

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Franklin County Public Health

Journalized on:

Held _____

_____ 20_____

MAR 18 2020

RESOLUTION 20-044

March 18, 2020

RESOLUTION DECLARING A PUBLIC HEALTH EMERGENCY PURSUANT TO OHIO REVISED CODE SECTION 3709.21

WHEREAS, the Board of Health has primary authority to enforce the provisions of sections 3707.04 to 3707.32 of the Revised Code regarding quarantine and isolation;

WHEREAS, section 3707.34 of the Revised Code authorizes the Health Commissioner to act on behalf of the Board of Health in administering the provisions of sections 3707.04 to 3707.32 of the Revised Code regarding quarantine and isolation, if the Health Commissioner acts pursuant to a policy adopted by the Board of Health and circumstances have rendered a meeting of the Board of Health to be impractical or impossible or delaying the action until a meeting of the Board of Health would compromise the public health;

WHEREAS, pursuant to Resolution 04-021 and section 3707.34 of the Ohio Revised Code, a policy titled *Franklin County Board of Health Policy Relating to Delegation of Authority to Quarantine and Isolate* ("Policy") was adopted by the Board of Health on March 9, 2004;

WHEREAS, pursuant to section 3707.34(B) of the Ohio Revised Code, the District Advisory Council approved the Policy on March 24, 2004;

WHEREAS, 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. COVID-19, a respiratory disease that can result in

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____ 20____

serious illness or death and is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that has not been previously identified in humans and can easily spread from person to person;

WHEREAS, on January 31, 2020, Alex M. Azar II, Secretary of Health and Human Services, determined and declared that a public health emergency exists in the United States in relation to COVID-19;

WHEREAS, on March 9, 2020, Governor Mike DeWine, signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19;

WHEREAS, the Governor's Executive Order declaring a State of Emergency for the entire State of Ohio urged all citizens to heed to the advice of the Department of Health and other emergency officials regarding COVID-19 in order to protect their health and safety;

WHEREAS, the State of Ohio is experiencing "community spread" of the virus that causes COVID-19;

WHEREAS, on March 14, 2020, the Ohio Department of Health issued a Director's Journal Entry amending the January 23, 2020 entry making COVID-19 a Class A reportable disease in Ohio;

WHEREAS, on March 12, 2020, the Ohio Department of Health issued an *Order to Limit and/or Prohibit Mass Gatherings in the State of Ohio*. The ODH Order provides direction on what a mass gathering is and is not. Additionally, in that ODH Order, the Director of Health delegated authority to local health departments to answer questions regarding the definition of mass gathering, and may do so in writing, consistent with the Order. Subsequently, the director of ODH has issued: an Order closing K-12 schools (March 14, 2020); an Order limiting access to Ohio's jails and detention facilities (March 15, 2020); an Order limiting sales of food and beverage, liquor, beer and wine to carry-out and delivery only (March 15, 2020); and an Order closing polling locations (March 16, 2020) (collectively "ODH Orders")

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____ 20_____

WHEREAS, on March 13, 2020, Columbus Public Health issued a declaration of public health emergency for the cities of Columbus and Worthington;

WHEREAS, on March 17, 2020, the Centers for Disease Control and Prevention (CDC) lists over 185,067 worldwide cases of COVID-19 and over 7,330 deaths;

WHEREAS, pursuant to Ohio Revised Code section 3701.56, "[b]oards of health of a general or city health district, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and other officers and employees of the state or any county, city, or township, shall enforce quarantine and isolation orders, and the rules the department of health adopts";

WHEREAS, pursuant to Ohio Revised Code section 3701.57, "[t]he director of health, the board of health of a general or city health district, or any person charged with enforcing the rules of the department of health as provided in section [3701.56](#) of the Revised Code may petition the court of common pleas for injunctive or other appropriate relief requiring any person violating a rule adopted by or any order issued by the director of health under this chapter to comply with such rule or order. The court of common pleas of the county in which the offense is alleged to be occurring may grant such injunctive or other appropriate relief as the equities of the case require";

WHEREAS, most individuals who are quarantined never develop illness. These are the individuals who are being monitored. If they do become sick, they are not considered under quarantine, but they will be isolated to prevent the spread of the illness. For COVID-19, quarantine is 14 days from the last date of exposure, because 14 days is the longest incubation period seen for similar coronaviruses. Someone who has been released from COVID-19 quarantine is not a risk for spreading the virus to others because they were not ill;

WHEREAS, in the townships and villages of the Franklin County General Health District and the cities of Bexley, Canal Winchester, Dublin, Gahanna, Grandview, Grove City, Groveport, Hilliard, New Albany, Pickerington, Reynoldsburg, Upper Arlington, Westerville, and Whitehall,

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____

20 _____

there is an imminent threat of an acutely hazardous disease, illness, or health condition; specifically, COVID-19, that is believed to be caused by the appearance of a novel infectious agent and poses a high probability of widespread exposure to an infectious agent that poses a significant risk of substantial harm to a large number of people, a large number of serious or long-term disabilities, or a large number of deaths; and

WHEREAS, pursuant to Ohio Revised Code section 3709.21, "[i]n cases of emergency caused by epidemics of contagious or infectious diseases, or conditions or events endangering the public health, the board may declare such orders and regulations to be emergency measures, and such orders and regulations shall become effective immediately without such advertising, recording, and certifying."

