

ORDER OF THE MEDICAL OFFICER OF HEALTH

Made pursuant to Section 22 of the Health Protection and
Promotion Act, R.S.O. 1990, c. H.7

November 23, 2021

To: All persons, of any age, residing in, or present in, the County of Simcoe and District of Muskoka who:

- (a) on or after November 24, 2021, are a new confirmed case¹ or new probable case² of COVID-19;
- (b) whether or not have received a COVID-19 vaccination, have the signs and symptoms of COVID-19, have been tested for COVID-19 and are awaiting the results of their test;
- (c) whether or not have received a COVID-19 vaccination, have the signs and symptoms of COVID-19, have not been provided an alternate diagnosis by a healthcare practitioner, and have decided not to test for COVID-19;
- (d) whether or not have received a COVID-19 vaccination, have reasonable grounds to believe they have one or more symptoms of COVID-19;
- (e) are a close contact* of a person identified in (a), or (c);
- (f) are a person who has lived with or in the same household with a person described in (b), (c), (d) or (e); or
- (g) do not meet the criteria above but have been individually directed by the Simcoe Muskoka District Health Unit to self-isolate.

*"Close contact" means a person who has:

- lived with or in the same household with a person infectious with COVID-19 while the infectious person was not self-isolating;
- been within 2 metres of a person infectious with COVID-19 for 15 minutes or longer while both were wearing a mask;
- been within 2 metres of a person infectious with COVID-19 for less than 15 minutes but you were not wearing a medical mask and were not wearing eye protection (even if the infectious person was wearing a mask);
- been in physical contact such as hugging or kissing with a person infectious with COVID-19 for any duration of time (regardless of whether you were both wearing a mask and/or eye protection); or
- otherwise been deemed by the Simcoe Muskoka District Health Unit as a close contact.

I, Dr. Charles Gardner, Medical Officer of Health for the Simcoe Muskoka District Health Unit, order you to take the following actions:

1. For (a), (b), (c), and (d) above, isolate yourself immediately and in accordance with instructions provided by the Simcoe Muskoka District Health Unit or any other public health professional. This includes remaining in your home (in a private room if sharing a residence with others) or an isolation facility. Do not go outside, unless on to a private balcony or enclosed yard where you can avoid close encounters with others. You must not have any visitors into your home/residence/property and advise all roommates or household members not to have visitors into the home/residence/property except as permitted by the Simcoe Muskoka District Health Unit.
2. For (a), (b), (c) and (d) above, you are to remain in isolation as described in section 1 above, even when not displaying any symptoms, until the expiry of the full 10-day period of communicability (infectiousness) that begins on the day on

¹ "Confirmed case" means a person with a positive laboratory test for COVID-19 and/or meets the Ministry of Health "confirmed case" definition at:

https://health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/2019_case_definition.pdf

² "Probable case" means a person without a laboratory test for COVID-19 but who is likely to be infected with COVID-19 based on the presence of a symptom(s) that is compatible with COVID-19 and/or meets the Ministry of Health case definition of "probable case" at:

https://health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/2019_case_definition.pdf

which you first show symptoms, are tested and results from same are positive, or are diagnosed with COVID-19 by a healthcare professional, whichever is earliest.

3. For (e) above, as a close contact you are to remain in isolation as described in section 1 above, even when not displaying any symptoms, until the expiry of a full 10-day period that begins on the day you were last in close contact with a person identified in (a) or (c) above, unless otherwise instructed by the Simcoe Muskoka District Health Unit.
 - I. Testing is recommended for close contacts immediately upon discovering they are a close contact and again 7 days after the date of last exposure to a person identified in (a) or (c) above and:
 - If tested, and you receive a positive result, you are then subject to the Order as a person described in (a) above and must remain in isolation for a new 10-day period that begins on the day of your most recent test that gave a positive result;
 - If tested, and you receive a negative test result, complete the remaining 10-day period of isolation in accordance with paragraph 3 above; or
 - If not tested, complete the remaining 10-day period of isolation in accordance with paragraph 3 above, unless paragraph (b) above or paragraph (II) below applies to you.

Note: If you are not tested at least 7 days after your last exposure to a person identified in (a) or (c) above, Simcoe Muskoka District Health Unit may require an additional 10-day period of isolation, given the possibility of an asymptomatic infection that could be contagious for up to 10 days. The total period of isolation would then be 20 days after last exposure to the person identified in (a) or (c) above.

