STATE OF IDAHO
IDAHO DEPARTMENT OF HEALTH AND WELFARE
STAY HEALTHY ORDER

May 16, 2020

BUSINESSES AND GOVERNMENTAL AGENCIES MAY CONTINUE TO RESUME OPERATIONS AT PHYSICAL LOCATIONS IN THE STATE OF IDAHO EXCEPT FOR THOSE BUSINESSES IDENTIFIED IN THIS ORDER.

ALL BUSINESSES AND GOVERNMENTAL AGENCIES MUST ADHERE TO THE MANDATORY PORTIONS OF THE SOCIAL DISTANCING AND SANITATION REQUIREMENTS DESCRIBED IN SECTON 7 OF THIS ORDER.

CERTAIN INDIVIDUALS ENTERING IDAHO ARE STRONGLY ENCOURAGED TO SELF-QUARANTINE FOR 14 DAYS.

VULNERABLE INDIVIDUALS LIVING IN THE STATE OF IDAHO ARE STRONGLY ENCOURAGED TO STAY HOME AND LIMIT THEIR MOVEMENT OUTSIDE OF THEIR PLACE OF RESIDENCE.

GATHERINGS OF MORE THAN 10 PEOPLE, BOTH PUBLIC AND PRIVATE, SHOULD BE AVOIDED.

NON-ESSENTIAL TRAVEL SHOULD BE AVOIDED OR MINIMIZED.

Pursuant to Article IV, § 5 of the Idaho Constitution and Idaho Code §§ 46-601 and 46-1008, the Governor issues this Order with the Director of the Idaho Department of Health and Welfare ("the Director").

The Director of the Idaho Department of Health and Welfare is authorized by Idaho Code § 56-1003(7) "to impose and enforce orders of isolation and quarantine to protect the public from the spread of infectious or communicable diseases."

This Order is effective as of 12:00 a.m. May 16, 2020 and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Governor and Director.

UNDER THE AUTHORITY OF ARTICLE IV, § 5 OF THE IDAHO CONSTITUTION AND IDAHO CODE §§ 46-601, 46-1008, AND 56-1003(7) THE GOVERNOR OF IDAHO AND IDAHO DEPARTMENT OF HEALTH AND WELFARE DIRECTOR FIND AND ORDER:

1. The virus that causes Coronavirus 2019 Disease ("COVID-19") has resulted in a global pandemic, is present in Idaho, and has infected over 2,200 Idahoans, resulting in 69 deaths to date. The virus is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect public health and safety and safeguard the ability of public and private healthcare providers to handle an influx of new patients.

   This Order and the Governor's Guidelines for Opening Up Idaho are based on evidence of a reduction of severe cases of COVID-19 within the State of Idaho; as well as, the advice and input of state epidemiologists, public health experts, and guidelines provided by the Centers for Disease Control and Prevention ("CDC") and the White House. This order is also based on the scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the population of the state places its citizens at risk for serious health complications, including death, from COVID-19.

   Due to the outbreak of the COVID-19 virus, which the CDC considers a serious public health threat, there is a public health emergency throughout the State of Idaho. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, gatherings can result in transmission of the virus.

   At present, travel is a commonly known source of COVID-19 infections in Idaho. All fifty states and the District of Columbia have reported cases and declared states of emergency. Now, COVID-19 clusters with substantial community spread have developed across the United States, including in Idaho and neighboring states. One Idaho County had the highest per-capita number of cases in the country at one time and COVID-19 is believed to have been introduced into the county by a traveler or travelers visiting Idaho from out of state.

   The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the healthcare system from being overwhelmed. This Order helps preserve critical and limited healthcare capacity in the State of Idaho. Opening certain business activities in stages reduces the risk of spread of COVID-19 to Idaho citizens, including Idaho's most vulnerable population. In consultation with state and federal epidemiologists and healthcare experts, this staged approach is intended to preserve capacity in our healthcare system by opening businesses in stages and maintaining social distancing.

2. All vulnerable individuals in Idaho should continue to self-isolate. Because of the risk of the rapid spread of the virus, and the need to protect all citizens of the State of Idaho, this Order strongly encourages all vulnerable individuals anywhere in Idaho to stay at home. Members of households with vulnerable residents should be aware that by returning to work or other environments where distancing is not always possible, they could carry the virus back home. Precautions should be taken to protect and isolate from vulnerable residents.

   Vulnerable individuals are people who are at higher risk for severe illness as defined by the CDC, incorporated into this Order by reference and located at https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html

3. The following businesses within the State of Idaho are required to remain closed except to perform Minimum Basic Operations, as defined in Section 6:

   a. Bars and nightclubs;

   b. Large venues (e.g. movie theatres, concert venues, sporting venues, public pools, etc.).

4. Gatherings of more than 10 people, both public and private, should be avoided. People participating in gatherings of 10 or fewer people, while permitted, should adhere to the Social Distancing and Sanitation Requirements in Section 7.

