

EMERGENCY ORDER OF LOCAL HEALTH OFFICER
(Local "Stay at Home" Order)

Emergency Public Health Order issued on this 25th day of March, 2020, to mitigate the spread of the Coronavirus (COVID-19) epidemic in Coffey County, Kansas, pursuant to the authority provided in K.S.A. 65-119 and K.S.A. 65-129b and other applicable laws or regulations.

WHEREAS, the Coffey County Local Health Officer is authorized and required, pursuant to K.S.A. 65-119 and K.S.A. 65-129b to immediately exercise and maintain supervision over known or suspected cases of any infectious disease during its continuance, and to issue orders seeing that all such cases are properly handled and that the provisions of the Kansas public health laws as to isolation, quarantine and disinfection are duly enforced; and

WHEREAS, the Coffey County Local Health Officer is appointed by the Board of Commissioners and is authorized to prohibit public gatherings when necessary for the control of any and all infectious or contagious diseases, pursuant to K.S.A. 65-129b; and

WHEREAS, on the 16th day of March 2020, the Chairman of the Board of County Commissioners of Coffey County found that a disaster had occurred, or the threat thereof was imminent within Coffey County, Kansas as a result of the Coronavirus pandemic (COVID-19) and the confirmed outbreak and person-to-person spread of COVID-19 in the United States, Kansas and the imminent potential for spread within Coffey County, and

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death, has been confirmed in Kansas, resulting in serious illness and multiple and ongoing deaths to date in Kansas; and

WHEREAS, such conditions endanger health, safety and welfare of persons and property within the border of Coffey County, Kansas; and

WHEREAS, to reduce spread of COVID-19, the United States Centers for Disease Control and Prevention (CDC), the Kansas Department of Health and Environment (KDHE) and the Coffey County Local Health Officer, all recommend implementation of community mitigation strategies to increase containment of the virus, include cancellation of large gatherings and social distancing in smaller gatherings; and

WHEREAS, the worldwide outbreak of COVID-19 and the resulting epidemic in Kansas and Coffey County continue to threaten the life and health of our citizens and visitors as well as the economy and remains a public disaster affecting life, health, property and the public peace.

NOW, THEREFORE, BE IT ORDERED by the Coffey County Local Health Officer, pursuant to the above authorities that:

Section One: "Stay at Home"

In an effort to further slow the local spread of COVID-19 within the boundaries of Coffey County, Kansas, the Local Health Officer orders the citizens of Coffey County to "stay at home" under the following guidelines:

1. Local residents may leave their residence only to perform an "Essential Activity" or if the individual is identified as being employed as a "Critical Infrastructure Worker".
 - a. It is highly recommended to the extent possible, that caregivers should keep their children at their residence unless childcare is necessary for the caregiver to perform an "Essential Activity".
 - b. People at high risk of severe illness from COVID-19 are urged to stay in their residence except as necessary to seek medical care. Individuals who are sick may leave their residence only as necessary to seek or receive medical care in accordance with guidance from public health officials.
 - c. All individuals are encouraged to exercise appropriate social distancing at all times.
2. All large public gatherings of people within Coffey County including religious gatherings, wakes, funeral or memorial services or ceremonies and funerals are temporarily prohibited in an effort to reduce the local spread of COVID-19.
 - a. Large public gatherings are those with more than ten (10) people in attendance or anticipated to attend, both indoor and outdoor, except for governmental and judicial functions, and all deemed essential industries as defined by US Homeland Security and as set forth as an essential function under the Kansas Essential Functions Framework (KEFF).
 - b. For all gatherings of people, the Coffey County Health Officer strongly encourages everyone to follow the guidance provided by Coffey County Health Department, Kansas Department of Health and Environment (KDHE), the Centers for Disease Control Prevention (CDC), and other federal, state and local public health officials and private medical providers.
3. For purposes of this Order, individuals are directed to "stay at home" and leave their residence only to perform any of the following "Essential Activities" as described below:
 - a. To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not

limited to, pets), such as, by way of example only and without limitation, obtaining medical supplies or medication, or visiting a health care professional;

- b. To obtain necessary services or supplies for themselves and their family or household members, to obtain supplies they need to work from home, or to deliver those services or supplies to others, such as, by way of example only and without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, and any other household and personal consumer products, and products necessary to maintain the safety, sanitation, and essential operation of residences;
- c. To engage in outdoor activity, provided the individuals comply with social distancing recommendations, such as, by way of example and without limitation, walking, hiking, or running. Use of parks and other public areas are permitted. Use of playground and exercise equipment, however, is discouraged;
- d. To perform work providing essential products and services at an essential business or to otherwise carry out activities specifically permitted in this Order, including Minimum Basic Operations;
- e. To provide activities related to public or private schools for instructional purposes, for non-instructional purposes -- such as medication pickup, childcare services, providing meals – and when operating as a polling place, as long as less than ten (10) people are in attendance or anticipated to attend at one time;
- f. To care for a family member or pet in another household or engage in transportation or to transport the family member or pet to provide for such care;
- g. To comply with valid court or administrative orders;
- h. To work for or obtain services at any “Healthcare Operations” including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, other healthcare facilities, healthcare suppliers, home healthcare services providers, mental health providers including pastoral or other counselors, intellectual/developmental disability providers, or any related and/or ancillary healthcare services.
 - i. “Healthcare Operations” also includes veterinary care and all healthcare services provided to animals. This exemption shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined.
 - ii. “Healthcare Operations” does not include activities at fitness and exercise gyms and similar facilities.

