

Commissioner's Order PBH 2100(1)

STATE OF NEW YORK
COUNTY OF ORANGE: DEPARTMENT OF HEALTH

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**IN THE MATTER OF
THE COVID-19 PANDEMIC OF 2020**

**COMMISSIONERS'
ORDER
LIMITED ACCESS**

Under and Pursuant to the Public Health Law
Section 2100 and the Sanitary Code of the State of
New York

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TO: All Orange County Nursing Homes, Skilled Nursing Facilities, Long-term Care Facilities
and Hospitals

**RE: Limited Access to Nursing Homes, Skilled Nursing Facilities, Long-term Facilities and
Hospitals as well as limiting the residents' leaving those facilities for non-urgent purposes**

WHEREAS, The Coronavirus Disease 2019 (COVID-19), formerly known as the 2019-
Novel Coronavirus (2019-nCoV), is an infection associated with fever and signs and symptoms
of pneumonia or other respiratory illness, appears to be transmitted from person to person
predominantly through droplet transmission, and if spread in the population could have
significant public health consequences; and

WHEREAS, COVID-19 is believed to have emerged as a human pathogen in China in
December 2019 and as of October 4, 2020, according to the World Health Organization, the
number of new cases per week has remained stable at 2 million for the past three weeks, with the
cumulative total of over 34.8 million cases. Over 1 million deaths have now been reported
globally, of which the majority were reported in the Region of the Americas (55%). Of those
death, approximately 75% of deaths are in those aged 65 years and above; and

WHEREAS, The local impact of the COVID-19 global pandemic as of October 13,
2020 has resulted in 12,868 confirmed cases as well as 485 deaths to date in Orange County. Of
those cases, 45.6% have been in individuals 18-44 years of age, with the second largest number
of confirmed cases in the 45-64 age group (33.2%). **Although seniors only make up 15.6% of
cases in Orange County, adults aged 65 and older make up 78% of COVID fatalities.** There
have been 378 deaths in adults aged 65 and older in a mere 2,003 cases since March 2020; and

WHEREAS, there presently is no vaccine for COVID-19; and

WHEREAS, on January 30, 2020 the World Health Organization designated the COVID-19 outbreak as a Public Health Emergency of International Concern, advising that further cases may appear in any country; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary, Alex M. Azar II, declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, on February 1, 2020, pursuant to 10 NYCRR § 2.1(a), Dr. Howard A. Zucker, as Commissioner of Health of the State of New York, designated 2019 Novel Coronavirus (2019nCoV), now known as Coronavirus Disease 2019 (COVID-19), as a communicable disease under the State Sanitary Code, which was ratified by the New York State Public Health and Health Planning Council on February 6, 2020; and

WHEREAS, Section 2100 of the Public Health Law mandates that all local health officers, being Commissioners of Health and Public Health Directors, as the case may be, of County Health Departments, guard against the introduction of such communicable diseases as are designated in the State Sanitary Code, by the exercise of proper and vigilant medical inspection and control of all persons and things infected with or exposed to such diseases; and

WHEREAS, Section 2100(2) provides that Every local board of health and every health officer may (a) provide for care and isolation of cases of communicable disease in a hospital or elsewhere when necessary for the protection of the public health, and (b) subject to the provisions of the sanitary code, prohibit and prevent all intercourse and communication with or use of infected premises, places and things...; and

NOW, THEREFORE, by virtue of the authority vested in me by section 2100 of the New York Public Health Law of the State of New York and applicable provisions of the New York State Code of Rules and Regulations, including 324(1)(e), and Section 7.03 of the Orange County Charter, as Commissioner of Orange County, I do hereby:

FIND, that the congregate setting of the above-ordered facilities pose a particular public health risk for corona virus transmission, in that the fragile, susceptible, and vulnerable population residing therein must be protected from exposure to COVID-19, and, if already exposed, must be isolated from any other persons to prevent further transmission of COVID-19 to another person; and that; and that

ORDER, that any resident leaving the facility must isolate and quarantine for 14 days upon return, and then have a negative COVID-19 molecular (pcr) test prior to returning to the general population; I do hereby further

ORDER, that this facility is quarantined and therefore closed to the general public and can only be accessed by residents, home health aides, medical personnel and essential staff for food or medical deliveries. Those in violation of this order may be subjected to criminal prosecution under the Public Health Law for which you may be punished by six (6) months imprisonment and a five hundred-fifty (500) dollar fine. See Public Health Law § 12-b I do hereby further

ORDER, that, this Standing Order shall remain in effect until revoked, in writing, by my hand.

DATED: October 15, 2020

Goshen, New York



Signed: Irina Gelman, DPM, MPH, PHDc
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Received By:

Title: _____