Now, therefore, upon motion of Board Member Dr. James, seconded by Board Member Ms. Morgan,

BE IT RESOLVED BY THE FRANKLIN COUNTY BOARD OF HEALTH, BOARD MEMBERS;

1. Pursuant to the authority granted by Ohio Revised Code Chapters 3701, 3707, and 3709, and the contracts between the Franklin County Public Health and the cities of Bexley, Canal Winchester, Dublin, Gahanna, Grandview, Grove City, Groveport, Hilliard, New Albany, Pickerington, Reynoldsburg, Upper Arlington, Westerville, and Whitehall, a state of public health emergency is declared in the townships and villages constituting the Franklin County General Health District and including the cities of Bexley, Canal Winchester, Dublin, Gahanna, Grandview, Grove City, Groveport, Hilliard, New Albany, Pickerington, Reynoldsburg, Upper Arlington, Westerville, and Whitehall;
2. The entire jurisdictions of the townships and villages constituting the Franklin County General Health District and including the cities of Bexley, Canal Winchester, Dublin, Gahanna, Grandview, Grove City, Groveport, Hilliard, New Albany, Pickerington, Reynoldsburg, Upper Arlington, Westerville, and Whitehall;

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____

20_____

Albany, Pickerington, Reynoldsburg, Upper Arlington, Westerville, and Whitehall are subject to this declaration of public health emergency;

3. During this State of Emergency, the Health Commissioner may act on behalf of a Board of Health in administering Ohio's law regarding quarantine and isolation if the Health Commissioner acts pursuant to the Policy specifying the actions that the Health Commissioner may take as delegated by the Board if either of the following applies: (1) circumstances render a meeting of the Board impractical or impossible and (2) delaying action until a meeting of the Board compromises the public health. Any action the Health Commissioner takes in accordance with the Board's Policy is deemed an action taken by the Board unless the Board votes to nullify the Health Commissioner's action.
4. When a person known to have been exposed to a communicable disease (COVID-19) as now declared quarantinable by the Board of Health or the department of health is reported within its jurisdiction, and such person refuses to voluntarily self-quarantine, the Board or the Health Commissioner, as delegated, shall at once restrict such person to his/her place of residence or other suitable place, prohibit entrance to or exit from such place without the written permission of the Board or Health Commissioner in such manner as to prevent effective contact with individuals not so exposed, and enforce such restrictive measures as are prescribed by the ODH Order and any subsequent orders;
5. When a person has, or is suspected of having, a communicable disease (COVID-19) for which isolation is now required by the Board or the department of health, and such person refuses to voluntarily self-isolate, the Board or the Health Commissioner, as delegated, shall at once cause such person to be separated from susceptible persons in such places and under such circumstances as will prevent the conveyance of the infectious agents to susceptible persons,

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____ 20____

prohibit entrance to or exit from such places without the written permission of the Board or Health Commissioner, and enforce such restrictive measures as are prescribed by the ODH Order and any subsequent orders;

6. When persons have, or are exposed to, a communicable disease (COVID-19) for which placarding of premises is required by the Board or the department of health, the Board or the Health Commissioner, as delegated, may place in a conspicuous position on the premises where such a person is isolated or quarantined a placard having printed on it, in large letters, the name of the disease. No person shall remove, mar, deface, or destroy such placard, which shall remain in place until after the persons restricted have been released from isolation or quarantine;
7. Physicians attending a person affected with a communicable disease (COVID-19) shall use such precautionary measures to prevent its spread as are required by the Board or the department of health;
8. No person isolated or quarantined by a board shall leave the premises to which he or she has been restricted without the written permission of the Board or the Health Commissioner, as delegated, until released from isolation or quarantine by it in accordance with the rules and regulations of the department;
9. No person isolated or quarantined shall attend any public, private or parochial school or college, Sunday school, church, or any other public gathering, until released from isolation or quarantine by the Board or Health Commissioner, as delegated. All school principals, Sunday school superintendents, or other persons in charge of such schools or other gatherings shall exclude any such person until he or she presents a written permit of the Board or Health Commissioner, as delegated, to attend. Ohio Revised Code section 3707.16;

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____ 20_____

10. When a house or other place is quarantined because of contagious disease (COVID-19), the Board or Health Commissioner, as delegated, shall provide, for all persons confined in such house or place, food, fuel, and all other necessities of life, including medical attendance, medicine, and nurses when necessary. The expenses so incurred, except those for disinfection, quarantine, or other measures strictly for the protection of the public health, when properly certified by the president and clerk of the Board, or Health Commissioner, as delegated, or if there is no board, shall be paid by the persons quarantined, when able to make such payment, and when not, by the municipal corporation or township in which quarantined;
11. The Board or Health Commissioner, as delegated, may employ as many persons as are necessary to execute its orders and properly guard any house or place containing any person affected with or exposed to a communicable disease (COVID-19) declared quarantinable by the Board or the department of health. The persons employed shall be sworn in as quarantine guards, shall have police powers, and may use all necessary means to enforce sections [3707.01](#) to [3707.53](#), inclusive, of the Revised Code, for the prevention of contagious or infectious disease, or the orders of any board made in pursuance thereof;
12. The Board or the Health Commissioner, as delegated, shall enforce the ODH Orders; and
13. This declaration shall take effect immediately and remain in full force and effect until terminated after a finding that the occurrence or condition that caused the public health emergency no longer exists or is threatened.

RECORD OF PROCEEDINGS

Minutes of

Meeting

Government Forms and Supplies (844) 224-3338 FORM NO. SHTROP11

Held _____ 20____

Resolution 20-044
March 18, 2020
Page Seven

Voting Aye Thereon:

Thomas J. Rudge Jr
Roy Barnwell
Art Jones
Sally W. Morgan
Jeffrey D. ...
Board Members
Franklin County Board of Health

Voting Nay Thereon:

Board Members
Franklin County Board of Health