5. Individuals arriving in Idaho from another country or from an area outside Idaho with substantial community spread or case rates higher than Idaho are strongly encouraged to self-quarantine.

   a. Persons entering the state of Idaho from another country or from an area outside Idaho with substantial community spread of COVID-19 or case rates higher than Idaho are strongly encouraged to self-quarantine for fourteen (14) days. If an individual will be present in Idaho for fewer than fourteen (14) days, that individual is strongly encouraged to self-quarantine for the duration of their visit.

   b. State case rates can be found at https://www.cdc.gov/covid-data-tracker/index.html and county case rates can be found at https://www.cdc.gov/coronavirus/2019-ncov/cases-updates/county-map.html?

   c. Any individual who self-quarantines shall be responsible for any and all costs including transportation, lodging, food, and medical care.

   d. Persons who have tested positive for COVID-19, are presumptively diagnosed with COVID-19, or are exhibiting symptoms identified in the CDC's screening guidance should not enter the state of Idaho unless doing so under medical orders for the purposes of medical care, are being transported by emergency personnel, are being

driven directly to a medical provider for purposes of medical care, or are a resident of the state of Idaho.

6. For the purposes of this Order, "**Minimum Basic Operations**" include the following, provided that employees comply with Social Distancing and Sanitation Requirements as defined in Section 7, to the extent possible, while carrying out such operations:

   i. The minimum necessary activities to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for related functions.

   ii. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.

   iii. The minimum necessary activities to prepare the business to reopen at such time as deemed appropriate, including but not limited to, sanitization, obtaining personal protective equipment, and setting up procedures to ensure compliance with Social Distancing and Sanitation Requirements.

7. "**Social Distancing and Sanitation Requirements**"

   a. Individuals not residing within the same household shall maintain at least six-foot physical distancing from other individuals whenever possible.

   b. Individuals should:

      i. Wash hands with soap and water for at least twenty seconds as frequently as possible or use hand sanitizer;

      ii. Cover coughs or sneezes (into the sleeve or elbow, not hands);

      iii. Regularly clean high-touch surfaces and not shake hands;

      iv. Stay home if sick;

      v. Wear face coverings while in public, especially when six-foot distancing is not always possible (e.g., inside businesses); and

      vi. Implement additional protocols established in the Governor's Guidelines for Opening up Idaho published at https://rebound.idaho.gov/.

   c. Employers shall:

      i. Develop and implement measures to ensure employees and customers maintain at least six-foot physical distancing from other individuals whenever possible;

ii. Provide adequate sanitation and personal hygiene for employees, vendors, and patrons; and

iii. Frequently disinfect commonly touched and high-traffic areas and regularly clean those areas.

d. Employers should:

i. Identify how personal use items such as masks, face coverings, and gloves may be required by employees, vendors, and/or patrons;

ii. Provide services while limiting close interactions with patrons;

iii. Identify strategies for addressing ill employees, which should include requiring COVID-19 positive employees to stay at home while infectious, and may include keeping employees who were directly exposed to the COVID-19 positive employee away from the workplace, and the closure of the business until the location can be properly disinfected;

iv. On a case-by-case basis, include other practices appropriate for specific types of businesses such as screening of employees for illness and exposures upon work entry, requiring non-cash transactions, etc.; and

v. Implement additional protocols established in the Governor's Guidelines for Opening up Idaho and the business-specific protocols published at https://rebound.idaho.gov/.

8. The violation of any mandatory provision of this Order constitutes an imminent threat to public health. Violation of or failure to comply with this Order may constitute a misdemeanor punishable by fine, imprisonment, or both pursuant to Idaho Code § 56-1003(7)(c). The Governor and Director requests that the Sheriffs and Chiefs of Police in the State of Idaho, and Idaho State Police ensure compliance with and enforce this Order.

9. This Order shall become effective as of May 16, 2020 at 12:00 a.m. and will continue to be in effect until it is extended, rescinded, superseded, or amended in writing by the Governor and Director.

10. The Stay Healthy Order effective May 1, 2020 is hereby rescinded.

11. To decrease the spread of COVID-19, the cities, counties, and public health districts of the State of Idaho may enact more stringent public health orders than those set out in this Order.

12. Each county and each city must promptly provide copies of the Order as follows: (1) by posting the Order on its website, (2) by posting the Order at each county courthouse and

each city hall, and (3) by providing a copy to any member of the public requesting it. The Order will also be posted on the website of the Department of Health and Welfare.

13. If any provision of this Order or its application to any person or circumstance is held to be invalid, then the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

IT IS SO ORDERED:

BRAD LITTLE, GOVERNOR
STATE OF IDAHO

Dated: May 14, 2020

DAVE JEPPESEN, DIRECTOR
IDAHO DEPARTMENT OF HEALTH
AND WELFARE

Dated: May 14, 2020