

## **ORDER OF THE HEALTH OFFICER FOR CONTROL OF COVID-19**

**Revised** Required Protocols for Licensed Congregate Health Care Facilities

ORDER ISSUED: **August 11, 2020**

**Please read this Order carefully. Violation of or failure to comply with this Order is a crime punishable by fine, imprisonment, or both. (Ca. Health & Safety Code § 120275 et seq; Long Beach Municipal Code § 8.120.030.A and 8.120.030.E.3)**

**Summary:** On March 4, 2020, Governor Newsom declared a state of emergency for the condition caused by a novel coronavirus, COVID-19 and on March 4, 2020, the City of Long Beach (City) declared a local emergency and a local health emergency in relation to COVID-19 in the community, which was ratified by the Long Beach City Council on March 11, 2020.

This Order amends and supersedes the prior Order issued on April 15, 2020. This Order allows a facility to consult with the Long Beach Department of Health and Human Services (LBDHHS) to reinstitute communal dining and to expand visitation, subject to limitations. Changes are in **yellow**.

The Health Officer will continue to monitor the rate of COVID-19 disease spread, the severity of the resulting illnesses and deaths caused, California Department of Public Health (CDPH) and Centers for Disease Control and Prevention (CDC) recommendations, and the effect of this Order. If needed, this Order may be extended, expanded, or otherwise modified to protect the public's health.

### **UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY OF LONG BEACH ORDERS:**

1. This Order is effective immediately on **August 11, 2020** and continuing until further notice or until it is extended, rescinded, superseded, or amended in writing by the Long Beach Health Officer (Health Officer). This Order applies to Licensed Congregate Health Care Facilities, as defined by this Order, in the City of Long Beach (City). **This Order amends and supersedes the prior Order issued on April 15, 2020.**
2. The Health Officer orders the following for Licensed Congregate Health Care Facilities:
  - a. **Limited entry.** No one other than employees, first responders, medical professionals, or contracted essential maintenance workers and service providers are to enter a facility. All visitors, including volunteers and non-essential workers such as barbers, entertainers, and the like, are prohibited from entering the facility. If essential (e.g., end of life), limit access to only one visitor at a time and require the person to wear a surgical mask or clean cloth face covering. Arrange alternative methods of visitation (virtual) that are not in person, as needed **In consultation with LBDHHS, facilities may be allowed to**

expand their visitation policy subject to and in alignment with Section II of the City's "[Guidelines for Preventing and Managing COVID-19 in Skilled Nursing Facilities](#)". Return to work. No employee who has tested positive for COVID-19 or who is displaying symptoms associated with COVID-19 is to be admitted entry into the facility until they have fulfilled the CDC Criteria for Return to Work for Healthcare Personnel with Confirmed or Suspected COVID-19 (Interim Guidance) which can be found at <https://www.cdc.gov/coronavirus/2019-ncov/hcp/return-to-work.html> and must follow the return to work practices and work restrictions found therein.

- b. **All communal dining and activities are to be suspended.** All meals are to be served within individual rooms. Staff may eat in staff breakrooms or a separate designated area but physical distancing of six (6) feet or greater must be maintained and enforced at all times while eating. Residents/patients are to remain in their rooms. In consultation with LBDHHS, facilities may be allowed to reinstitute limited communal dining subject to and in alignment with Section II of the City's "[Guidelines for Preventing and Managing COVID-19 in Skilled Nursing Facilities](#)".
- c. **Separate areas and staff.** You must establish an area within your facility for those who have tested positive for COVID-19 or who are displaying symptoms associated with COVID-19, physically separated from and area for those who do not have confirmed or suspected COVID-19. All employees who work or go into the established COVID-19 area of your facility are not to work or enter into any other area of your facility.
- d. **All staff shall wear a surgical mask at all times while in the facility.** Staff must refer to and follow current U.S. Centers for Disease Control (CDC) guidance. Staff shall wear an N-95 respirator, if available, and all personal protective equipment (PPE) as recommended by the CDC (such as gloves, gown, eye protection) while caring for people with suspected or confirmed COVID-19. In facilities with COVID-19 transmission, healthcare personnel should wear full PPE for the care of all patients, irrespective of COVID-19 diagnosis or symptoms. Facilities should follow the CDC's guidance on conservation of PPE.
- e. **All staff must follow all infection prevention guidance from the Centers for Medicare and Medicaid Services (CMS) and the CDC.** In particular, facilities must follow appropriate hand hygiene as set forth by the CDC, and the CMS infection control guidance checklist. Facilities must follow any additional guidance provided by the Health Officer, such as the Long Beach "Long-Term Care Facility Guidance for Managing and Preventing COVID" or "Long Beach Masking Recommendations for Healthcare Personnel."
- f. **Patients/residents must wear a surgical mask when available, or a clean cloth face covering, when outside of the person's room.** This includes patient/residents who must regularly leave the facility for care (e.g., hemodialysis patients). Surgical masks are required for any resident with symptoms.

