

**JOHNSON COUNTY HEALTH OFFICER PUBLIC HEALTH VARIANCE
2021-1**

**COUNTYWIDE VARIANCE TO CERTAIN RESTRICTIONS MANDATED
IN STATEWIDE PUBLIC HEALTH ORDER REGARDING BARS,
RESTAURANTS, THEATERS, GYMNASIUMS, CHILD CARE FACILITIES,
K-12 SCHOOLS, COLLEGES, UNIVERSITIES, AND TRADE SCHOOLS**

WHEREAS, Dr. Mark Schueler serves as the Johnson County Health Officer pursuant to Wyoming Statute § 35-1-306(a); and

WHEREAS, Wyoming Statute § 35-1-240(a)(i), (ii), (iii), and (iv) gives the power to the Wyoming Department of Health, through the State Health Officer, or under her direction and supervision, or through the other employees of the Wyoming Department of Health to control the causes of communicable disease; to close theaters, schools, and other public places; and to forbid gatherings of people when necessary to protect public health; and

WHEREAS, as evidenced by her signature below, Alexia Harrist, MD, Ph.D., the Wyoming State Health Officer, has reviewed and does hereby authorize the issuance of this countywide variance order by Dr. Mark Schueler, the Johnson County Health Officer, and the State Health Officer, Dr. Alexia Harrist, also specifically makes the finding that this order is appropriate for public health in Johnson County; and

WHEREAS, the State Health Officer has entered Statewide Public Health Order #1 Regarding Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 schools, Colleges, Universities, and Trade Schools; and

WHEREAS, Statewide Public Health Order #1 is specifically titled "Twenty-First Continuation, and Modification, of Statewide Public Health Order Regarding Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 schools, Colleges, Universities, and Trade Schools." The Twenty-First continuation of Statewide Public Health Order #1 extends through February 28, 2021, and allows for a County Health Officer to request a less restrictive or more restrictive variance; and

WHEREAS, COVID-19 was first detected in Wuhan, China in 2019, and since then has spread to over 60 countries including the United States; and

WHEREAS, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus. Persons infected with COVID-19 may become symptomatic two to fourteen days after exposure. The symptoms of COVID-19 include fever, cough, and shortness of breath. In some cases, COVID-19 can result in severe disease including hospitalization, admission to an intensive care unit, and death; and

WHEREAS, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020; and

WHEREAS, on March 13, 2020 the President of the United States declared a national emergency concerning the coronavirus, specifically stating that, in “December 2019 a novel (new) coronavirus known as SARS-Co V-2 (“the virus”) was first detected in Wuhan, Hubei Province, People’s Republic of China, causing outbreaks of the coronavirus disease (COVID-19) that has now spread globally [...] The spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems [. . .] Additional measures[...] are needed to successfully contain and combat the virus in the United States;” and

WHEREAS, on March 13, 2020, Wyoming Governor Mark Gordon declared a State of Emergency and Public Health Emergency in the State of Wyoming, and the State of Wyoming is experiencing a public health emergency in response to the evolving COVID- 19 outbreak; and

WHEREAS, Governor Gordon’s Declaration of a State of Emergency and Public Health Emergency directs the Wyoming Department of Health to take all appropriate and necessary actions, and that in the judgment of the Director of the Wyoming Department of Health, any actions necessary should be taken to provide aid to those locations where there is a threat or danger to public health, safety and welfare; and

WHEREAS, a significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic people, place other vulnerable members of the public at significant risk; and

WHEREAS, a large number of persons with serious infections can compromise the ability of the healthcare system to deliver the necessary healthcare to the public; and

WHEREAS, in addition to the above findings, stopping the spread of COVID-19 includes washing hands often, practicing physical distancing by avoiding close contact with others, staying at least six feet away from someone who is ill or showing signs of illness, avoiding touching your faces, eyes, nose, and mouth, covering your cough or sneeze into your elbow or by using a tissue, and wearing a face covering in public; and

WHEREAS, the Wyoming Department of Health has issued data-driven decision-making metrics to inform public health orders that include the following: Number of reported laboratory-confirmed cases per 100,000 population in the previous 14 days, percent of tests that are positive in the previous 14 days, the presence of COVID-19 outbreaks in communal settings, and the number of active cases. Reported COVID-19 hospitalizations, reported hospital bed capacity, ICU bed availability, COVID-19 testing volume, testing capacity, PPE supplies, the numbers of reported and active probable cases, and the number of COVID-19 associated deaths will also be considered; and

WHEREAS, as of February 19, 2021, the number of laboratory – confirmed positive cases in Johnson County is 400 with 392 laboratory-confirmed recovered cases. As of February 19, 2021, the number of probable cases in Johnson County is 215 with 213 probable recovered cases. There have been 9 COVID-19 associated deaths in Johnson County. Thus, there are presently 0 active laboratory-confirmed cases and 1 active probable case in Johnson County; and

