



County of Santa Cruz

HEALTH SERVICES AGENCY

POST OFFICE BOX 962, 1080 Emeline Ave., SANTA CRUZ, CA 95061-0962

TELEPHONE: (831) 454-4000 FAX: (831) 454-4488 TDD: Call 711

ORDER OF THE HEALTH OFFICER REQUIRING USE OF FACE MASKS INDOORS BY ALL PERSONNEL IN ACUTE CARE FACILITIES, SKILLED NURSING FACILITIES, SURGICAL AND MATERNITY CENTERS, AND INFUSION CENTERS DURING RESPIRATORY VIRUS SEASON

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 § 120295, *et seq.*)

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 120175, THE HEALTH OFFICER OF THE COUNTY OF SANTA CRUZ ("HEALTH OFFICER") ORDERS:

This Order is made in light of recent increase in COVID-19 cases in Santa Cruz County ("County") as well as historical data showing seasonally higher rates of influenza, respiratory syncytial virus (RSV), and other respiratory viruses that can cause severe respiratory disease among people living in the County. Current COVID-19 metrics indicate that there is increased COVID-19 transmission in the County. The three COVID-19 metrics that support this determination consist of the County's increase in hospitalizations, the County's elevated viral level of COVID-19 in wastewater, and the County's Effective Reproductive Number (R_t) rising above 1.00.

1. This Order shall become effective at 12:00 am on November 1, 2023, and will continue to April 30, 2024, unless it is rescinded, superseded, or amended in writing by the Health Officer. The Health Officer intends to continually review the need for the Order by monitoring COVID-19 metrics including without limitation viral wastewater concentrations, hospitalizations, Effective Reproductive Number, variants of concern circulating in the County, and vaccination rates.
2. All acute care facilities including the Psychiatric Health Facility and Crisis Stabilization Program, maternity and surgery centers, skilled nursing facilities, and health care facilities that provide infusion therapy such as dialysis and chemotherapy in Santa Cruz County must require all healthcare workers to wear a well-fitting high-quality face mask **during the direct provision of patient care or while working in patient care areas during the Respiratory Virus Season.**
3. **Requirement to Wear Face Masks.**
 - a. Regardless of vaccination status, all personnel must wear face masks at all times during Respiratory Virus Season when indoors **during the direct provision of patient care or while working in patient care areas** except:

- i. Persons with a medical condition, mental health condition, or disability that prevents wearing a mask. This includes persons with a medical condition for whom wearing a mask could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a mask without assistance.
- ii. Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication.
- iii. Persons for whom wearing a mask would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines.

b. All facilities subject to this Order must enforce this face mask requirement for all personnel regardless of vaccination status. In the event of an outbreak, or if a facility subject to this Order violates or fails to comply with this Order, the Health Officer may take additional action(s), including but not limited to requiring masking of visitors and patients to protect the public's health.

b. **Definitions.** For purposes of this Order, the following definitions apply:

- i. "Respiratory Virus Season" is defined as November 1 to April 30 of each year. In any given year, the Health Officer may adjust the dates of the Respiratory Virus Season based on respiratory virus surveillance data. If the Health Officer changes the dates of the Respiratory Virus Season, the Health Officer will notify Facilities subject to this Order and a notice will be posted on the County Health Services Agency Public Health Department's website.
- ii. "Acute care facility" means a hospital that provides general acute physical or psychiatric care including the Psychiatric Health Facility and Crisis Stabilization Program.
- iii. "Skilled Nursing Facility" means a healthcare facility that provides 24-hour skilled nursing and supportive care to residents/patients.
- iv. "Face mask" means a high-quality surgical mask, KN95, KF94 or N95 that is well-fitted to an individual and covers the nose and mouth especially while talking. A face mask does not include a scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve. Please refer to CDPH guidance found in [Get the Most Out of Masking: Tips & Resources \(ca.gov\)](#) for more information.
- v. "Personnel" means employees, volunteers, contractors or subcontractors, vendors, and emergency services personnel who work or provide services at the facility subject to this Order, regardless of whether a particular employee, volunteer, contractor, subcontractor, or vendor ordinarily engages in patient/resident care or contact.