- i. To provide any services or perform any work necessary to the operations and maintenance of "Essential Infrastructure," including, but not limited to, public works construction, construction or repair of housing (in particular affordable housing or housing for individuals experiencing homelessness), commercial construction, airport operations, water, sewer, gas, electrical, oil refining, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), provided that those services or work are carried out in compliance with the social distancing recommendations, to the extent possible. Essential Infrastructure" includes essential functions under the Kansas Essential Functions Framework (KEFF)
4. For purposes of this Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, and law enforcement personnel, United States Armed Forces personnel and activities related thereto, and others working for or to support Essential Businesses are categorically exempt from this Order. Further, nothing in this Order shall prohibit any individual from performing or accessing "Essential Governmental Functions."
5. For purposes of this Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function they perform, or its corporate or entity structure.
6. For purposes of this Order, "Essential Businesses" means:
 - a. Healthcare Operations, Essential Infrastructure, and Essential Governmental Functions;
 - b. Grocery stores, certified farmers' markets, farm and produce stands, supermarkets, food banks, convenience stores, and other establishments engaged in the retail sale of canned foods, dry goods, fresh fruits and vegetables, pet supply, fresh meats, fish and poultry, liquor stores, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries and also sell other nongrocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences; however, the touching of unpacked baked good is prohibited;
 - c. Food cultivation, including farming, livestock, and fishing;
 - d. Human and animal food processing facility workers;

- e. Businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals;
- f. Newspapers, television, radio, and other media services;
- g. Gas stations and auto-supply, auto-repair and servicing, emergency road services, and related facilities;
- h. Banks and related financial institutions;
- i. Hardware stores;
- j. Plumbers, electricians, exterminators, construction, cleaning and janitorial staff, security staff, HVAC, painting, moving and relocation services, lawn care and landscaping and other trades and services providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses;
- k. businesses providing mailing and shipping services, including post office boxes;
- l. Educational institutions, which includes public and private K-12 schools, colleges, and universities, for purposes of facilitating distance learning or performing essential functions related to distance learning and support to other essential businesses (such as transportation and law enforcement), provided that social distancing of 6-feet per person is maintained to the greatest extent possible. School buildings may be used if needed to house individuals, distribute food, provide medical care, distance learning or any other services deemed necessary to protect the life and property and other critical resources;
- m. Laundromats, dry cleaners, and laundry service providers;
- n. Restaurants and other facilities that prepare and serve food and/or beverages, but only for drive thru, delivery, or carry out and not for consumption of food and/or beverages on the premises. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit food to be eaten at the site where it is provided, or at any other gathering site;
- o. Businesses that supply products needed for people to work from home;

- p. Businesses that supply other Essential Businesses with the support or supplies necessary to operate;
- q. Businesses that ship or deliver groceries, food, beverages, goods or services directly to residences;
- r. Taxis, aircraft, commercial transportation and logistics providers and services and other transportation providers providing transportation services necessary for Essential Activities and other purposes expressly authorized in this Order;
- s. Home-based care for seniors, adults, or children;
- t. Residential facilities and shelters for seniors, adults, and children;
- u. Professional services, such as legal services, accounting services, real estate services, and insurance services;
- v. Childcare facilities providing services that enable employees exempted from this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:
 - i. Childcare must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day);
 - ii. Children shall not change from one group to another;
 - iii. If more than one group of children is cared for at the same facility, each group shall be in separate rooms and groups shall not mix with each other; and
 - iv. Children providers shall remain solely with one group of children;
- w. Mortuary, cremation, and burial services;
- x. Hotels and motels, to the extent used for lodging and delivery or carry-out food services;
- y. Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for residences and industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitation, waste pickup and disposal, agriculture, food and beverage, transportation, aerospace, energy, steel and steel products, petroleum, lubricants and fuel, mining construction, national defense, communications, as well as products and services used by Essential Businesses; and

- z. Leaders and employees of religious institutions.
7. Essential Businesses must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
- a. Designate 6-foot distances. Designating with signage, tape, or by other means 6-foot spacing for employees and customers in line to maintain appropriate distance;
 - b. Hand sanitizer and sanitizing products. Having anti-microbial soap and water or hand sanitizer and sanitizing products readily available for employees and customers;
 - c. Separate operating hours for vulnerable populations. Implementing separate operating hours for elderly and vulnerable customers;
 - d. Online and remote access. Posting online whether a facility is open and how to best reach the facility and continue services by phone or remotely; and
 - e. Protective equipment. As supplies are currently available and become available, providing employees who have frequent contact with the public with protective equipment, including but not limited to gloves and masks.

