

February 1, 2022

C-13

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Confirm the City Manager's promulgation of the revised Public Health Quarantine Order for the Control of COVID-19, issued on January 18, 2022, by the City of Long Beach Health Officer as a regulation. (Citywide)

DISCUSSION

On January 18, 2022, the City's Health Officer issued revisions to the Quarantine Order. The revised Quarantine Order (attached) was issued to align with Center for Disease Control (CDC) and California Department of Public Health (CDPH) guidance for community-related exposure to COVID-19.

On May 12, 2020, the City Council adopted Long Beach Municipal Code (LBMC) Chapter 8.120, "Temporary Enforcement of Long Beach Health Orders Related to COVID-19," which became effective immediately as an urgency Ordinance. Chapter 8.120 requires, where practicable, the City Council to confirm COVID-19 Health Orders for the sole purpose of authorizing the City Manager's promulgation of such Health Orders. In the event it is not feasible to do this, Chapter 8.120, as amended on January 19, 2021, requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The City Manager's promulgation of the Health Order, and City Council's confirmation of such orders, authorizes enforcement authority of the Health Orders under the Proclamation of Local Emergency and provisions of Chapter 8.120.

This process recognizes the potential need for the City's Health Officer to quickly amend or update, and the City Manager to promulgate as a regulation under the LBMC, City Health Orders that protect life and property as affected by the COVID-19 emergency. The process allows for the City to respond to the rapid development of COVID-19, while ensuring the City Council maintains oversight of the COVID-19 local emergency and the City Manager's promulgation of related orders.

This matter was reviewed by Deputy City Attorney Taylor M. Anderson and Budget Manager Grace H. Yoon on January 19, 2022.

TIMING CONSIDERATIONS

City Council action is requested on February 1, 2022. Confirmation by the City Council of the revised Health Order is a requirement of LBMC Chapter 8.120.

STATEMENT OF URGENCY

LBMC Chapter 8.120 requires the City Manager to, within 14 days of promulgation of said Health Orders or at the next duly noticed public meeting of the City Council, request the City Council to confirm the City Manager's promulgation of the Health Order. The Quarantine, Isolation and Health Orders were revised and promulgated on January 18, 2022.

EQUITY LENS

The City has incorporated the Equity Toolkit into the City's Emergency Operations Center, as requested by the City Council on April 21, 2020. The revised Health Order takes the City's equity approach into consideration when the Health Order is drafted and implemented. The City's enforcement model for compliance with the Health Order prioritizes education with the community first.

FISCAL IMPACT

The full fiscal impact of the implementation and enforcement of the revised Health Order is unknown at this time, due to the unprecedented and quickly changing nature of the response to the pandemic. The Health Order and its amendments have an inherent impact on the health of the community and economic activity of Long Beach. There is substantial evidence provided through various public City reporting that the Health Order and its amendments are positively impacting the health and safety of Long Beach residents; and, there is substantial evidence, also provided through other public documents issued by the City, that the Health Order and its amendments are negatively impacting the economy and the City's financial status. As the Health Order is modified from time to time, the modifications are intended to ensure compliance with State directives and to strike a balance, appropriate at the time of modification, between the safety and well-being of residents and other important considerations such as economic impacts. This recommendation has no staffing impact beyond the normal budgeted scope of duties and is consistent with existing City Council priorities.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



THOMAS B. MODICA
CITY MANAGER

HEALTH OFFICER ORDER FOR THE CONTROL OF COVID-19

Quarantine Order

Revised Order Issued: January 18, 2022

This Order supersedes the prior Quarantine Order issued by the Long Beach Health Officer (Health Officer) on January 4, 2022. This Order is in effect until rescinded in writing by the Health Officer.

A digital copy of this Order may be found at www.longbeach.gov/covid19 or by scanning the QR Code below.



**UNDER THE AUTHORITY OF THE CALIFORNIA HEALTH AND
SAFETY CODE SECTIONS 101040, 101085, 120175, 120215, 120220, AND
120225 THE CITY OF LONG BEACH HEALTH OFFICER ORDERS:**

- I. **Definitions.** For purposes of this Order, the following definitions apply:
 - A. **“Asymptomatic”** means that the person does not develop symptoms of COVID-19.
 - B. **“Booster”** means an additional dose of the COVID-19 vaccine received after a person completes the primary COVID-19 vaccination series.
 - C. **“Boosted”** means a person that has received an additional dose of the COVID-19 vaccine received after a person completes the primary COVID-19 vaccination series.
 - D. **“Close Contact”** is any of the following people who were exposed to a COVID-19 positive person:
 1. A person who was within 6 feet of a COVID-19 positive person for a total of 15 minutes or more over a 24-hrs period; or
 2. A person who had unprotected contact with a COVID-19 positive person’s body fluids and/or secretions, such as, hugs or kisses, being coughed or sneezed on, sharing cups or utensils, or providing care without wearing appropriate protective equipment (e.g. facemask and gloves).

