NATRONA COUNTY HEALTH OFFICER
PUBLIC HEALTH ORDER 20-4

VARIANCE ORDER TO MODIFY RESTRICTIONS UNDER STATEWIDE ORDER #1

WHEREAS, Dr. Mark E. Dowell, M.D. serves as the Natrona County Health Officer, and Dr. Ghazi Ghanem serves as a Deputy Natrona County Health Officer, pursuant to Wyo. Stat. Ann. § 35-1-306(a); and

WHEREAS, Wyo. Stat. Ann. §§ 35-1-240(a)(i) and (iv) provides all the rights and powers for the Wyoming Department of Health, through the State Health Officer, Dr. Alexia Harrist, M.D., or under her directive through other employees of the Wyoming Department of Health, to close theaters, schools, and other public places when necessary to protect the public health, as well as prohibiting public gatherings; and

WHEREAS, as evidenced by her signature below, Dr. Alexia Harrist, M.D., the Wyoming State Health Officer, has reviewed and directed the issuance of this Order by Dr. Mark E. Dowell, Natrona County Health Officer and Dr. Ghazi Ghanem, Deputy Natrona County Health Officer; and

WHEREAS, the State Health Officer has recognized that the metrics measuring outbreak progress and healthcare system capacity currently allow for the Wyoming Department of Health to begin the process of incrementally lifting certain restrictions currently in place in line with the White House unveiling, on April 16, 2020, of certain guidelines for Opening Up America Again – a three-phased approach beginning with State and Regional Gating Criteria and continuing through three phases of removing restrictions when there is no evidence of resurgence of the virus; and

WHEREAS, Statewide Order #1 is specifically titled: *Third Continuation and Modification, of Statewide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide.* Statewide Order #1 originally was to expire on April 3, 2020, however, it was extended by the First Continuation Order to April 17, 2020. The Second Continuation Order extended Statewide Order #1 to April 30, 2020. The Third Continuation Order now extends the closures until May 15, 2020, and allows for a County Health Officer to request a less restrictive or more restrictive countywide variance to the order; and

WHEREAS, Statewide Order #2 is specifically titled: *Third Continuation, and Modification of Statewide Public Health Order #2: Forbidding Gatherings of Ten (10) People or More.* Statewide Order #2 originally was to expire on April 3, 2020, however,
it was extended by the First Continuation Order to April 17, 2020. The Second Continuation Order extended Statewide Order #2 to April 30, 2020. The Third Continuation Order now extends the closures until May 15, 2020, and allows for a County Health Officer to request a less restrictive or more restrictive countywide variance to the order; and

WHEREAS, Statewide Order #3 is specifically titled: *Third Continuation and Modification, of Statewide Public Health Order #3; Temporary Closure of Nail Salons, Hair Salons, Barber Shops, Massage Therapy Services, Tattoo, Body Art and Piercing Shops, and Cosmetology, Electrology, and Esthetic Services.* Statewide Order #3 was originally issued on March 24, 2020, with an original expiration date of April 3, 2020. The First Continuation Order extended Statewide Order #3 to April 17, 2020. The Second Continuation Order extended Statewide Order #3 to April 30, 2020. The Third Continuation Order now extends the closures until May 15, 2020, and allows the County Health Officer to request a less restrictive or more restrictive variance to the order; and

WHEREAS, Natrona County, Wyoming is centrally located within the state and is the second largest county in Wyoming. Wyoming Medical Center is a regional hub for healthcare and currently has ample ICU bed space and PPE; and

WHEREAS, as of April 29, 2020, there have been 39 confirmed cases of Covid-19 coronavirus in Natrona County. In total there have been 1015 test performed in Natrona County and of that total, 926 were confirmed negative, 39 confirmed positive and 50 test results are pending. This equates to a rate of lab confirmed positive cases of 48.84 per 100,000 residents. The last reported confirmed positive case within Natrona County was reported on April 23, 2020; and

WHEREAS, Natrona County has had a flat and stable number of confirmed positive cases of Covid-19 with the last reported positive confirmed on April 23, 2020. This was also the last confirmed case of community spread; and

WHEREAS, testing numbers within Natrona County have maintained at a stable level within the range of 20-30 tests per day for the last two and a half weeks; and

WHEREAS, Natrona County has received additional testing supplies, enabling testing of an even broader cross section of the community. Additionally, the County has dedicated health department staff to contact tracing and is able to aggressively track any new, confirmed covid-19 cases within the community; and

WHEREAS, the Natrona County Health Officer has reviewed the metrics and data for Natrona County and believes that an incremental loosening of the current statewide orders is prudent and warranted. In conjunction with the Casper-Natrona County Health Department, Wyoming Medical Center, Rocky Mountain Infectious Disease, local
government officials and the Natrona County Emergency Operations Center, Natrona County specific phased guidelines for easing restrictions has been promulgated; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 60 countries including the United States. There are 415 confirmed cases of COVID-19 in Wyoming and 39 confirmed cases within Natrona County as of April 30, 2020, as well as the presence of community spread. It is expected that more cases will be diagnosed 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 exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death, especially among older adults and persons with serious underlying health conditions.

