



**Public Health Department
of Mendocino County**

Healthy People, Healthy Communities

Andy Coren, MD, County Health Officer



**ORDER OF THE HEALTH OFFICER OF MENDOCINO COUNTY
REQUIRING EMPLOYERS OF EMERGENCY MEDICAL SERVICES, DENTAL OFFICES,
FIRE, LAW ENFORCEMENT, PHARMACIES, AND OPERATORS OF TEMPORARY
DISASTER SHELTERS IN MENDOCINO COUNTY TO REQUIRE PERSONNEL TO
PROVIDE VERIFICATION THAT THEY ARE FULLY VACCINATED AGAINST COVID-19
(AND BOOSTED IF ELIGIBLE) OR GET TESTED TWICE WEEKLY FOR COVID-19**

**DATE OF ORDER: December 31, 2021
EFFECTIVE UPON RELEASE**

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 supersedes my prior Order dated August 12, 2021, and becomes effective upon release.

BASIS FOR THIS ORDER

2. On July 26, 2021, California Department of Public Health (CDPH) 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 Shortly thereafter, I issued a local Order to expand vaccine verification to workers with local Emergency Medical Services (EMS), Fire, Law Enforcement and Temporary Disaster Shelters who are critical to public health and safety and regularly interact with high-risk health care and congregate settings as well as with medically vulnerable individuals in the community.

This Order is being updated in light of the emergence of the SARS-CoV-2 Omicron variant which is rapidly spreading in California. This variant is more transmissible (two to four times as infectious as the Delta variant) and recent evidence shows that vaccine effectiveness is decreasing over time without boosters. Initial evidence also shows that individuals who have received a booster shot increase their immunity to a level that confers more protection from all circulating SARS-CoV-2 variants, including the Omicron variant. The CDC and CDPH now recommend that all eligible persons 16 years of age and older receive a booster shot because immunity wanes several months after completion of the initial vaccine series.

3. Vaccination is a safe and effective critical component in preventing COVID-19 and its associated harms. Individuals who have not received a booster shot are more likely to become infected and spread infection to others, and more likely to become seriously ill or die. Personnel in EMS, Fire, Law Enforcement, Dental Offices, Pharmacies and Temporary Disaster Shelters should receive booster shots when eligible to maintain the protective effect of the high community-wide vaccination rates in our County. Ensuring that Personnel working in these higher risk settings are both vaccinated and boosted when eligible is critical given the emergence of the Omicron variant. Personnel working in these settings can expose highly vulnerable individuals who are at increased risk of severe illness and death and they themselves must be protected from COVID-19 to the maximum extent possible to ensure adequate staffing in these critical settings. In considering options to stem the anticipated rapid increase in COVID-19 transmission, ensuring that Personnel who work in these higher risk settings are all vaccinated and boosted when eligible is critically important.

This Order requires that Employers in these settings continue to verify vaccination status including the Booster Dose for those who are eligible (typically six months after a two dose regimen, or two months after a single dose vaccine). Personnel who do not report proof that they are Fully Vaccinated and have received a Booster Dose (if eligible) must undergo twice weekly testing for COVID-19 at the start of shifts (and at least two days apart). Nothing in this Order intends to contradict application of statewide vaccine mandates issued in certain settings for Health Care Workers, Correctional Facilities, Adult Care Facilities and Direct Care Workers accessible here:

<https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Guidance.aspx>

VACCINE VERIFICATION REQUIREMENTS

4. Employers of Emergency Medical Services, Fire, Law Enforcement, Dental Offices, Pharmacies and operators of Temporary Disaster Shelters in Mendocino County must verify the vaccination status of their Personnel. This also now includes verification of “Booster Doses” for those who are eligible. 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;
 - 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 the person’s 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 continue to be subject to the (revised) COVID-19 Test Requirements (in Section 5 below) and in accordance with the Timing of Implementation referred to in Section 9 below.

Personnel who are “Eligible for a COVID-19 Booster” will also become subject to COVID-19 Test Requirements **as soon as practicable but not later than February 1, 2022**, unless and until verification of receipt of the “Booster Dose” is provided to their Employer.

Personnel who are not “Eligible for a COVID-19 Booster” by February 1, 2022, will become subject to COVID-19 Test Requirements if verification of the “Booster Dose” is not provided to their Employer within 15 days after they become eligible.

