

SUBLETTE COUNTY HEALTH OFFICER

PUBLIC HEALTH ORDER 2020-003

ORDER REQUIRING ALL ADULTS WITHIN SUBLETTE COUNTY, WYOMING, TO WEAR FACE COVERINGS IN CERTAIN PLACES OPEN TO THE PUBLIC, WITH EXCEPTIONS

WHEREAS, Dr. Brendan Fitzsimmons, MD, serves as the Sublette County Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Wyoming Statute § 35-1-240(a)(i), (ii), and (iii) gives the power to the Wyoming Department of Health, through the State Health Officer or under her direction and supervision, or through other employees of the Department of Health to investigate and control the causes or epidemic affecting the public health, and to establish, maintain and enforce isolation and quarantine, and in pursuance thereof, and for such purposes only, to exercise such physical control over property and over the people within this state as the State Health Officer may find necessary for the protection of the public health; and

WHEREAS, as evidenced by her signature below, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer has reviewed and does hereby authorize the issuance of this Order by Dr. Brendan Fitzsimmons, the Sublette County Health Officer, and the State Health Officer, Dr. Harrist also specifically makes the finding that this Order is necessary for the protection of the public health in Sublette County; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to at least 216 countries including the United States.¹ There are 19,298 confirmed cases of COVID-19 in Wyoming as of November 16, 2020, and 189 confirmed cases of COVID-19 in Sublette County as of November 16, 2020, as well as the presence of community spread in Wyoming and Sublette County. It is expected that more cases will be diagnosed; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic on March 11, 2020ⁱⁱ; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency concerning the coronavirus, specifically stating that “in December 2019 a novel (new) coronavirus known as SARS-Co V-2 was first detected in Wuhan, Hubei Province, People's Republic of China, causing outbreaks of the corona virus disease (COVID-19) that has now spread globally. The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems and cause great economic and social disruption. Additional measures are needed to successfully contain and combat the virus in the United States”ⁱⁱⁱ; and

WHEREAS, on March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, stating that on March 11, 2020, an individual within the State of Wyoming tested presumptive positive for COVID-19; and

WHEREAS, Governor Gordon’s Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary

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actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety, and welfare; and

WHEREAS, a significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19 place other vulnerable members of the public at significant risk; and

WHEREAS, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposureⁱⁱⁱ; and

WHEREAS, respiratory droplets from infected individuals are a major mode of SARS-CoV-2 transmission.^{iv} This understanding is the basis of the recommendations for physical distancing, and of the PPE guidance for healthcare workers. Droplets do not only come from coughing or sneezing: in a-/pre-symptomatic individuals, droplets are generated via talking and breathing;^v and

WHEREAS, Face Coverings reduce droplet dispersal and cloth-coverings reduce emission of particles by variable amounts; and

WHEREAS, evidence indicates that wearing Face Covering reduces the transmissibility per contact by reducing transmission of infected droplets; and

WHEREAS, in the most comprehensive, systematic review and meta-analysis of Face Coverings published to date, Chu *et al.* found that Face Coverings could reduce risk of transmission of COVID-19 by an expected 85 percent;^{vi} and

WHEREAS, guidelines published by the U.S. Centers for Disease Control (CDC) on April 3, 2020, recommend that all people wear cloth Face Coverings in public settings where other physical distancing measures may be difficult to maintain. The CDC also advises the use of a simple Face Covering to slow the spread of the virus and help people who may have the virus and do not know from transmitting it to others.^{vii}

NOW, THEREFORE, IT IS HEREBY ORDERED that persons within Sublette County, Wyoming, shall wear a Face Covering in certain public settings as further described below:

1. "Face Covering," as used in this Order, means a covering made of cloth, fabric, or other soft or permeable material, without holes, that covers the nose and mouth and surrounding areas of the lower face.
2. Except as specifically exempted below, all members of the public, except for minors, must wear a Face Covering outside their home or other place of residence in the following situations:

- a. When any person is inside, or in line to enter, any retail or commercial business, or any government facility open to the general public, including county and municipal buildings but excluding state and federal buildings; or
 - b. When any person is obtaining services at, or visiting healthcare operations, including, but not limited to, hospitals, clinics, and walk-in health facilities, dentists, pharmacies, blood banks, other healthcare facilities, behavioral health providers, and facilities providing veterinary and similar healthcare services for animals; or
 - c. When any person is waiting for or riding on public transportation or paratransit, or while they are riding in a taxi, private car service, shuttle, tour, or ride-sharing vehicle. The driver shall also wear a Face Covering when passengers are in the vehicle.
3. All retail and commercial businesses and government facilities open to the general public, including county and municipal buildings but excluding state and federal buildings, must post notices stating that Face Coverings are required in a clearly visible location at or near the entrance of the business or building.
4. All employees, owners, and volunteers of retail and commercial businesses and employees and volunteers of government facilities open to the general public, including county and municipal buildings but excluding state and federal buildings, shall wear Face Coverings at their business or government facility when interacting with the public, or working in a space visited by members of the public, such as by way of example, but not limited to: reception areas, grocery store aisles, service counters, public restrooms, cashier and checkout areas, waiting rooms, service areas, and other spaces used to interact with the public.
5. A Face Covering is not required under the following circumstances:
 - a. When a person is in a personal office (a single room) where others outside of that person's household are not present as long as the public does not regularly visit the room, but that individual must put on a Face Covering when being visited by a client, customer, or a member of the public.
 - b. The person is a minor. Minors are not required to wear a Face Covering, however minors three years old and older are encouraged to wear Face Coverings. Minors age two years or younger should not wear a Face Covering.
 - c. When a person is seated at a table of a restaurant or other food service venue, the person is separated by at least six (6) feet from other patrons at other tables, and no more than eight (8) people in total are seated at the table. If more than eight (8) individuals are seated at the table, but all individuals are members of the same household, this exception applies. This exception also applies if a person is seated at a booth. However, individuals shall wear a Face Covering while entering, exiting, or otherwise moving about the establishment.

