



Mendocino County Health & Human Services Agency

Healthy People, Healthy Communities



Andy Coren, MD, County Health Officer

**ORDER OF THE HEALTH OFFICER OF MENDOCINO COUNTY
REQUIRING EMPLOYERS OF EMERGENCY MEDICAL SERVICES, FIRE, LAW
ENFORCEMENT, AND OPERATORS OF TEMPORARY DISASTER SHELTERS IN
MENDOCINO COUNTY TO REQUIRE PERSONNEL TO PRODUCE SATISFACTORY
EVIDENCE THAT THEY ARE FULLY VACCINATED AGAINST COVID-19 or GET TESTED
WEEKLY FOR COVID-19**

**DATE OF ORDER: August 12, 2021
EFFECTIVE September 30, 2021, UNTIL RESCINDED**

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120275, *et seq.* and Mendocino County Ord. 4461 adopted March 31, 2020.)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, 120175, AND THE HEALTH OFFICER OF THE COUNTY OF MENDOCINO ("HEALTH OFFICER") ORDERS:

1. This Order takes effect at 12:01 a.m., on September 30, 2021, and may be rescinded, superseded, or amended in writing by the Health Officer.

BASIS FOR THIS ORDER

2. On July 26, 2021, California Department of Public Health issued an order requiring employers of high-risk health care and congregate settings to verify the vaccine status of all workers and requires that unvaccinated or unverified workers be required to undergo routine surveillance testing (<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Order-of-the-State-Public-Health-Officer-Unvaccinated-Workers-In-High-Risk-Settings.aspx>). I have reviewed the Order and determined that the order is not sufficient to protect our community because EMS, Fire, Law Enforcement and Temporary Disaster Shelters are critical to public health and safety and these groups regularly interact with high-risk health care and congregate settings as well as with medically vulnerable individuals in the community.
3. This Order is being issued in light of SARS-CoV-2 Delta variant which has become the dominant strain of the SARSCoV-2 virus in California and the County, within weeks. This variant is more contagious and causes more severe illness than previous strains of SARS-CoV-2. With the easing of COVID-19 prevention restrictions since June 15, 2021, workers in EMS, Fire, Law Enforcement and Temporary Disaster Shelters now have potentially more exposure risk outside the workplace. Furthermore, the risk for this Personnel may exponentially increase should a disaster event occur in our community as we near wildfire season in our area.

4. Vaccination against COVID-19 is the most effective means of preventing infection with the COVID-19 virus, with the risk of infection reduced by 70 percent to 95 percent. Vaccination also appears to reduce the chance of transmission by an infected vaccinated person by 40 percent to 60 percent. The combination of reduced infection risk plus reduced transmission risk provides a very high level of protection for patients and residents who are in close proximity to a worker. In contrast, the wearing of face coverings reduces transmission by an infected person by about 70 percent; however, the combination of wearing face coverings and regular testing, followed by isolation of individuals who test positive, may approach the level of efficacy vaccination provides in terms of reduction of transmission risk.
5. Cal/OSHA Regulations generally allow documentation of vaccination status by self-attestation. I have determined that, for purposes of this Order, documentation of the vaccination status of people who work in EMS, Fire, Law Enforcement and Temporary Disaster Shelters must be based on more reliable documentation than a self-attestation. I have also determined that anyone who meets the criteria and are not documented as Fully Vaccinated must be tested at least weekly for the presence of the SARS-CoV-2 virus.

VACCINE VERIFICATION REQUIREMENTS

6. Beginning September 30, 2021, Employers of Emergency Medical Services, Fire, Law Enforcement, and operators Of Temporary Disaster Shelters in Mendocino County must verify the vaccination status of their Personnel. Only the following modes of vaccine verification may be used as proof of vaccination:
 - a. COVID-19 Vaccination Record Card (issued by the CDC or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided and date last dose administered); or
 - b. a photo of a Vaccination Record Card as a separate document; or
 - c. a photo of the client's Vaccination Record Card stored on a phone or electronic device; or
 - d. documentation of COVID-19 vaccination from a health care provider; or
 - e. digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type. The QR code must also confirm the vaccine record as an official record of the state of California; or
 - f. documentation of vaccination from another Employer who is also subject to this Order.

In the absence of knowledge to the contrary, an Employer may accept the documentation presented as valid.

Personnel who are not Fully Vaccinated, or for whom vaccine status is unknown or documentation is not provided, must be considered not Fully Vaccinated and are subject to COVID-19 Test Requirements (below).

In the event of an acute crisis requiring immediate response of Personnel in Mendocino County (e.g., wildfire emergency) the verification of vaccination and weekly testing requirement may be temporarily deferred.

