



**DIRECTOR'S ORDER**

**Re: Director's Order to Prohibit Adult Day Support or Vocational Habilitation Services in a Congregate Setting**

I, Amy Action, MD, MPH, 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 within the State of Ohio:

1. Effective 9:00 p.m. Tuesday, March 24, 2020, all Adult Day Support or Vocational Habilitation services for individuals with intellectual and developmental disabilities cannot be provided in congregate settings. A congregate setting is defined as a single location where more than ten people are present in confined space.
2. The immediate implementation of this order is necessary as individuals with developmental disabilities traditionally receive these services in large numbers, in close proximity to one another, and in enclosed spaces, thereby endangering the health of the individuals, as well as the staff.
3. This order does not in any way prevent individuals with intellectual and developmental disabilities from receiving these services in residential settings, which are not congregate in nature.
4. This order does not require buildings where Adult Day Support or Vocational Habilitation Services are provided in congregate settings to be closed to administration, staff, vendors, or contractors of these business locations. The administration of each building shall determine the appropriate level of access to the building necessary during the closure.
5. Any Adult Day Support or Vocational Habilitation setting that is permitted to operate under this Order shall continue to follow universal precautions for infection control and guidance from the Centers for Disease Control and the Ohio Department of Health to prevent the spread of COVID-19.
6. Adult Day Support or Vocational Habilitation providers who are permitted to operate under this Order shall limit access to people who are "absolutely necessary for the operations of the provider" including, but not limited to, administrators, staff, contract or emergency health care providers, and contractors including critical on-site maintenance, vendors who provide necessary services and governmental representatives and regulators and their contractors. Persons necessary for the operation of the provider who are at buildings for Adult Day Support or Vocational Habilitation Services must be screened for COVID-19 each time they enter the facility. Screening guidance is available from the U.S. Centers for Disease Control and from the Ohio Department of Health. These guidelines may be updated and should be regularly consulted. Screening should include questions about exposure to COVID-19 and assessing people necessary for the operations of the facility for cough, shortness of breath and body temperatures of 100.4 degrees and higher.

7. This Order will be continuously evaluated and may be modified or extended by the Director of Health. This Order shall remain in full force and effect until the State of Emergency declared by the Governor no longer exists, or the Director of the Ohio Department of Health rescinds or modifies this Order.
8. To the extent any public official enforcing this order has questions regarding closures mandated under this order, the Director of Health hereby delegates to the Ohio Department of Developmental Disabilities the authority to answer questions in writing and consistent with this order.

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.

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.

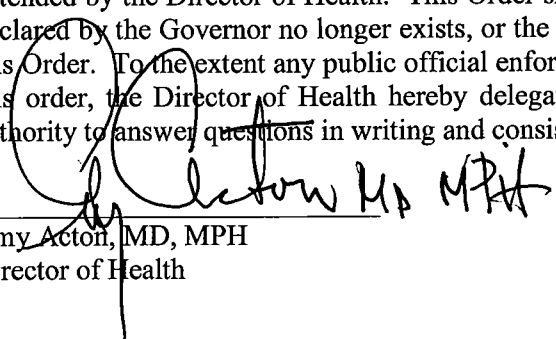
On March 17, 2020 the Ohio Department of Health issued an Amended Order to limit and/or prohibit mass gatherings and the closure of venues in the State of Ohio.

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.

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.

The CDC reports that people are most contagious when they are most symptomatic (the sickest) however some spread might be possible before people show symptoms although that is not the main way the virus spreads.

Accordingly, to avoid an imminent threat to individuals with developmental disabilities of exposure to COVID-19, I hereby **ORDER** that beginning at 9:00 p.m. Tuesday March 24, 2020, all Adult Day Support or Vocational Habilitation services for individuals with intellectual and developmental disabilities cannot be provided in congregate settings. A congregate setting is defined as a single location where more than ten people are present in confined space. The immediate implementation of this order is necessary as individuals with developmental disabilities traditionally receive these services in large numbers, in close proximity to one another, and in enclosed spaces, thereby endangering the health of the individuals, as well as the staff. This order does not in any way prevent individuals with intellectual and developmental disabilities from receiving these services in residential settings, which are not congregate in nature. This order does not require buildings where Adult Day Support or Vocational Habilitation Services are provided in congregate settings to be closed to administration, staff, vendors, or contractors of these business locations. The administration of each building shall determine the appropriate level of access to the building necessary during the closure. Any Adult Day Support or Vocational Habilitation setting that is permitted to operate under this Order shall continue to follow universal precautions for infection control and guidance from the Centers for Disease Control and the Ohio Department of Health to prevent the spread of COVID-19. Adult Day Support or Vocational Habilitation providers who are permitted to operate under this Order shall limit access to people who are "absolutely necessary for the operations of the provider" including, but not limited to, administrators, staff, contract or emergency health care providers, and contractors including critical on-site maintenance, vendors who provide necessary services and governmental representatives and regulators and their contractors. Persons necessary for the operation of the provider who are at buildings for Adult Day Support or Vocational Habilitation Services must be screened for COVID-19 each time they enter the facility. Screening guidance is available from the U.S. Centers for Disease Control and from the Ohio Department of Health. These guidelines may be updated and should be regularly consulted. Screening should include questions about exposure to COVID-19 and assessing people necessary for the operations of the facility for cough, shortness of breath and body temperatures of 100.4 degrees and higher. This Order will be continuously evaluated and may be modified or extended by the Director of Health. This Order shall remain in full force and effect until the State of Emergency declared by the Governor no longer exists, 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 closures mandated under this order, the Director of Health hereby delegates to the Ohio Department of Developmental Disabilities the authority to answer questions in writing and consistent with this order.

  
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Amy Acton, MD, MPH  
Director of Health

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March 21, 2020