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

COVID-19 TESTING REQUIREMENTS

5. An Employer shall require all of its Personnel who are not Fully Vaccinated (and who have not verified receipt of a Booster Dose, if eligible), or for whom such vaccine status is unknown, to do the following:
 - a. Receive a COVID-19 Test at least twice a week at the start of the shift (with at least two days between each test) (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 (“rapid test”) with a confirmatory nucleic acid amplification test (“PCR”); 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.

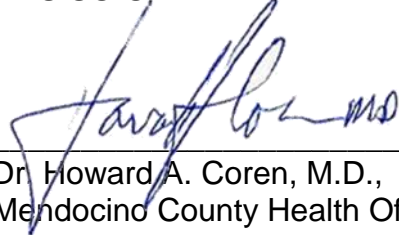
6. **Record-Keeping Requirements.** An Employer must keep and maintain a record of the following information for the purpose of inspection by an authorized representative of the Health Officer:
 - a. For Personnel who provide the Employer with documentation of “Fully Vaccinated” and (if eligible “Booster Dose”) status in accordance with Section 5 of this Order: (1) Full name and date of birth; (2) COVID-19 Vaccine manufacturer; and (3) date of COVID-19 Vaccine administration (first dose, and if applicable, second dose, and Booster Dose)
 - b. For other Personnel: twice weekly COVID-19 Test results (administered at the start of the shift with at least two days between each test).

7. **Definitions.** For purposes of this Order, the following terms have the meanings given below.
- a. “Booster Dose” means any of the COVID-19 vaccine booster doses authorized in the United States but either Moderna or Pfizer-BioNTech are preferred.
 - b. “CDC” means the U.S. Centers for Disease Control and Prevention.
 - c. “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.
 - d. “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 WHO.
 - e. “Eligible for a COVID-19 Booster” means it has been six months since receipt of the second dose of the Moderna or Pfizer-BioNTech COVID-19 Vaccine (or two months since receipt of the J&J/Janssen COVID-19 Vaccine). For those whose primary vaccination series is among WHO emergency use listing or a combination of FDA-approved, FDA-authorized or WHO-EUL COVID-19 vaccines, this means it has been six months since receipt of all recommended doses.
 - f. “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.
 - g. “Employer” means an employer of Emergency Medical Services, Fire, Law Enforcement, Dental Offices, Pharmacies or an operator of Temporary Disaster Shelter in Mendocino County.
 - h. “FDA” means the U.S. Food and Drug Administration.
 - i. “Fire” means all firefighters and administrative/clerical support staff, including part-time, stipend and volunteer.
 - j. “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.
 - k. “Law Enforcement” means all law enforcement officers, correctional staff, and administrative/clerical support staff working in (1) the Mendocino County Sheriff’s Office or Mendocino County Jail and (2) any police department of a city within Mendocino County.
 - l. “Personnel” means employees and volunteers of an Employer.
 - m. “Pharmacies” applies specifically to Pharmacists, Pharmacy Technicians, and Pharmacy Assistants.

- n. "Temporary Disaster Shelters" means 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).
- o. "WHO" means the World Health Organization.

8. **Timing of Implementation.** The requirements in this order should be implemented as soon as practicable. Additionally:
- a. No later than **January 10, 2022**, Employers of Emergency Medical Services, Fire, Law Enforcement, and operators of Temporary Disaster Shelters shall implement the increased testing frequency (twice a week) required by Paragraph 5.a for unvaccinated employees or employees of unverified vaccine status. Prior to January 10, said Employers must continue to perform testing at least once a week and otherwise comply with my prior Order dated August 12, 2021.
 - b. No later than **January 17, 2022**, all Employers of Dental Offices and Pharmacies shall implement all aspects of this Order, except those which impose any additional requirements related to Booster Doses for Fully Vaccinated employees.
 - c. No later than **February 1, 2022**, all Employers subject to this order shall have implemented all aspects of this order, including any additional requirements related to Booster Doses for Fully Vaccinated employees. Personnel who are not "Eligible for a COVID-19 Booster" by February 1, 2022, will become subject to COVID-19 Test Requirements if verification of the "Booster Dose" is not provided to their Employer within 15 days after they become eligible.
9. 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: 12/31/2021