COVID-19 TESTING REQUIREMENTS

7. An Employer shall require all of its Personnel who are not Fully Vaccinated, or for whom vaccine status is unknown, to do the following:
 - a. Receive a COVID-19 Test at least once a week (see California COVID-19 Testing Task Force website: <https://testing.covid19.ca.gov/>); and
 - b. Unless test results are sent directly to the Employer by the test provider, Personnel must promptly provide the results of each COVID-19 test to the Employer for Record-Keeping.

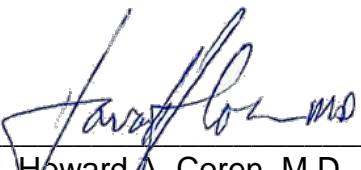
Employer may, but is not required to, confirm a positive antigen test with a confirmatory nucleic acid amplification test; Employer shall not use another antigen test to confirm a positive antigen test. Employer must exclude from work any Personnel who receives a positive antigen test until the Employer receives results from a confirmatory nucleic acid amplification test and reviews this with County Public Health Case Investigation/Contact Tracing (CI/CT) team.

8. **Record-Keeping Requirements.** An Employer must keep and maintain a record of the following information for the purpose of inspection by an authorized representative of the Health Officer:
 - a. For Personnel who provide the Employer with documentation of Fully Vaccinated status in accordance with Section 5 of this Order: (1) Full name and date of birth; (2) COVID19 Vaccine manufacturer; and (3) date of COVID-2 Vaccine administration (first dose, and if applicable, second dose).
 - b. For other Personnel: weekly COVID-19 Test results.
9. **Face Covering Requirement.** Employers shall comply with the Health Officer's Order Mandating the Wearing of Face Coverings in Indoor Public Settings by All Persons in Response to the Surge of COVID-19 and the Spread of the Delta Variant dated August 5, 2021, Effective August 10, 2021 (<https://www.mendocinocounty.org/home/showpublisheddocument/44852>). Personnel who are not Fully Vaccinated or for whom vaccine status is unknown or documentation is not provided, must wear FDA-cleared surgical masks or respirators in indoor work settings, unless exempted from wearing a face covering under Cal/OSHA COVID-19 Emergency Temporary Standards and/or the Cal/OSHA Aerosol Transmissible Disease Standards. Personnel exempt from wearing a face mask must wear a face shield with bib, unless this will interfere with their work.
10. **Definitions.** For purposes of this Order, the following terms have the meanings given below.
 - a. "CDC" means the U.S. Centers for Disease Control and Prevention.

- b. "COVID-19 Test" means a nucleic acid amplification or antigen test (approved for use in the USA) to detect infection of a person with SARS-CoV-2, the virus that causes COVID-19.
- c. "COVID-19 Vaccine" means a vaccine to prevent COVID-19 that is (1) administered under an emergency use authorization from the FDA; (2) approved by the FDA; or (3) listed for emergency use by the World Health Organization.
- d. "FDA" means the U.S. Food and Drug Administration.
- e. "Fully Vaccinated" means a person's status two weeks following the person's receipt of a single-dose COVID-19 Vaccine or the second dose of a two-dose COVID-19 Vaccine.
- f. "Law Enforcement" means all law enforcement officers and administrative/clerical support staff working in (1) the Mendocino County Sheriff's Office and (2) any police department of a city within Mendocino County.
- g. "Fire" means all firefighters and administrative/clerical support staff, including part-time, stipend and volunteer.
- h. "Emergency Medical Services" and "EMS" means all prehospital emergency medical care personnel and administrative/clerical support staff, including but not limited to: authorized registered nurse or mobile intensive care nurse, emergency medical technician-I, emergency medical technician-II, emergency medical technician-paramedic, or a physician and surgeon who provides prehospital emergency medical care or rescue services.
- i. "Temporary Disaster Shelters" means include small-, medium- and large-scale, organized, and temporary accommodations for persons displaced by disasters and Public Safety Power Shut Off (PSPS) events. Facilities may be residential (e.g., dormitories, campsites) or non-residential (e.g., sports stadiums, schools, churches, cooling centers).
- j. "Employer" means an employer of Emergency Medical Services, Fire, Law Enforcement, or an operator of Temporary Disaster Shelter in Mendocino County.
- k. "Personnel" means employees and volunteers of an Employer.
- l. "WHO" means the World Health Organization.

11. Copies of this Order shall promptly be: (1) made available at the County of Mendocino Executive Office, County Administration Building, 501 Low Gap Road, Ukiah, California 95482, (2) posted on the County website, www.mendocinocounty.org, and (3) provided to any member of the public requesting a copy of this Order.

IT IS SO ORDERED:



Dr. Howard A. Coren, M.D.,
Mendocino County Health Officer

Dated: August 12, 2021