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Public Health
Prevent. Promote. Protect.

April 27, 2020

ADDENDUM No. 2 TO HEALTH DIRECTIVE No. 2

NOTICE OF SAFETY MEASURES

TO: Citizens of Shelby County, Tennessee

FROM: Bruce Randolph, M.D., M.P.H, Shelby County Health Officer

RE: Public Health Announcement on COVID-19 Response

On April 4, 2020, as the Health Officer for Shelby County, I formally issued Health Directive No. 2 which supersedes any other prior Health Directive (written or oral) issued by this office. This Addendum No. 2 to Health Directive No. 2 serves to provide guidance in advance of future re-openings and the easing of restrictions that have been placed on citizens, businesses owners, government, and non-profit institutions. This guidance directs members of the aforementioned groups to develop long term safety measures, as detailed below, to slow and end the transmission of COVID-19, which continues to be a direct and deadly threat to the population of Shelby County, Tennessee. This Addendum No. 2 is for information and notice purposes only.

The County is currently operating under Health Directive No. 2, which contains: 1) limitations on businesses that may operate, either in a limited or full manner, and 2) required closures of businesses that do not qualify as providing essential services or do not facilitate the exercise of essential activities. In order to facilitate an appropriate preparation and transition to expanding the opening of businesses, certain Threshold Criteria and Safety Measures should first be met. This Addendum No. 2 provides the following guidance: 1) it provides a brief overview of the Threshold Criteria for reopening businesses; 2) it outlines the Safety Measures that must be in place for businesses to reopen (at limited or full capacity as delineated below); 3) it specifies Parameters, if any, on how

certain businesses may reopen; and 4) it explains how individuals may engage in Essential Activities.

As stated above, this Addendum is being provided in advance of identifying a date of any reopening so that businesses and people can prepare themselves for this future event. Once the Threshold Criteria are met that warrants the reopening of businesses as set forth below, I will issue a formal health directive announcing the date of such reopening.

Please be advised of the following:

1) Threshold Criteria

The following criteria must be met before a reopening may occur:

- Stability or reduction in new cases over the most recent 14-day period;
- 85% or less of total ICU bed capacity;
- Suitable capacity for the public health system to conduct surveillance, contact investigations, monitoring, outbreak management, and enforcement; and
- Availability of testing resources, capacity, and rapid data sharing results.

2) Safety Measures

The following measures must be in place for businesses to be permitted to reopen (either at limited or full building capacity as further delineated below):

- Cooperate with health authorities' efforts to prevent and control the spread of COVID-19.
- Compliance with all federal and state business COVID-19 safety requirements, whether industry-specific or not, such as, for example, Occupational Safety and Health Administration (OSHA) requirements.
- Place prominent informational signs at entrances and high-traffic areas to educate and encourage a partnership of safety for businesses and the public. Signs should explain that the business is compliant with the Health

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Department's safety measures and that people should 1) avoid entering a public facility if they have a cough, fever, or other symptoms of COVID-19, 2) maintain social distancing from people who are not household members, and 3) engage in respiratory etiquette, including covering up coughs and sneezes and properly disposing of tissues.

- Require all customers and any employees who work in public areas or around coworkers to wear a cloth face covering (not an N-95 or medical mask, which should be reserved for healthcare workers) that covers the nose and mouth.
- Continue promoting frequent and thorough handwashing, and provide workers, customers, and visitors a place to wash their hands or use alcohol-based hand sanitizer at or near the entrance of a facility, high-traffic areas, and other appropriate areas where there are frequent employee/public interactions (e.g., cash registers and shopping carts/baskets). Employers should have assigned employees who are responsible for ensuring that this safety measure is met.
- Where feasible, implement contactless transactions.
- Close all self-service customer bulk-item food and/or supply bins.
- Require workers to stay home if they are sick and ask employees to do health checks by taking and recording their temperature before coming to work or entering the workplace. Engage in screening of personnel for fever or other signs and symptoms of COVID-19 so that any employee that exhibits such symptoms may not enter any workplace.
- Require any employee who has had contact with a person who tests or has tested positive for COVID-19 to self-quarantine according to the Shelby County Health Department's guidance.
- As determined by the employer and where feasible, allow employees to work from home or permit flexible worksites and hours (including staggered shifts) to increase physical distancing among and between employees.

