

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

March 8, 2021

To: All persons operating or offering services in the County of Simcoe, the District of Muskoka, and the Cities of Orillia and Barrie, and who provide services to the following vulnerable individuals:

- a. Any resident of a “long-term care home” as defined in section 2(1) of the *Long-Term Care Homes Act*, S.O. 2007, c. 8;
- b. Any resident of a “home for special care” as defined in Section 1 of the *Homes for Special Care Act*, R.S.O. 1190, c. H.12;
- c. Any resident of a “retirement home” as defined in section 2(1) of the *Retirement Homes Act*, R.S.O. 2010, c. 11;
- d. Any resident of a “supported group living residence” or a “intensive support residence” as defined in Section 4(2) of the *Services and Supports to Promote the Social Inclusion of Persons with Developmental Disabilities Act*, S.O. 2008, c. 14;
- e. Any individual in a private residence at increased risk for hospitalization or death from COVID-19:
 - a. Individuals aged 60 years of age or older;
 - b. Individuals of any age with chronic medical conditions including but not limited to:
 - i. Lung disease;
 - ii. Heart disease;
 - iii. Hypertension (high blood pressure);
 - iv. Diabetes;
 - v. Kidney disease;
 - vi. Liver disease;
 - vii. Dementia;
 - viii. Stroke; and
 - c. Individuals of any age who are immunocompromised including those with an underlying medical condition or taking medications that lower the immune system.

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

1. Ensure workplace [active screening](#)¹ is conducted daily for all workers attending onsite to any above-noted vulnerable setting/residence. Screening should occur before the worker enters the vulnerable setting/residence at the beginning of their day or shift. Workers with COVID-19 symptoms, or who have been identified as a close contact of a person diagnosed with COVID-19, are to be immediately excluded from work and encouraged to self-isolate and seek assessment and testing.
2. While onsite at any above-noted vulnerable setting/residence and not in a role providing direct care² to a vulnerable individual, ensure each worker:

¹ Screening questions can be asked in-person at primary office or can be answered remotely and reviewed by the employer before employee arrive onsite at any of the above-noted vulnerable settings.

If screening is to occur in-person:

- Limit points of entry into the office to help facilitate screening.
- Space and layout the entrance so that physical distancing can be maintained during screenings.
- Encourage all staff to use Alcohol-based hand rub (ABHR)/hand sanitizer with 60-90% alcohol content before entering.
- If physical distancing cannot be maintained during screening the following is required:
 - Placing a physical barrier that staff can be behind in order to conduct screening at entrances to protect from droplets; OR
 - The need for medical (surgical/procedure) masks and eye protection, ABHR, tissue, and lined no-touch waste basket or bin to screen staff in situations where a physical barrier is not available and close contact with an individual is likely to occur.

² Direct care services are defined, for the purposes of this order, are any services provided to a vulnerable individual that involves hands-on care or requires the service provider to be within 2 metres of the vulnerable individual for at least 15 cumulative minutes. Direct care services are not solely limited to those services provided by regulated health professionals or allied health providers.

- wears a non-medical mask that forms a barrier with the skin in a manner that covers their mouth, nose, and chin. A face shield alone is not considered adequate covering of the face;
 - maintains (as best able) a physical distance of at least two (2) metres from every other person while in the indoor area of the setting; and
 - wears eye protection if in the course of their duties they are required to come within two (2) metres of another person.
3. While onsite at any above-noted vulnerable setting/residence and in a role providing direct care² to a vulnerable individual ensure each worker;
 - conducts a point-of-care risk assessment before every interaction with the individual;
 - wears, at a minimum, a medical mask and eye protection at all times while indoors;
 - applies droplet and contact precautions for all interactions with suspected or confirmed COVID-19 individuals. Droplet and contact precautions include medical gloves, eye protection, gowns and medical masks; and
 - applies airborne precautions when aerosol-generating medical procedures are planned to be performed on individuals with suspected or confirmed COVID-19.
 4. Minimize instances of more than one worker per vehicle for driving associated with work, and when unavoidable, ensure face coverings (preferably medical masks) are supplied to and used by each worker, ensure distancing to the degree most possible, and ensure the use of increased ventilation to the outdoors (i.e. through a partially open window) in vehicles, where possible. If the travel time is expected to be 15 minutes or longer, eye protection should be provided to workers.
 5. Ensure supplies and facilities are provided for adequate hand hygiene to take place during commute, while at work and during rest/eating areas including the supply of 60-90% alcohol-based hand rub for workers.
 6. If, in the event the worker is onsite at a vulnerable setting/residence, and the worker develops any COVID-19 compatible sign or symptom, ensure the worker immediately leaves the setting/residence and does not return or attend any other vulnerable setting/residence until they receive a PCR test negative for COVID-19 or 10 days have elapsed from the start of their symptoms.
 7. Ensure that upon request from the Simcoe Muskoka District Health Unit, that information regarding the service provision to a vulnerable individual is provided to the Simcoe Muskoka District Health Unit. This may include but is not limited to; accurate and updated contact information for all workers, details about the types of services provided, agency policies, site plans, commuting information and staff schedules.
 8. Follow any further instructions provided by the Simcoe Muskoka District Health Unit pertaining to COVID-19 and the terms and conditions of this Order.

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. COVID-19 has been declared a pandemic by the World Health Organization. The Province of Ontario has enacted emergency orders under the Emergency Management and Civil Protection Act as a result of the pandemic. These Orders have been continued under the *Reopening Ontario (A Flexible Response to COVID19) Act*, 2020 S. O. 2020 c. 17.
2. COVID-19 is present in the Simcoe Muskoka District Health Unit and therefore poses a risk to the health of the individuals of Simcoe Muskoka through community transmission. 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.
3. Individuals living in congregate settings and those living with certain risk factors, including age and medical conditions, are at higher risk of severe disease outcomes related to COVID-19.

4. The COVID-19 period of communicability or infectiousness is understood to be up to 10 days for most people.
5. The number of cases and deaths continues to rise in Simcoe Muskoka and Ontario.
6. Third-party service organizations to the above-noted vulnerable individuals are currently exempt from complying with O. Reg 146/20 Limiting Work to a Single Long-Term Care Home and/or O. Reg 158/20 Limiting Work to a Single Retirement Home under the Reopening Ontario (A Flexible Response to COVID-19) Act, S.O. 2020, c. 17.

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