FOURTH CONTINUATION OF TETON DISTRICT HEALTH OFFICER PUBLIC HEALTH ORDER #20-6

ORDER REQUIRING ALL ADULTS WITHIN TETON COUNTY, WYOMING, INCLUDING THE CITY OF JACKSON, WYOMING TO WEAR FACE COVERINGS IN CERTAIN PUBLIC PLACES, WITH EXCEPTIONS

WHEREAS, Teton District Public Health Order #20-06 was initially ordered by the Teton District Health Officer and authorized by the Wyoming State Health Officer on July 20, 2020 to run from July 21, 2020 to July 31, 2020; and

WHEREAS, the Order was extended on July 26, 2020 to run until August 14, 2020, then again extended on August 13, 2020 to run until August 31, 2020, and then extended to September 30, 2020; and

WHEREAS, the Teton District Health Officer has determined that it is necessary for protection of public health in Teton County to continue the order until October 31, 2020; and as evidenced by her signature below, the Wyoming State Health Officer has reviewed and does authorize the continuation of this order; and

WHEREAS, Dr. Travis Riddell, MD, MPH serves as the Teton District Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Teton County and the City of Jackson have formed the Teton Health District which encompasses all of Teton County, Wyoming, including the City of Jackson, a Wyoming Municipality; and

WHEREAS, Wyoming Statute § 35-1-240(a)(i) and (iii) gives the power to the Wyoming Department of Health, through the State Health Officer, or under her direction and supervision, or through the other employees of the Wyoming Department of Health 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. Travis Riddell, the Teton District Health Officer, and the State Health Officer, Dr. Alexia Harrist, also specifically makes the finding that this Order is necessary for the protection of the public health in Teton 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 4,231 confirmed cases of COVID-19 in Wyoming as of September 22, 2020, and 473 confirmed cases of COVID-19 in Teton County as of September 22, 2020. There are 647 active confirmed cases of COVID-10 in Wyoming as of September 22, 2020, and 33 active cases of COVID-19 in Teton County as of September 22, 2020, as well as the presence of community spread in Wyoming and Teton County.[2] It is expected that more cases will be diagnosed; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020[3]; 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 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";[4] 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; [5]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 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;[6] 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;[7] and

WHEREAS, a large number of persons with serious infections can compromise the ability of the healthcare system in Teton County to deliver the necessary healthcare to the public; and

WHEREAS, Teton County, Wyoming is a tourist destination and other mountain resort communities in the Rocky Mountain region have been significantly impacted by the pandemic (Vail, CO; Park City, UT and Sun Valley/Ketchum, ID);[8] and

WHEREAS, as previous public health orders expire or are replaced with less restrictive orders, Teton County will see increasing numbers of visitors from outside Teton County who can potentially transmit COVID-19 and at the same time will be more likely to interact with each other and with local residents as businesses, tourist destinations such as National Parks, and other services reopen; and

WHEREAS, Teton County Hospital District routinely serves patients not only from within Teton County but also many tourists and residents from Lincoln County, WY, Sublette County, WY, Fremont County, WY, and parts of Eastern Idaho who will further stress its capacity, making it critical that Teton County take steps to slow the spread of COVID-19 infection so as not to overwhelm the local healthcare system in such a way that would result in many preventable deaths; 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;[9] and

WHEREAS, respiratory droplets from infected individuals are a major mode of SARS-CoV-2 transmission.[10] This understanding is the basis of the recommendations for physical distancing, and of the PPE guidance for healthcare workers.[11] Droplets do not only come from coughing or sneezing: in a-/pre-symptomatic individuals, droplets are generated via talking and breathing;[12] and

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

WHEREAS, evidence indicates that wearing Face Coverings 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 masks could reduce risk of transmission of COVID-19 by an expected 85 percent;[13] 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. CDC also advises the use of simple cloth Face Coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others.[14]

NOW, THEREFORE, IT IS HEREBY ORDERED, that persons within Teton County, Wyoming, including the City of Jackson, Wyoming, shall wear Face Coverings 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 they reside in the following situations:

    a. When any person is inside, or in line to enter, any retail or commercial business; 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 mask when passengers are present in the vehicle.

3. All retail and commercial businesses must post notices stating that Face Coverings are required in a clearly visible location at or near the entrance of the business.

