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- Order of the State Public Health Officer Requirements for Visitors in Acute Health Care and Long-Term Care Settings



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State of California—Health and Human Services Agency California Department of Public Health



GAVIN NEWSOM
Governor

August 5, 2021

TO: All Californians

SUBJECT: Requirements for Visitors in Acute Health Care and Long-Term Care Settings

State Public Health Officer Order of August 5, 2021

The COVID-19 pandemic remains a significant challenge in California. COVID-19 vaccines are effective in reducing infection and serious disease. At present, 63% of Californians 12 years of age and older are fully vaccinated with an additional 10% partially vaccinated. California is currently experiencing the fastest increase in COVID-19 cases during the entire pandemic with 18.3 new cases per 100,000 people per day, with case rates increasing ninefold within two months. The Delta variant, which is very highly contagious and possibly more virulent, is currently the most common variant causing new infections in California.

Unvaccinated persons are more likely to get infected and spread the virus, which is transmitted through the air. Most current hospitalizations and deaths are among unvaccinated persons. Thanks to vaccinations and to measures taken since March 2020, California's health care system is currently able to address the increase in cases and hospitalizations. However, additional statewide facility-directed measures are necessary to protect particularly vulnerable populations. Hospitals, skilled nursing facilities (SNFs), and intermediate care facilities (ICFs) serve uniquely vulnerable populations where COVID-19 outbreaks can have severe consequences including hospitalization, severe illness, and death.

Vaccinations have been available in California from December 2020 to the present, and from January 1, 2021, to July 27, 2021, a total of 9,371 confirmed COVID-19 outbreaks and 113,196 outbreak-related cases were reported to CDPH. The two most common settings for these outbreaks were: Residential care facilities (22.5%) and SNFs (9.8%). There have been over 4,000 outbreaks in residential care facilities, over 2,000 outbreaks in SNFs, and over 450 outbreaks in hospitals in California to date. Recent outbreaks in health care settings have frequently been traced to unvaccinated staff members, demonstrating the risk of unvaccinated persons in these settings.

While there is currently a significant increase in the community transmission of COVID-19 in California, vaccination against COVID-19 is the most effective means of preventing further infections, transmission, and outbreaks. As we respond to the dramatic increase in cases, transmission prevention measures must be increased for the protection of the patients in the facilities referenced in this Order. This can be done by reducing the risk that visitors to these facilities are bringing COVID-19 from the community and introducing it into these settings. Requiring well-fitting face masks for all visitors is an important step for source control. An emphasis on vaccination and testing should also contribute to reduction of transmission risk in these high-risk settings.

COVID-19 remains a concern to public health and, in order to prevent its further spread in hospitals, SNFs, and ICFs, the following limited and temporary public health requirements are necessary at this time.

I, as State Public Health Officer of the State of California, order:

I. This Order applies to the following facilities:

- A. General Acute Care Hospitals,
- B. Skilled Nursing Facilities (SNFs), and
- C. Intermediate Care Facilities (ICFs).

II. The Order applies only to indoor visitation in facilities identified in this Order. Indoor visitation shall be permitted only in accordance with this Order.

A. The facilities identified in this Order must either: (1) verify visitors are fully vaccinated, or (2) for unvaccinated or incompletely vaccinated visitors, verify documentation of a negative SARS-CoV-2 test.

B. Pursuant to the CDPH Guidance for Vaccine Records Guidelines & Standards

([/web/20210814170025/https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Vaccine-Record-Guidelines-Standards.aspx](https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/COVID-19/Vaccine-Record-Guidelines-Standards.aspx)), only the following modes may be used as proof of vaccination:

1. COVID-19 Vaccination Record Card (issued by the Department of Health and Human Services Centers for Disease Control & Prevention or WHO Yellow Card) which includes name of person vaccinated, type of vaccine provided, and date last dose administered); OR
2. a photo of a Vaccination Record Card as a separate document; OR
3. a photo of the client's Vaccination Record Card stored on a phone or electronic device, OR
4. documentation of COVID-19 vaccination from a health care provider; OR
5. digital record that includes a QR code that when scanned by a SMART Health Card reader displays to the reader client name, date of birth, vaccine dates and vaccine type.

In the absence of knowledge to the contrary, a facility may accept the documentation presented as valid.

C. Unvaccinated or partially vaccinated visitors are eligible for indoor visits only if they can show documentation of a negative SARS-CoV-2 test where the specimen collection occurred within 72 hours before each visit and for which the test results are available at the time of entry to the facility. Visitors may use either PCR testing or antigen testing. Any PCR or antigen test used must either have Emergency Use Authorization by the U.S. Food and Drug Administration or be operating per the Laboratory Developed Test requirements by the U.S. Centers for Medicare and Medicaid Services.

D. Facilities must have a plan in place for tracking verified visitor vaccination status or documentation of a negative SARS-CoV-2 test. Records of vaccination verification or documentation of a negative SARS-CoV-2 test must be made available, upon request, to the local health jurisdiction for purposes of case investigation.

E. Facilities can offer to conduct onsite testing of visitors if practical per facility testing capacity but are not required to do so.

F. Visitors who are visiting a patient in critical condition, when death may be imminent, are exempt from the vaccination and testing requirements of this Order. For such persons the requirements of Section III, below, will still apply.

G. These conditions do not apply to visitors seeking only outdoor visits that will not require entering the facility.

III. Mask, personal protective equipment, and physical distancing requirements:

A. All visitors, regardless of vaccination status or test result, must:

- a. wear a well-fitting face mask (a surgical mask or double masking is recommended) upon entry and at all times within the facility;
- b. wear any other personal protective equipment (PPE) while in the patient's room that facility personnel deem appropriate to the situation; and
- c. physically distance from health care personnel and other patients/residents/visitors that are not part of their group at all times while in the facility.

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

A. "Fully Vaccinated" means individuals who are considered fully vaccinated for COVID-19: two weeks or more after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna or vaccine authorized by the World Health Organization), or two weeks or more after they have received a single-dose vaccine (Johnson and Johnson [J&J]/Janssen). COVID-19 vaccines that are currently authorized for emergency use:

1. By the US Food and Drug Administration (FDA), are listed at the FDA COVID-19 Vaccines webpage (<https://web.archive.org/web/20210814170025/https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines>).
2. By the World Health Organization (WHO), are listed at the WHO COVID-19 Vaccines webpage (<https://web.archive.org/web/20210814170025/https://extranet.who.int/pqweb/vaccines/covid-19-vaccines>).

B. "Incompletely vaccinated" means persons who have received at least one dose of COVID-19 vaccine but do not meet the definition of fully vaccinated.

C. "Unvaccinated" means persons who have not received any doses of COVID-19 vaccine or whose status is unknown.

D. "WHO Yellow Card" refers to the original World Health Organization International Certificate of Vaccination or Prophylaxis issued to the individual following administration of the COVID-19 vaccine in a foreign country

V. The Terms of this Order supersede any conflicting terms in any other CDPH orders, directives, or guidance. This Order is not intended to revoke or withdraw any prior orders.

VI. This Order shall take effect on August 11, 2021, at 12:01 am. Facilities must be in full compliance at that time.

VII. This Order is issued pursuant to Health and Safety Code sections 120125, 120140, 120175, 120195 and 131080 and other applicable law.

 Tomas Aragon Signature

Tomás J. Aragón, MD, DrPH

Director and State Public Health Officer

California Department of Public Health

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- CA Health & Human Services (<https://web.archive.org/web/20210814170025/http://www.chhs.ca.gov/>)
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