- vi. “Patient Care Area” means any area that patients regularly access in order to receive healthcare within a facility. Patient Care Areas include patient rooms, lobbies, waiting rooms, examination rooms, patient wings, elevators, and hallways used by patients. Patient Care Areas do not include administrative offices or staff break areas that are only accessible to personnel of the facility. Patient Care Areas also do not include areas such as cafeterias or gift shops that are not used for the provision of healthcare or to access areas where healthcare services are provided.
4. **Getting Vaccinated Is the Best Way to Reduce Risk.** Getting vaccinated against COVID-19 and influenza is the best way to protect the vaccinated person from infection, hospitalization, or death from COVID-19 and influenza, as well as to prevent harm to others by reducing the risk of transmission of COVID-19 and influenza. Therefore, all eligible persons are strongly urged to be up to date on their COVID-19 and influenza vaccinations.
5. **Applicability.** All acute care facilities including the Psychiatric Health Facility and Crisis Stabilization Program, maternity and surgery centers, skilled nursing facilities, and health care facilities that provide infusion therapy such as dialysis and chemotherapy in Santa Cruz County are ordered to comply with the applicable provisions of this Order. For clarity, individuals who do not currently reside in the County must comply with all applicable requirements of the Order when they are in the County. All individuals, businesses, and government agencies operating a facility subject to this Order in the County are required to follow the provisions of this Order. This Order applies to the unincorporated areas of the County as well as the cities of Capitola, Santa Cruz, Scotts Valley, and Watsonville.
6. This Order does not restrict the ability of a facility subject to this Order to require face masks beyond the requirements of this Order. The Health Officer does not require patients/residents or visitors to wear masks, although masks are strongly recommended in this setting. Facilities subject to this Order should prominently display face masks for use by patients/residents or visitor if they desire to wear one.
7. **Obligation to Follow Stricter Order.** Where a conflict exists between this Order and any order issued by the State Public Health Officer, the Governor, or a State agency (such as the California Division of Occupational Safety and Health (Cal/OSHA)) related to the COVID-19 pandemic, the most restrictive provision controls. For clarity, all individuals and entities must comply with the State Order, any mandatory guidance issued by the California Department of Public Health, any mandatory orders of the Governor or a State agency, or any other mandatory provision of State law to the extent it is stricter than any provision of this Order. Consistent with California Health and Safety Code section 131080 and the Health Officer Practice Guide for Communicable Disease Control in California, except if the State Health Officer issues an order expressly directed at this Order and based on a finding that a provision of this Order constitutes a menace to public health, any more restrictive measures in this Order continue to apply and control in this County. In addition, to the extent any federal guidelines are inconsistent with this Order, this Order is controlling.

8. **Enforcement.** Pursuant to Government Code sections 26602 and 41601, and Health and Safety Code section 101029, the Health Officer requests that the Sheriff, all chiefs of police in the County, and all enforcement officers ensure compliance with and enforce this Order. The violation of any provision of this Order constitutes an imminent threat and menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
9. **Copies.** Copies of this Order shall promptly be: (1) made available at the County offices at 701 Ocean St, Santa Cruz, CA 95060; (2) posted on the County Health Services Public Health Department website (www.santacruzhealthservices.org); and (3) provided to any member of the public requesting a copy of this Order.
10. **Severability.** If any provision of this Order or its application to any person or circumstance is held to be invalid, 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.

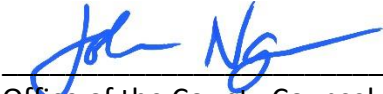
IT IS SO ORDERED:



Lisa B, Hernandez, MD, MPH
Health Officer of the County of Santa Cruz

Dated: September 13, 2023

Approved as to Form:



Office of the County Counsel