- II. If you develop signs or symptoms of COVID-19 during this 10-day period of self-isolation, you are recommended to be tested immediately, even if you have recently completed testing, and:
 - If tested/re-tested, and you receive a positive result, you are then subject to this Order as a person described in (a) above and you must remain in isolation for a new 10-day period that begins on the day on which you first experience symptoms;
 - If tested/re-tested, and you receive a negative test result, complete the remaining 10-day period of isolation as required by paragraph 3 above; or
 - If not tested, and you have not been provided an alternate diagnosis by a healthcare practitioner you are then subject to the Order as a person described in (c) above and you must remain in self-isolation for a new 10-day period that begins on the day on which you first showed signs and symptoms of COVID-19.
- III. Persons described in (e) above who are fully vaccinated³ are relieved of the requirement to self-isolate if:
 - You completed your vaccination series at least 14 days before the day on which you last were a close contact to a person described in (a), (b), (c) or (d) above;
 - You have no symptoms; and
 - You are not a resident of a long-term care home, retirement home or congregate living setting, or a patient admitted to a healthcare setting.

HOWEVER, you must:

- Wear a mask and maintain physical distancing when outside your home to reduce the potential risk of transmission to others;
- Not visit vulnerable settings such as long-term care homes, hospitals, schools or childcare settings unless you are attending those settings for work, education or care; and

³ "Fully vaccinated" means 1) a full series of a COVID-19 vaccine authorized by Health Canada, or any combination of such vaccines; or 2) one or two doses of a COVID-19 vaccine not authorized by Health Canada, followed by one dose of a COVID-19 mRNA vaccine authorized by Health Canada; or 3) three doses of a COVID-19 vaccine not authorized by Health Canada; and the individual received their final dose of the COVID-19 vaccine at least 14 days ago.

- Answer the location's COVID-19 screening questions and comply with any of the location's COVID-19 safety plan policies at the time of attendance.

IV. Persons described in (e) above who have tested positive for COVID-19 are relieved of the requirement to self-isolate if:

- You were a confirmed case of COVID-19 and it has been less than 90 days since your initial positive result, and
- You have completed your initial isolation period; and
- You have no signs or symptoms of COVID-19.

Even if relieved under paragraph 3(IV) of the requirement to self-isolate, if you develop any signs or symptoms of COVID-19, you must:

- Self-isolate immediately as required by paragraph 2 above;
- Report your symptoms to the Simcoe Muskoka District Health Unit; and
- Follow the requirements of this Order and/or the instructions of the Simcoe Muskoka District Health Unit.

4. For persons described in (f) above, individuals who are a household member of a person who:

- Is awaiting testing results for COVID-19; or
- Has reasonable grounds to believe they have one or more symptoms of COVID-19;

You are required to self-isolate until the symptomatic person receives a negative COVID-19 test result or is provided an alternative diagnosis by a healthcare professional. If the symptomatic person does not get tested or does not share their test results with the persons described in (f) above, all household members must self-isolate for 10 days beginning on the day when the symptomatic person starts self-isolation (e.g., is no longer in contact with household members). If the symptomatic person cannot self-isolate from others in the household, all household members, who are not fully vaccinated, must self-isolate for 20 days beginning on the first day the person showed signs and symptoms of COVID-19.

I. Persons described in (f) above who are fully vaccinated³ are relieved of the requirement to self-isolate if:

- You completed your vaccination series at least 14 days before the day on which you were a close contact to a person described (a), (b), (c) or (d) above;
- You have no symptoms; and
- You are not a resident of a long-term care home, retirement home or congregate living setting, or a patient admitted to a healthcare setting.

HOWEVER, you must:

- Wear a mask and maintain physical distancing when outside your home to reduce the potential risk of transmission to others;
- Not visit vulnerable settings such as long-term care homes, hospitals, schools or childcare settings unless you are attending those settings for work, education or care; and
- Answer the location's COVID-19 screening questions and comply with any of the location's COVID-19 safety plan policies at the time of attendance.