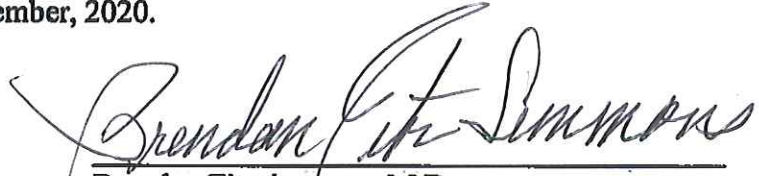
- d. When a person is inside or obtaining services at a location engaged primarily in providing congregate care, residential health care, or shelter care, and the individual is engaged in activities not conducive to wearing a Face Covering, such as eating or drinking, or the individual is in an area of that facility that is not designed for community gathering, such as a sleeping area.
- e. If a person has a medical condition, mental health condition, or disability that prevents him or her from wearing a Face Covering. This includes, by way of example, but is not limited to, persons with a medical condition for whom wearing a Face Covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a Face Covering without assistance. A person is not required to provide any documentation or explanation demonstrating that the person cannot wear a Face Covering for any medical condition, mental health condition, or disability.
- f. Individuals who are hearing impaired, or communicating with an individual who is hearing impaired, where the ability to see the mouth is essential for communication.
- g. Individuals for whom wearing a Face Covering would create a risk to the individual related to their work, as determined by local, state, or federal workplace safety guidelines.
- h. Individuals who are obtaining a service involving the nose or face for which temporary removal of the Face Covering is necessary to perform the service.
- i. Individuals who are purchasing a product or receiving a service that requires identification may briefly remove a Face Covering as necessary, so that the retailer or service provider can verify identity.
- j. When actively exercising in a gym in accordance with Statewide Health Orders, as amended.

IT IS FURTHER ORDERED that the Sublette County Health Officer may grant exceptions to this Order on a case-by-case basis after evaluating the request; and

IT IS FURTHER ORDERED that this Order shall become effective on November 18, 2020, and remain in effect through December 4, 2020, or until such time as the Sublette County Health Officer, with the State Health Officer's approval, issues an Order revoking or modifying this Order; and


IT IS FURTHER ORDERED that any person that violates this Order may be subject to criminal prosecution under Wyoming Statutes §§ 35-1-105 and 35-1-106.

DATED this ___ day of November, 2020.


Brendan Fitzsimmons, M.D.
Sublette County Health Officer

DIRECTION TO ISSUE ORDER

I, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer, hereby state that I have reviewed the above Order and hereby direct, pursuant to Wyoming Statute §§ 35-1-227 and 35-1-240(a)(i), (ii), and (iii), the Sublette County Health Officer to issue the above Order, in Sublette County, Wyoming. As the State Health Officer, I specifically find that this Order is necessary for the protection of public health in Sublette County. I will reassess the necessity of this Order as appropriate and in accordance with accepted epidemiological and medical standards.


Alexia Harrist, M.D., PhD
Wyoming State Health Officer

ⁱ World Health Organization. *Coronavirus Disease (COVID-19) Pandemic*. Available: <https://www.who.int/emergencies/diseases/novel-coronavirus-2019>. (Accessed: 10/30/2020)

ⁱⁱ Wyoming Department of Health Infectious Disease and Epidemiology Unit. *COVID-19 Map and Statistics*. Available: <https://health.wyo.gov/publichealth/infectious-disease-epidemiology-unit/disease/novel-coronavirus/covid-19-map-and-statistics/>. (Accessed: 10/30/2020).

ⁱⁱⁱ United States Center for Disease Control and Prevention. *Coronavirus Disease 2019 (COVID-19): How to Protect Yourself & Others*. Available: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html> (Accessed: 10/30/2020)

^{iv} World Health Organization. 2020 Modes of transmission of virus causing COVID-19: implications for IPC precaution recommendations. Available <http://www.who.int/news-room/commentaries/detail/modes-of-transmission-of-virus-causing-covid-19-implications-for-ipc-precaution-recommendations>. (Accessed: 10/30/2020)

^v Anfinrud P., Stadnytskyi V., Bax CE., Bax A. 2020, *Visualizing Speech-Generated Oral Fluid Droplets with Laser Light Scattering*. New England Journal of Medicine. Available: <https://nejm.org/doi/full/10.1056/nejmc2007800> (Accessed 10/30/2020)

^{vi} Chu DK, AKL EA, Duda S, et al. *Physical distancing, face masks, and eye protection to prevent person-to-person transmission of SARS-CoV-2 and COVID-19: a systemic review and meta-analysis* (published June 1, 2020) Available: [https://doi.org/10.1016/S0140-6736\(20\)31142-9](https://doi.org/10.1016/S0140-6736(20)31142-9) (Accessed: 10/30/2020)

vii **United States Center for Disease Control and Prevention. Coronavirus Disease 2019 (COVID-19): Use of Cloth Face Covering to Help Slow the Spread of COVID-19. Available: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html> (Accessed: 10/30/2020)**