Section Two: Coffey County Businesses

In an effort to further slow the local spread of COVID-19 within the boundaries of Coffey County, Kansas, the Local Health Officer orders the following categories of local businesses to temporarily close to the public as follows:

1. All restaurants, dining facilities, bars, and taverns located in Coffey County, Kansas are hereby ordered temporarily closed to the public effective at 12:01 a.m. on March 26th, 2020 until further notice, **except** that any such establishment may continue to provide carryout, drive-through and delivery food and beverage services.
2. In all areas, establishments must follow the guidance provided by the Centers for Disease Control and Prevention (CDC), federal, state and local public health official for social distancing and infection control measures.

Section Three: "Definitions"

The following definitions are included to aid and assist in the interpretation of commonly used words and phrases contained within this order:

1. "Social Distancing Requirements" means maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using alcohol-based hand sanitizer, covering coughs or sneezes (into the sleeve or inner elbow, not hands), regularly cleaning high-touch surfaces and not shaking hands.
2. "Essential Government Functions" means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety, and welfare of the public. All Essential Governmental Functions shall be performed in compliance with Social Distancing Requirements, to the extent possible.
3. "Critical Infrastructure Workers" means workers described by the Director of the U.S. Cybersecurity and Infrastructure Security Agency in the Director's guidance of March 19, 2020 on the COVID-19 response.¹ Such workers include some workers in each of the following sectors:
 - i. Healthcare and public health.
 - ii. Law enforcement, public safety, and first responders.
 - iii. Food and agriculture.
 - iv. Energy.
 - v. Water and wastewater.
 - vi. Transportation and logistics.
 - vii. Public works.
 - viii. Communications and information technology, including news media.
 - ix. Other community-based government operations and essential functions.
 - x. Critical manufacturing.

¹ see <https://www.cisa.gov/sites/default/files/publications/CISA-Guidance-on-Essential-Critical-Infrastructure-Workers-1-20-508c.pdf>

- xi. Hazardous materials.
 - xii. Financial services.
 - xiii. Chemical supply chains and safety.
 - xiv. Defense industrial base.
4. For purposes of this order, "Critical Infrastructure Workers" also includes:
- a. Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of critical infrastructure workers as defined in this order. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of critical infrastructure workers.

Section Four: "Kansas Essential Functions Framework (KEFF)"

In order to slow the spread of COVID-19 and in accordance with Kansas Governor Laura Kelly's Executive Order No. 20-15 issued March 24, 2020 stating the following:

1. That when it becomes necessary for local health officials to limit citizens' ability to leave their homes, it remains critical to the COVID-19 pandemic response that a uniform framework, known as the Kansas Essential Functions Framework (KEFF), for essential functions to continue in operation in an effort to secure the safety and protection of the civilian population.
2. KEFF focuses on four functional areas: *Connect, Distribute, Manage, and Supply*. KEFF is a framework for identifying and continuing essential functions that must remain operational during a local "stay home" or similar order to maintain critical services and infrastructure during the COVID-19 pandemic. The goal of KEFF is to provide for the continuation of essential functions while allowing local authorities to limit sustained personal interactions as necessary to protect the public health and safety.
3. In recognition of Executive Order 20-15, the Coffey County Local Health Officer incorporates by reference the KEFF essential functions framework as a necessary component of this order. The following categories are considered vital to the continued operation and in an effort to secure the safety and protection of the residents of Coffey County, Kansas:
 - a. KEFF 100 CONNECT
 - b. KEFF 200 DISTRIBUTE

c. KEFF 300 MANAGE

d. KEFF 400 SUPPLY

4. Should a company or other organization have questions related to qualifications related to an exemption under the FEFF essential functions framework, contact should be made with the following:

Coffey County Emergency Management Department at (620) 364-2721.

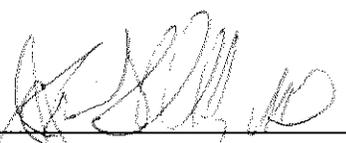
Section Five: Legal Authority

1. K.S.A. 65-129b provides the duties and powers of the Local Health Officer.
2. K.S.A. 65-119 provides the Local Health Officer the authority to prohibit public gatherings when necessary for the control of any and all infectious or contagious diseases.
3. Pursuant to K.S.A. 65-129b, any sheriff, deputy sheriff or other law enforcement officer of the state or any subdivision of Coffey County, is hereby ordered to aid and assist in the execution and enforcement of this Order, if needed.

WHEREAS, this Emergency Public Health Order issued by the Coffey County Public Health Officer is to be considered effective and in full force and effect beginning at 12:01 a.m. on March 26, 2020 and is to remain in effect until otherwise modified, rescinded, or supplemented by the Coffey County Public Health Officer.

WHEREFORE, this Order may be supplemented or modified as required for the effective and efficient management and control of the COVID-19 epidemic in the County by further order or direction of the Coffey County Board of Public Health or by the Coffey County Local Health Officer.

IT IS SO ORDERED THIS 25th DAY OF MARCH, 2020.



Dr. John R. Shell
Coffey County Health Officer
Coffey County, Kansas