- E. **“COVID-19 Symptoms”** means fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea.
- F. **“Fully Vaccinated Person” or “Fully Vaccinated”** is person that has completed their primary COVID-19 vaccination series (i.e. is more than 2 weeks following receipt of the second dose in a 2-dose series COVID-19 vaccine, or more than 2 weeks following receipt of one dose of a single-dose COVID-19 vaccine).

II. Quarantine for Unvaccinated Persons, Fully Vaccinated Persons Eligible for a Booster But Not Boosted, and Previously Infected Persons (Including Those Infected Within the Last 90 Days) After Close Contact with a COVID-19 Positive Person

- A. The following individuals who have been in close contact with a suspected or confirmed COVID-19 positive person are required to comply with this Section:
 - 3. Unvaccinated persons; and
 - 4. Fully vaccinated persons who are eligible for a booster but not boosted; and
- B. The individuals identified in Section II.A (above) must quarantine for at least 5 days and up to 10 days after COVID-19 exposure. Such persons should test immediately and, if negative, should test again on Day 5 after their last exposure and may discontinue quarantine within the timeframes below if they remain asymptomatic:
 - 1. After Day 5, if the individual tests negative from a diagnostic specimen collected on Day 5 or later.
 - 2. After Day 10 from the date of the last exposure for those individuals unable to test or choosing not to test, so long as symptoms are not present.
- C. For workplaces only, excluding healthcare settings, asymptomatic employees that are vaccinated and booster-eligible but have not yet been boosted are not required to stay home from work if: (1) a negative diagnostic test is obtained within 3-5 days after the last exposure to a COVID-19 positive individual AND (2) the employee adheres to all requirements in Section II.D of this Order.
- D. Asymptomatic contacts that discontinue quarantine after Day 5 from the last known exposure must:
 - 1. **Self-monitor for COVID-19 symptoms** (fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea) through Day 10 from the last known exposure; AND
 - 2. **Adults should wear a medical grade mask (surgical or respirator)** while around others both indoors and outdoors for through Day 10 from the last known exposure. Children (2 years of age and older) eligible to leave quarantine after Day 5 should wear a well-fitting, non-cloth mask of multiple layers of non-woven material with a nose wire while around others both indoors and outdoors through Day 10 from the last known exposure.

3. **Strictly adhere to all other recommended non-pharmaceutical interventions** (e.g. avoid crowds, avoiding poorly ventilated indoor spaces, maintaining a distancing of at least 6 ft from others, frequent handwashing).

- E. Any person that experiences symptoms of COVID-19 should self-isolate immediately and test as soon as possible (i.e. do not wait until 5 days after exposure to retest if symptomatic). If positive for COVID-19, such individuals must comply with Section IV of this Order.
- F. Day 0 of quarantine is the day of the last close contact the individual had with a COVID-19 positive person. Day 1 of quarantine begins the following day. Persons required to quarantine by this Order must follow all directions in the "Home Quarantine Guidance for Close Contacts to Coronavirus Disease 2019 (COVID-19)," which is available at www.longbeach.gov/healthorders.
- G. Given the higher risk and impact of transmission of COVID-19 in high risk congregate living settings, people who live in Congregate Care Facilities, correctional facilities, or dormitories may be required to complete a longer quarantine up to 14 days after their last close contact with a COVID-19 positive person and must adhere to any additional requirements issued by the CDPH, including those related to isolation, quarantine, testing, and vaccination.

For purposes of this Order, "Congregate Care Facilities" include the following facilities within the City: Adult Residential Care Facilities (ARF) all license types; Chronic Dialysis Clinic; Continuing Care Retirement Communities; Hospice Facilities; Intermediate Care Facilities of all license types; Psychiatric Health Facilities; Residential Care Facilities for the Elderly; Residential Facility Chronically III; Skilled Nursing Facilities (SNFs); and Social Rehabilitation Facilities.

- H. Private and public K-12 schools within Long Beach must follow CDPH K-12 Guidance for quarantine protocols, and may implement modified quarantine protocol for unvaccinated students in accordance with the CDPH's guidance titled "COVID-19 Public Health Guidance for K-12 Schools in California, 2021-22 School Year", which may be found at <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/K-12-Guidance-2021-22-School-Year.aspx>. All public and private K-12 schools must also adhere to the "Mandatory Requirements for Schools Using the Modified Quarantine Option", where applicable, attached as Appendix AA, as it may be amended from time to time.
- I. Healthcare personnel in any setting must comply with the State's *Guidance on Quarantine for Health Care Personnel (HCP) Exposed to SARS-CoV-2 and Return to Work for HCP with COVID-19*, as described in AFL-21-08.7, as it may be amended from time to time.