- g. **Symptom screening for all.** Everyone entering the facility (except first responders, who typically have separate screenings) must have a symptom screening prior to entry. Anyone who is experiencing any symptoms is not to be admitted entry into the facility. As used in this Section, “symptoms” includes, but is not limited to, fever, chills, not feeling well, sore throat, cough, sneezing, shortness of breath or gastrointestinal symptoms like soft stool or stomach cramps. Everyone must have their temperature taken before entry to the facility. Anyone with a fever (100.0° F or 37.8° C) is not be admitted entry into the facility. Individuals who have used fever-lowering medications in the past eight hours are prohibited from the facility. Temperature must be taken with a method that will not cause risk for disease transmission between employees. Access point should be limited to ensure that all accessible entrances have a temperature screening station.
- h. **Conduct daily temperature checks for staff and patients/residents.** All staff should be checked twice daily, once prior to coming to work and the second approximately twelve (12) hours later. Patients/residents should be checked frequently each day. Records are to be kept of those temperature checks.
- i. **All confirmed or suspected COVID-19 cases should be reported to the Long Beach Department of Health and Human Services immediately by phone.**
- j. **Facilities should avoid, by any means possible, utilizing employees who have worked at another facility.**

### Definitions

- 3. “Licensed Congregate Health Care Facilities” includes the following facilities within the City:
  - a. Adult Residential Care Facilities (ARF) all license types
  - b. Chronic Dialysis Clinic
  - c. Continuing Care Retirement Communities
  - d. Hospice Facilities
  - e. Intermediate Care Facilities of all license types
  - f. Psychiatric Health Facilities
  - g. Residential Care Facilities for the Elderly
  - h. Residential Facility Chronically III
  - i. Skilled Nursing Facilities
  - j. Social Rehabilitation Facilities

k. Long-Term Care Facilities

Additional Terms

4. This Order does not, in any way, restrict: (a) first responder access to the site(s) named in this Order during an emergency or (b) local, state or federal officers, investigators, or medical or law enforcement personnel from carrying out their lawful duties at the site(s) named in this Order.
5. The City shall promptly provide copies of this Order by: (a) posting it on the Long Beach's Department of Health and Human Services website (<http://www.longbeach.gov/health/>), (b) posting it at the Civic Center located at 411 W. Ocean Blvd., Long Beach, CA 90802, (c) providing it to any member of the public requesting a copy, (d) issuing a press release to publicize the Order throughout the City, and (e) by serving via email on large facilities known to the Health Officer that are likely to be subject to this Order (but service via email is not required for compliance). The owner, manager, or operator of any facility that is likely to be impacted by this Order is strongly encouraged to post a copy of this Order onsite and to provide a copy to any member of the public requesting a copy.
6. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.
7. In the City, the State of California (State), and the nation, there are insufficient quantities of critical healthcare infrastructure, including hospital beds, ventilators and workers, capable of adequately treating mass numbers of patients at a single time should the virus spread unchecked. In direct response to the lack of healthcare infrastructure, governments across the nation are taking actions to slow the spread of COVID-19 in order to reduce the rate of infection and reduce the numbers of individuals infected at any one time by minimizing situations where the virus can spread.
8. Physical distancing alone in certain Licensed Congregate Health Care Facilities serving individuals 65 years and older or with underlying health conditions, including, but not limited, to Skilled Nursing Facilities and Long-Term Care Facilities may not be effective due to the concentration of individuals and the nature of the services provided to them.
9. The City Health Officer (Health Officer) finds:
  - a. There is an increased risk of COVID-19 among those working in or living in certain Licensed Congregate Health Care Facilities, and among those providing services in our community;
  - b. That prior to providing services in our community, or prior to entering certain Licensed Congregate Health Care Facilities all individuals who are not a patient, existing resident, or new resident should conduct a self-evaluation and temperature screening for symptoms of the COVID-19 virus; and