5. Legal guardians and/or responsible caregivers of persons described in (f), who are 18 years of age and younger and are household members of a close contact to a confirmed or probable case of COVID-19 (herein referred to as "Youth"). You and the Youth must take reasonable steps to ensure the Youth self-isolates (in the manner described in paragraph 1 above) for the duration of the close contact's self-isolation period. This includes, but is not limited to:

- Not attending childcare or school settings;
- Not attending recreational, fitness or sport-related activities; and
- Not gathering with individuals who are outside the household.

Parents, legal guardians and/or responsible caregivers of the Youth are relieved of the requirement to ensure the Youth self-isolates if:

- The close contact in the household was fully vaccinated³ at the time of being identified as a close contact; OR
 - The close contact in the household was a confirmed case of COVID-19 and it has been less than 90 days since their initial positive result and they have already completed their initial isolation period; OR
 - The Youth completed their vaccination series at least 14 days before the day on which the close contact in the household was identified as a close contact; OR
 - The Youth has tested positive for COVID-19 in the previous 90 days and has already completed their initial isolation period.
6. For clarity, nothing in this Section or Order relieves a parent, legal guardian, responsible caregiver, or any other person from any legal or moral requirement or obligation to provide proper care, necessities, respect, and comfort to and for the Youth during the time of their required isolation. Any challenges in meeting these requirements must be brought to the attention of the Simcoe Muskoka District Health Unit, the Children's Aid Society and/or the local police department.
 7. To all persons required by this Order to isolate, you are required, during the self-isolation period, to conduct yourself in such a manner as not to expose another person to infection of COVID-19 by following infection control instructions on the Public Health Ontario website, located at: <https://www.publichealthontario.ca/-/media/documents/ncov/factsheet-covid-19-how-to-self-isolate.pdf?la=en> or given to you by the Simcoe Muskoka District Health Unit or any other staff of a healthcare facility to which you may seek or receive treatment.
 8. Inform the Simcoe Muskoka District Health Unit if you require any help or resources to properly self-isolate or while you are self-isolating such as food, medication, water, accommodation, clothing, appropriate medical treatment, and family or other religious arrangements. To do so, call (705) 721-7520.
 9. Provide the Simcoe Muskoka District Health Unit with the names and contact information of individuals that you (or the Youth) came into close contact with and employer/school information and nature of employment/schooling during relevant dates immediately upon request.
 10. Follow any further instructions provided by the Simcoe Muskoka District Health Unit pertaining to COVID-19 and the terms and conditions of this Order.
 11. Seek prompt medical attention if you or the Youth's illness is worsening (e.g., difficulty breathing by calling 911) and report the COVID-19-related diagnosis and/or symptom(s).
 12. The requirements of this Order are subject to necessary modifications for persons or a class of persons, such as:
 - a) A person or class of persons who, in the opinion of the Simcoe Muskoka District Health Unit, is asymptomatic and is required to provide a critical service⁴, using mandated personal protective equipment (PPE) for the limited purpose of providing that essential service;
 - b) A person or class of persons whose isolation, in the opinion of the Simcoe Muskoka District Health Unit, would not be in the public interest; or
 - c) A person or class of persons who, for other reasons, as authorized by the Medical Officer of Health or designate, require modifications to this Order.
 12. Nothing in this Order shall alter or invalidate the application of the Federal Quarantine requirements for travellers.

THE REASONS for this ORDER are that:

1. COVID-19 is a disease of public health significance and has been designated as communicable under Ontario Regulation 135/18 as amended.
2. On March 11, 2020, COVID-19 was declared a pandemic by the World Health Organization.

⁴ Critical service means clinical healthcare and/or community health and safety that would, in the opinion of the Medical Officer of Health, be severely compromised without the availability of the person or class of persons to provide the service