III. **Quarantine for Persons Boosted and Fully Vaccinated Persons Not Eligible for a Booster After Close Contact with a COVID-19 Positive Person**

- A. Persons boosted and fully vaccinated persons not eligible for a COVID-19 booster with an exposure to someone with suspected or confirmed COVID-19 are not required to quarantine if they have remained asymptomatic since the current COVID-19 exposure.

Such persons who do not quarantine should still watch for symptoms of COVID-19 for 10 days following an exposure.

Persons boosted or who are fully vaccinated but not eligible for a booster should test immediately after their exposure and test again on Day 5 after their last exposure even if they do not have symptoms.

B. All persons boosted and all persons fully vaccinated but booster-eligible that do not quarantine must adhere to the following requirements:

1. **Self-monitor for COVID-19 symptoms** (fever or chills, cough, shortness of breath or difficulty breathing, fatigue, muscle or body aches, headache, new loss of taste or smell, sore throat, congestion or runny nose, nausea or vomiting, or diarrhea) through Day 10 from the last known exposure; AND
2. **Asymptomatic Adults should wear a medical grade mask (surgical or respirator)** while around others both indoors and outdoors for through Day 10 from the last known exposure. Asymptomatic Children (2 years of age and older) should wear a well-fitting, non-cloth mask of multiple layers of non-woven material with a nose wire while around others both indoors and outdoors through Day 10 from the last known exposure.
3. **Strictly adhere to all other recommended non-pharmaceutical interventions** (e.g. avoid crowds, avoiding poorly ventilated indoor spaces, maintaining a distancing of at least 6 ft from others, frequent handwashing).

C. Any person that experiences symptoms of COVID-19 should self-isolate immediately and test as soon as possible (i.e. do not wait until 5 days after exposure to retest if symptomatic). If positive for COVID-19, such individuals must comply with Section IV of this Order.

IV. Isolation Required if Any Person Develops Symptoms or Tests Positive for COVID-19

Any individual that develops symptoms must immediately self-isolate, seek COVID-19 testing, and contact their healthcare provider with any questions regarding their care. The requirements in this Section apply to fully vaccinated persons whether or not they have received a booster, unvaccinated persons, and persons previously infected with COVID-19 and applies regardless of testing or earlier quarantine release.

Any person who develops symptoms or tests positive for COVID-19 must follow the Long Beach Isolation Order. The Long Beach Isolation Order and a list of testing sites may be found at www.longbeach.com/covid19.

V. Background and Purpose of this Order

The spread of Coronavirus Disease 2019 (COVID-19) remains a substantial threat to the public's health. Long Beach is currently subject to a declared local health emergency and a proclaimed local emergency due to the COVID-19 pandemic, and the Governor of the State of California proclaimed a state of emergency. All people are at risk for becoming ill with COVID-19, but some people are more vulnerable to serious illness as a result of COVID-19 due to age or underlying health conditions.

The Omicron variant has been designated as a variant of concern and has been identified in California and several other states. Early data regarding the Omicron variant suggest the increased transmissibility of the Omicron variant is two to four times as infectious as the Delta variant, and there is evidence of immune evasion. Recent evidence also shows that vaccine effectiveness against COVID-19 infection is decreasing over time without boosters. There is still much to be learned about the Omicron variant, and it is important to remain vigilant at this time. On December 27, 2021, the CDC updated their Isolation and Quarantine recommendations for the general public motivated by science that indicates the majority of COVID-19 transmission occurs within the first few days after contracting the virus. On December 30, 2021, the CDPH updated its guidance regarding the same.

The purpose of this Order is to help slow the spread of COVID-19, to protect individuals against serious illnesses and death, and to protect the health care system from a surge of cases into emergency rooms and hospitals. This Order requires that certain people quarantine at home after close contact with someone with COVID-19 and is updated to reflect changes in guidance for those vaccinated and booster-eligible, but not boosted. This Order is also issued to align with updated CDC and CDPH guidance, with a focus on testing and masking to best contain the more transmissible Omicron variant. However, COVID-19 vaccination and boosters remain the most important strategy to prevent serious illness and death from COVID-19.

Quarantine is used to keep someone who has been exposed to COVID-19 and might be infected away from others to prevent COVID-19 from spreading further. Since a significant number of COVID-19 infections are caused by people with no symptoms, quarantining people who have been exposed to COVID-19 is essential to stop the spread of COVID-19.