c. Accordingly, individuals with symptoms such as respiratory illness or fever should not enter these Licensed Congregate Health Care Facilities because doing so is likely to impair efforts at mitigating the spread of COVID-19 both within the City, County, and State.

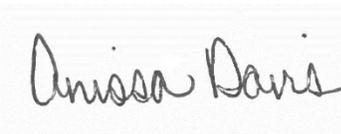
10. This Order is issued in light of existing community transmission of COVID-19 in the City which presents a substantial and significant risk of harm to the health of residents. Currently, there is no vaccine available to protect against and no specific treatment for COVID-19. As of June 22, 2020, there have been at least 3,042 positive cases of COVID-19 and 14 deaths reported in the City, of which 780 positive cases and 91 deaths are associated with long-term care facilities in the City. There remains a strong likelihood of a significant and increasing number of suspected cases of community transmission.

11. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom and the and the March 4, 2020 declarations of a local and public health emergency issued by the City Council of Long Beach, the Proclamation of Local Emergency by the City Manager, and the Declaration of Local Health Emergency by the Health Officer, respectively, and guidance issued by the California Department of Public Health, as each of them have been and may be supplemented.

12. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health, safety and welfare. To protect the public's health, the Health Officer of the City of Long Beach may take additional action(s) for failure to comply with this Order. Violation of this Order is a misdemeanor punishable by imprisonment, fine or both under California Health and Section Code Section 120275 et seq and Chapter 1.32 of the Long Beach Municipal Code.

Pursuant to Long Beach City Charter Section 109, Sections 8634 and 41601 of the California Government Code; Sections 101040 and 120175 of the California Health and Safety Code; and Chapters 8.08, 8.26, 8.120 of the Long Beach Municipal Code, these Orders and Directives as issued by the Health Officer shall be enforceable by the Chief of Police of the City of Long Beach to ensure compliance with and enforcement of this Order and the Directives set forth herein.

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,  
Health Officer, City of Long Beach  
Date: August 11, 2020

**PROMULGATION OF EMERGENCY REGULATIONS**

As Director of Civil Defense for the City of Long Beach pursuant to Long Beach Municipal Code ("LBMC") section 2.69.060.A, and in accordance with the provisions of LBMC Chapter 8.120, I am authorized to promulgate regulations for the protection of life and property as affected by the COVID-19 emergency pursuant to Government Code section 8634, and LBMC sections 2.69.070.A and 8.120.020. The following shall be in effect for the duration of the Long Beach Health Order, SAFER AT HOME ORDER FOR CONTROL OF COVID-19, issued above, which is incorporated in its entirety by reference:

The Long Beach Health Officer Order, SAFER AT HOME ORDER FOR CONTROL OF COVID-19, shall be promulgated as a regulation for the protection of life and property.

Any person who, after notice, knowingly and willfully violates or refuses or neglects to conform to the above referenced lawfully issued Health Order shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. (Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3.)

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read 'T.B. Modica', with a long horizontal stroke extending to the left.

Thomas B. Modica  
City Manager, City of Long Beach  
Date: August 11, 2020