3. On March 17, 2020, the spread of COVID-19 was first declared an emergency in Ontario pursuant to the *Emergency Management and Civil Protection Act, R.S.O. 1990, c.E.9*, as amended. The emergency orders have been continued under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020, S.O. 2020, c.17*.
4. As of November 19, 2021, Ontario's Ministry of Health reports:
 - a. 610,222 cases, including 9,959 deaths; and
 - b. About 5% of cases have ever been hospitalized; and
 - c. Of those hospitalized, about 19.7% have received ICU care.
5. As of November 19, 2021, the Simcoe Muskoka District Health Unit reports:
 - a. 14,902 cases, including 277 deaths;
 - b. Over 5% of cases have ever been hospitalized; and
 - c. Of those hospitalized, about 21.4% received ICU care.
6. COVID-19 continues to be present in Simcoe Muskoka and continues to pose a risk to the health of the residents of the Simcoe Muskoka District Health Unit.
7. The COVID-19 virus is spread from an infected person to an uninfected person by direct contact or from a close encounter where respiratory secretions from the infected person are transmitted to the uninfected person.
8. The COVID-19 period of communicability or infectiousness is understood to be up to 10 days for most people.
9. The COVID-19 incubation period (the period between exposure to an infection and the appearance of the first symptoms) can be up to 14 days. However, for case and contact management purposes, Public Health Ontario has deemed the maximum incubation period for the purposes of the self-isolation period to be 10 days with longer periods subject to public health discretion.
10. The number of cases and deaths continues to rise in Simcoe Muskoka and Ontario.
11. To contain the spread of COVID-19, individuals experiencing symptoms consistent with COVID-19 or who are infected with COVID-19, as well as close contacts of individuals infected with COVID-19, are required to isolate themselves from other people until they are no longer deemed infectious or potentially infectious. Isolation is necessary to decrease the risk of spreading their infection to others.
12. Ontario started to roll out its vaccine distribution implementation plan in December 2020. Vaccination with COVID-19 vaccine provides significant protection against being infected by COVID-19, and consequently, Ontario has provided guidance with recommendations for case and contact management of fully vaccinated individuals in Ontario that differs from those individuals not fully vaccinated.
13. Unimmunized household members are at increased risk of exposure and transmission based on frequent proximity between individuals and shared amenities/personal property which inevitably results when sharing a household with individuals who are self-isolating due to their exposure to persons infected with COVID-19.
14. Individuals from 5 to 11 years of age will only be offered COVID-19 immunization starting this week, and individuals under 5 years of age are currently unable to be fully vaccinated against COVID-19 and currently comprise approximately 22% of new COVID-19 infections for the month of November 2021.
15. There have been 36 confirmed outbreaks declared in childcare/school settings in the Simcoe Muskoka District Health Unit since the start of the 2021/2022 school year, with 18 currently ongoing.
16. Childcare/School aged individuals and childcare/school settings are at an increased risk of exposure, transmission and outbreak of COVID-19 due to the increased close interaction among individuals in those settings and current inability of individuals under 12 years of age to be fully vaccinated against

COVID-19. Individuals from 5 to 11 years of age will only be offered COVID-19 immunization starting this week.

17. The exposure, transmission and/or outbreak of COVID-19 among childcare/school-aged individuals and/or childcare/school settings poses a risk to the health of residents in the health unit and imposes an excessive burden on the community health resources.
18. Ontario has advised there is a higher risk of severe disease, death and risk of transmission in congregate settings, long-term care facilities, retirement homes and healthcare settings.

As a result, I am of the opinion, based on reasonable and probable grounds:

- a. That a communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;
- b. That the communicable disease presents a risk to the health of persons in the health unit area served by me; and
- c. That the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

I am also of the opinion that the delivery of notice of this Order to each and every member of the class is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit, so notice shall be provided through the public media and the internet via posting on the Simcoe Muskoka District Health Unit website: www.smdhu.org/covid19.

NOTICE

TAKE NOTICE THAT you are entitled to a Hearing by the Health Services Appeal and Review Board if you deliver to me at the Health Unit and to the Health Services Appeal and Review Board, Health Boards Secretariat, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 1S4, notice in writing requesting a hearing within 15 days after service of this Order.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested, this Order takes effect when it is served upon you.

FAILURE TO COMPLY with this Order is an offence for which you may be liable on conviction, to a fine of not more than \$5,000.00 for every day or part of each day on which the offence occurs or continues.

If you have any questions about this Order, please contact the Simcoe Muskoka District Health Unit at 705-721-7520 (1-877-721-7520) or online at: <https://www.simcoemuskokahealth.org/HealthUnit/About/Contact/ContactHealthConnection>

ORIGINAL Signed By:

Charles Gardner, MD, CCFP, MHSc, FRCPC
 Medical Officer of Health
 Simcoe Muskoka District Health Unit
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 Barrie, ON L4M 6K9