WHEREAS, as of February 19, 2021, the rate of newly reported laboratory confined cases in Johnson County over the previous 14 days is 0 cases per 100,000 population; and

WHEREAS, as of February 19, 2021, the percent of tests that are positive over the previous 14 days is 0.6%; and

WHEREAS, as of February 19, 2021, Johnson County has conducted 1,847 molecular tests per 100,000 population over the previous 14 days, with additional antigen tests being conducted; and

WHEREAS, as of February 19, 2021, there are no skilled nursing facilities or assisted living facilities with active resident COVID-19 infections and no other communal settings with active outbreaks; and

WHEREAS, the Johnson County Healthcare Center has an adequate supply of testing options available to test symptomatic patients if there were an increased demand for testing, with additional testing available from Johnson County Public Health Nursing; and

WHEREAS, the Johnson County Healthcare Center has an adequate supply of PPE available in the event of an increased incidence of positive cases; and Johnson County Public Health Nursing has additional PPE supplies if needed.

NOW THEREFORE, IT IS HEREBY ORDERED THAT:

1. Restaurants, food courts, cafes, coffeehouses, bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, cigar bars, and other places of public accommodation offering food, beverages, or alcoholic beverages for on-premises consumption may provide services (indoor and outdoor) without any of the restrictions mandated in paragraph 2, provisions a. through p., of Statewide Public Health Order #1. Appropriate PPE for staff, disinfection of surfaces, social distancing of more than 6 feet, and the use of hand sanitizer is still encouraged. Business owners shall comply with any isolation or quarantine of staff diagnosed with or exposed to COVID-19.

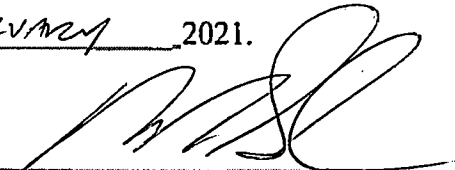
2. Gymnasiums may operate without the restrictions mandated in paragraph 3, provisions a. through l. of Statewide Public Health Order #1. Appropriate PPE for staff, disinfection of surfaces, social distancing of more than 6 feet, and the use of hand sanitizer is still encouraged. Gymnasiums owners shall comply with any isolation or quarantine of staff diagnosed with or exposed to COVID-19.
3. Movie theaters, performance theaters, opera houses, concert halls, and music halls may operate without the restrictions mandated in paragraph 4, provisions a. through n., of Statewide Public Health Order #1. Appropriate PPE for staff, disinfection of surfaces, social distancing of more than 6 feet, and the use of hand sanitizer is still encouraged. Business owners shall comply with any isolation or quarantine of staff diagnosed with or exposed to COVID-19.
4. All other entities subject to State Public Health Order #1, not otherwise specifically identified in paragraphs 1 or 2 above, shall continue to comply with Statewide Public Health Order #1 (Twenty-First Continuation, and Modification, of Statewide Public Health Order Regarding Bars, Restaurants, Theaters, Gymnasiums, Child Care Facilities, K-12 schools, Colleges , Universities , and Trade Schools).

IT IS FURTHER ORDERED, that the Johnson County Health Officer may issue more restrictions to Statewide Public Health Order #1 on a case by case basis after evaluating outbreak progress in Johnson County and consulting with the State Health Officer; and

IT IS FURTHER ORDERED, that this Countywide Variance to Statewide Public Health Order #1 shall remain in effect until such time as the Johnson County Health Officer enters a decision to revoke or modify this variance, under the direction and supervision of the State Health Officer; and

IT IS FURTHER ORDERED, that any person or legal entity that violates this variance shall be subject to criminal prosecution under Wyo. Stat. Ann. §§ 35-1-105 and - 106.

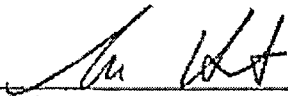
DATED THIS 22nd DAY OF FEBRUARY 2021.



Mark Schueler, MD
Johnson County Health Officer

Direction to Issue Variance

I, Dr. Alexia Harrist, the Wyoming State Health Officer, hereby state that I have reviewed the above and hereby direct, pursuant to Wyo. Stat. Ann. §§ 35-1-227 and -240(a)(i) and (iv), the Johnson County Health Officer to issue the above variance. As the State Health Officer, I specifically deem this variance appropriate for Johnson County, Wyoming. I will reassess the necessity of this variance as appropriate to do so and according to accepted epidemiological and medical standards.



Alexia Harrist, MD, PhD
Wyoming State Health Officer