The CDC and CDPH currently still recommend a quarantine period of 10 days after COVID-19 exposure, based on estimates of the upper bounds of the COVID-19 incubation period. LBDHHS, like CDC and CDPH, recognizes the long duration of quarantine creates economic and personal hardship, impacts people's compliance with quarantine, and may impact the willingness of cases to name close contacts. This Order is amended to align with updated CDC and CDPH Guidance for Fully Vaccinated People, which recommends testing and masking after an exposure if vaccinated and boosted, where eligible. This symptom-based strategy will prevent most, but not all, instances of secondary transmission.

The CDPH subsequently changed State recommendations for quarantine based on this information from the CDC. Links to CDC and CDPH recommendations may be found below in "Resources".

This Order does not apply to government employees and other critical infrastructure workers, if the agency, in consultation with the Health Officer, has made a determination that due to CDC guidance that an alternate approach to COVID-19 transmission prevention is necessary in order to ensure continuity of critical services to the community.

VI. LEGAL AUTHORITY

This Order is made under the authority of California Health and Safety Code Sections 101040, 101475, 101085, 120175, 120215, 120220, and 120225. The Health Officer may take additional action(s), which may include civil detention or requiring a person to stay a health facility or other location to protect the public's health if an individual who is subject to this Order violates or fails to comply with this Order.

Violation of this Order is a misdemeanor punishable by imprisonment, fine or both pursuant to California Health and Section Code Section 120275 et seq and Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3. Further, pursuant to Section 41601 of the California Government Code, the Health

Officer requests that the Chief of Police in the City of Long Beach ensure compliance with and enforcement of this Order. The violation of any provision of this Order constitutes an imminent threat and creates an immediate menace to public health.

In workplaces, most employers and businesses are subject to the Cal/OSHA COVID-19 Emergency Temporary Standards (ETS) and some to the Cal/OSHA Aerosol Transmissible Diseases Standards, and should consult those regulations for additional applicable requirements. The ETS allow local health jurisdictions to require more protective mandates.

In establishments and settings with active outbreaks, quarantine and isolation may be extended for additional days by Long Beach Health and Human Services outbreak investigators to help lower the risk of ongoing transmission at the site.

VII. RESOURCES

- Home Quarantine Instructions for Close Contacts to COVID
- Home Isolation Instructions for People with COVID-19
- Public Health Emergency Isolation Order
- California Department of Public Health (CDPH) Guidance
 - Guidance on Isolation and Quarantine for COVID-19 Contact Tracing (updated on January 8, 2022) <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Guidance-on-Isolation-and-Quarantine-for-COVID-19-Contact-Tracing.aspx>
- Centers for Disease Control (CDC) Guidance
 - Interim Clinical Considerations for Use of mRNA COVID-19 Vaccines Currently Authorized in the United States (updated on December 23, 2021) - <https://www.cdc.gov/vaccines/covid-19/info-by-product/clinical-considerations.html>
 - CDC Guidance: When to Quarantine (updated December 9, 2021) - <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/quarantine.html>
 - Options to Reduce Quarantine for Contacts of Persons with SARS-CoV-2 Infection Using Symptom Monitoring and Diagnostic Testing (updated December 2, 2020) - <https://www.cdc.gov/coronavirus/2019-ncov/more/scientific-brief-options-to-reduce-quarantine.html>

IT IS SO ORDERED:



Anissa Davis, MD, DrPH,

Health Officer, City of Long Beach

Date: January 18, 2022

PROMULGATION OF EMERGENCY REGULATIONS

As Director of Civil Defense for the City of Long Beach pursuant to Long Beach Municipal Code ("LBMC") section 2.69.060.A, and in accordance with the provisions of LBMC Chapter 8.120, I am authorized to promulgate regulations for the protection of life and property as affected by the COVID-19 emergency pursuant to Government Code section 8634, and LBMC sections 2.69.070.A and 8.120.020. The following shall be in effect for the duration of the Long Beach Health Officer Order,

January 18, 2022

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HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: Quarantine Order, issued above, which is incorporated in its entirety by reference.

The Long Beach Health Officer Order, HEALTH OFFICER ORDER FOR CONTROL OF COVID-19: Quarantine Order, shall be promulgated as a regulation for the protection of life and property.

Any person who, after notice, knowingly and willfully violates or refuses or neglects to conform to the above referenced lawfully issued Health Order shall be guilty of a misdemeanor punishable by a fine not to exceed one thousand dollars (\$1,000), by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment. (Long Beach Municipal Code sections 8.120.030.A and 8.120.030.E.3.)

IT IS SO ORDERED:

A handwritten signature in black ink, appearing to read 'T.B. Modica', with a long horizontal stroke extending to the left.

Thomas B. Modica

City Manager, City of Long Beach

Date: January 18, 2022