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020.

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-CoV-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus 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. […] Additional measures […] are needed to successfully contain and combat the virus in the United States.”


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 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.

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.

WHEREAS, in addition to the above findings, stopping the spread of COVID-19 includes wearing a mask, washing hands often, practicing social distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your face, eyes, nose and mouth, and covering your cough or sneeze into your elbow or by using a tissue.

ORDER

IT IS HEREBY ORDERED THAT residents of Natrona County, Wyoming, shall comply with the Statwide Order #1 (Third Continuation and Modification, of Statwide Public Health Order Closing Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 Schools, Colleges, Universities, and Trade Schools Statewide) with the following exceptions:

1. Paragraph 2 of the Order is amended to create a new subsection f., as follows: "f. Places of public accommodation may provide outdoor dining options for patrons under the following restrictions to be enforced by staff of the facility:

   i. Tables must be limited to groups of 6, preferably of the same household
   
   ii. Tables with guests must be at least 6 feet apart, from edge to edge.
   
   iii. In waiting areas, a 6-foot distance must be maintained between parties.
   
   iv. Signage must be maintained to remind individuals from separate parties to stand at least 6 feet apart; waiting areas must have floor markers to indicate proper spacing.
   
   v. Staff shall wear face coverings at all times and perform hand hygiene between interactions with each table.
   
   vi. Cups, lids, napkins and straws must be handed directly to customers by staff.
   
   vii. Staff shall avoid touching items that have been placed on the table. The table must be cleared by dedicated staff once all guests have left the table.
   
   viii. Dedicated staff shall sanitize the area occupied by customers upon departure including tables, menus, pens, salt and pepper shakers etc. Consider the use of disposable items if necessary."
ix. The restaurant may not operate if PPE, EPA-approved disinfectants and sanitizers, soap and other necessary cleaning supplies are not available.

x. Hand sanitizer must be available immediately adjacent to bathrooms.

xi. Restaurants must be closed for cleaning and disinfecting in the morning, afternoon, and evening. All tables, chairs, door handles, floors, bathrooms and any high-touch surfaces must be cleaned and disinfected.

xii. No self-serve food service or buffet options may be available unless food is pre-packaged.

xiii. To-go boxes, pizza boxes, paper cups, and any other paper product that touches food must be treated as food.

xiv. Staff shall use gloves when handling ready-to-eat foods (including ice). Gloves are not required when handling foods that have yet to be cooked.

xv. Playgrounds in restaurants must remain closed.

xvi. All indoor dining remains prohibited.”

2. Paragraph 3(f) of the Order is amended to read: “Locker rooms may be open provided that lockers are assigned and are disinfected by employees after every use. Showers may be opened provided that proper cleaning pursuant to health department guidelines can be performed”

3. Despite Paragraph 3(g) of the Order requiring that all workout equipment must be no less than 6 feet apart, it is strongly encouraged as a best practice that workout equipment be no less than 10 feet apart.

IT IS FURTHER ORDERED, that the Natrona County Health Officer may grant exceptions to this Order on a case by case basis after evaluating the request and obtaining written approval from the State Health Officer; and

IT IS FURTHER ORDERED, that this Variance Order shall take effect on May 4, 2020, and remain in effect until such time as the Natrona County District Health Officer, with written approval by the State Health Officer, enters a decision to revoke or modify this Variance Order; and

IT IS FURTHER ORDERED, that any person or legal entity that violates this Order shall be subject to criminal prosecution under Wyo. Stat. Ann. §§ 35-1-105 and 35-1-106.

Direction to Issue Order

I, Dr. Alexia Harrist, the Wyoming State Health Officer, hereby state that I have reviewed the above Order and hereby direct, pursuant to Wyo. Stat. Ann. §§ 35-1-227 and -240(a)(i) and (iv), the Natrona County Health Officer to issue the above Variance Order in Natrona County, Wyoming. As the State Health Officer, I specifically deem this Variance Order appropriate for Natrona County. I will reassess the necessity of this Variance Order as appropriate to do so and according to accepted epidemiological and medical standards.

Dr. Alexia Harrist
Wyoming State Health Officer