4. All employees, owners, and volunteers of retail and commercial businesses shall wear Face Coverings at the business 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, and anywhere members of the public are regularly present; or
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; or
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 six (6) people in total are seated at the table. If more than six (6) individuals are seated at the table, but all individuals are members of the same household, this exception applies. The person shall wear a mask while entering, exiting, or otherwise moving about the establishment; or
d. When a person is inside or obtaining services at a location, engaged primarily in providing congregate care, residential health care, or congregate shelter, 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 the facility that is not designed for community gathering, such as a sleeping area; or
e. If a person has a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes, 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 State Health Orders, as amended.

IT IS FURTHER ORDERED, that the District Health Officer may grant exceptions to this Order on a case by case basis after evaluating the request; and remain in effect through October 31, 2020 or until such time as the Teton District Health Officer, with State Health Officer 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 23 DAY OF September, 2020.

Travis Riddell, MD, MPH
Teton District 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 Statutes §§ 35-1-227 and 35-1-240(a)(i) and (iii), the Teton District Health Officer to continue the above Order, in Teton County, Wyoming, including the City of Jackson. As the State Health Officer, I specifically find that this Order is necessary for the protection of public health in Teton County. I will reassess the necessity of this Order as appropriate to do so and according to accepted epidemiological and medical standards.

Alexia Harrist, MD, PhD
Wyoming State Health Officer

[1] World Health Organization. *Coronavirus Disease (COVID-19) Pandemic.* Available: https://www.who.int/emergencies/diseases/novel-coronavirus-2019. (Accessed: 06/24/2020).

[2] 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: 06/24/2020).

[3] World Health Organization. *Coronavirus Disease (COVID-19) Pandemic.* Available: https://www.who.int/emergencies/diseases/novel-coronavirus-2019. (Accessed: 06/24/2020).

[4] Trump, Donald J. The White House. *Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak.* Available: https://www.whitehouse.gov/presidential-actions/proclamation-declaring-national-emergency-concerning-novel-coronavirus-disease-covid-19-outbreak/. (Accessed: 6/24/2020).

[5] Gordon, Mark. Office of the Wyoming Governor. *State of Wyoming Executive Department Executive Order: Order 2020-2: Declaration of at State of Emergency and a Public Health Emergency.* Available: https://drive.google.com/file/d/1FTEUxYXwwbljcnwDl18w0pTLtM8ivTab/view (Accessed: 6/24/2020).

[6] Gordon, Mark. Office of the Wyoming Governor. *State of Wyoming Executive Department Executive Order: Order 2020-2: Declaration of at State of Emergency and a Public Health Emergency.* Available: https://drive.google.com/file/d/1FTEUxYXwwbljcnwDl18w0pTLtM8ivTab/view (Accessed: 6/24/2020).

[7] United States Centers 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: 6/24/2020).

[8] Miller, Scott. 11 March 2020. Vail Daily. *Colorado Gov. Polis: Coronavirus hitting mountain resort communities the hardest: Governor says virus outbreak will 'get worse before it gets better,' tells older travelers to avoid mountains.* Availablehttps://www.vaildaily.com/news/polis-older-people-those-with-health-issues-should-not-travel-to-mountain-resorts/. (Accessed: 6/24/2020).
Imlay, Ashley. 24 March 2020. Deseret News. *As Utah COVID-19 cases near 300, how one hard-hit county is battling the virus.* Available: https://www.deseret.com/utah/2020/3/24/21192604/coronavirus-covid-19-cases-summit-county-utah-cases-rising (Accessed: 6/24/2020).
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[9] United States Centers 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: 6/24/2020).

[10] World Health Organization. *2020 Modes of transmission of virus causing COVID-19: implications for IPC precaution recommendations.* Available: https://www.who.int/news-room/commentaries/detail/modes-of-transmission-of-virus-causing-covid-19-implications-for-ipc-precaution-recommendations. (Accessed: 05/21/2020)

[11] Public Health England. 2020 COVID-19: *infection prevention and control guidance.* Available: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/881489/COVID-19_Infection_prevention_and_control_guidance_complete.pdf (Accessed: 05/21/2020)

[12] Anfinrud P, Stadnytskyi V, Bax CE, Bax A. 2020 *Visualizing Speech-Generated Oral Fluid Droplets with Laser Light Scattering.* New England Journal of Medicine (doi: 10.1056/NEJMc2007800).

[13] 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 systematic review and meta-analysis [published online ahead of print, 2020 Jun 1]. *Lancet.* 2020;S0140-6736(20)31142-9. doi:10.1016/S0140-6736(20)31142-9

[14] United States Centers for Disease Control and Prevention. *Coronavirus Disease 2019 (COVID-19): Use of Cloth Face Coverings 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: 6/26/2020).