 2020 Order of the Cabinet for Health and Family Services concerning restaurants (the "March 16 Food and Beverage Order") is hereby amended as follows.

2. Effective August 11, 2020, bars that store, prepare, serve, or vend alcohol directly to the consumer for on-site consumption may resume in-person operations for on-site consumption. Pursuant to Senate Bill 150 (R.S. 2020), Section 1.(7), the sale of alcoholic beverages by delivery, to-go or carryout is permitted only when it is incidental to the purchase of a meal and alcoholic beverages are not to be sold in bulk quantity.

3. For the purposes of this Order, a bar is an entity that stores, prepares, serves, or vends alcohol directly to the consumer for on-site consumption, and must hold an active license to sell alcohol by the drink.

4. The March 16, 2020 Food and Beverage Order (as amended) otherwise remains in effect except as amended by the May 22, 2020 Order, the June 29, 2020, the July 28, 2020 Order and this Order.

5. Restaurants and bars must, in addition to the Minimum Requirements for all entities in the Commonwealth of Kentucky, implement and follow the Requirements for Restaurants and Bars, which are attached hereto and incorporated by reference herein. The Requirements for Restaurants and Bars are available online at: https://healthyatwork.ky.gov.

6. Food service in health care facilities and any congregate living facilities, such as long-term care facilities as defined by KRS 216.510 and similar locations, remain exempt from the requirements of this Order and the March 16, 2020 Food and Beverage Order.

7. The overriding goal of this Order, which is recommended by the White House Coronavirus Task Force and public health officials, is to minimize in-person interaction, which is the primary means of transmission of COVID-19. The immediate implementation of this Order is necessary, as patrons of bars gather in large numbers, in close proximity to each other, and in enclosed spaces, thereby endangering the health of the staff as well as the patrons.

8. Establishments and public-facing businesses that encourage public congregation or that, by the nature of the service to the public, cannot comply with CDC guidelines concerning social distancing, that were ordered to cease all in-person operations under the March 16, 2020 Food and Beverage Order or the March 17, 2020 Public-Facing Businesses Order remain prohibited from conducting all in-person operations unless otherwise provided in May 22, 2020, the June 1, 2020, the June 3, 2020, or the June 8, 2020 Orders and this Order.

9. Failure to follow the requirements provided in this Order and any other Executive Order and any Cabinet Order, including but not limited to the Orders of the Cabinet for Health and Family Services, is a violation of the Orders issued under KRS Chapter 39A, and could subject businesses to closure or additional penalties as authorized by law.

10. The Department for Public Health and the Secretary as the Governor's designee hereby delegate to local health departments and the Governor's Executive Cabinet, as set forth in KRS 11.065, the authority to take all necessary measures to implement this Order.

The Secretary for the Cabinet for Health and Family Services has been designated by the Governor to deliver these directives during this public health emergency. The Cabinet for Health and Family Services will continue to provide information and updates during the duration of this Public Health Emergency. Prior orders of the Cabinet for Health and Family Services remain in effect unless inconsistent with this Order.

Eric Friedlander
Secretary
Cabinet for Health and Family Services
Governor's Designee

Steven J. Stack, M.D
Commissioner of Public Health
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