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- Discourage workers from using other employee’s phones, desk, offices or other work tools and equipment, when possible. When not possible, sanitizers should be used both prior to use of communal items and immediately after, and care should be taken not to touch the face.
- Increase regular housekeeping practices for all areas, including routine cleaning and disinfecting of surfaces, equipment, high-touch surfaces, work areas, break rooms, bathrooms, and common areas, and any other areas of the work environment.
- Limit the number of people who can enter a facility at any time to ensure that people inside can easily maintain a minimum six-foot distance from each other at all times, except when necessary to complete a business transaction such as payment or delivery of goods.
- Certain business may only operate at a percentage of building capacity, as set forth below, and in such cases, an employee should be posted at each entrance to ensure that this threshold is not exceeded.
- Indicate where lines may form at a facility, marking six-foot increments as guides to where individuals should stand to maintain social distancing.
- All essential services will make best efforts to establish hours when they are only available to senior citizens age 55 and older, pregnant women, and otherwise vulnerable populations.
- Practice limited re-openings as further described below.

3) Parameters of reopening “Essential Services” and “Other Services”

“Essential services” means services and/or businesses that the interruption of which would endanger the life, health, or personal safety of the whole or part of the population and shall include the following with additional safety measures as specified below:

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- Federal and state offices and services, including post offices and airports.
- Essential County and municipal government functions including law enforcement, transportation, and businesses/operations that provide government programs and services.
- Businesses that provide social services and other necessities of life for seniors, adults, children, or people with disabilities, substance use disorders, or mental illness. This includes residential facilities and shelters.
- Legally permitted food and beverage businesses (including grocery stores) and convenience stores selling food. These businesses may only operate at 50% building capacity.
- Veterinary and pet supply businesses and services including the caring and feeding pets, livestock, and farm animals.
- Agricultural and horticultural operations, including landscape architects, and those businesses that directly support the food supply, including food processing, feed mills, nurseries, greenhouses, farmers' markets, food banks, community gardens, and garden centers.
- Legally permitted businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, or delivery are permitted to continue, with the limitation that there are no more than ten (10) employees within the establishment at any one time and that those employees are minimally six feet apart, and with these additional accommodations and considerations:
 1. If necessary, these businesses may permit patrons to enter the premises to pick up an order.
 2. Restaurants or businesses that do not offer a "drive-thru" order service are strongly encouraged to avoid allowing lines to form by requesting that patrons place their food or other orders in advance by telephone, online, or other remote means, and request that they wait in their vehicle until the order is

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ready. If patrons do not have a vehicle, or if they must enter the premises for order, payment, and/or pick-up, access should be restricted to one patron at a time whenever possible. Should patrons have a need to form a line outside of the business, they must remain a minimum of six-feet apart.

3. This provision includes any fully automated car wash, but any ancillary vacuum or equipment services must remain closed.
- Civic and religious facilities may reopen, but to the extent that people wish to use any such facility to purposefully come together as a group (for example to attend a service or a library informational meeting), these facilities may reopen at 25% building capacity with all safety measures outlined above followed.
 - Restaurants and bars may return to in-restaurant dining in the following manner:
 1. Restaurants whose primary, legally permitted business is food service may reopen to 50% of building capacity. Tables should be spaced, and seating arrangements coordinated to maintain a distance of at least six feet between groups of customers.
 2. Restaurants with an attached beverage bar may follow the above guidelines for the restaurant portion of their facility with no standing room allowed.
 3. All communal use of items and products should be prevented, including, for example, writing utensils, condiment containers, self-service stations, and buffets.
 4. All menus should be disposable, single-patron usage and/or menus may be accessed by personal electronic devices (internet website, QR Code, etc.).
 5. All employees should be required to take their temperature or perform a quick health check before entering the work area.
 6. Employees involved in food preparation or service are required to wear cloth face coverings that cover the nose and mouth.

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7. Live entertainment is not permitted.
- Retail, including home/business repair and hardware supply stores, may reopen in the following manner:
 1. The number of customers must be limited to 50% of the allowable building capacity of each location.
 2. Stores should actively promote physical distancing by limiting the number of customers allowed in at any given time.
 3. Distancing markers must be placed throughout the store, and outside where customers may be waiting in line, to remind customers to maintain a safe distance from other patrons.
 4. Consideration should be given to reopening with reduced hours to ensure ample time for proper cleaning, sanitizing, and disinfecting.
 5. All communal use items and products should be limited including store bags and writing utensils (ex: customers may package their own items in their own bags).
 6. Employees must be required to take their temperature or perform a quick health check before reporting to work.
 7. Sales by curbside pick-up, drive-thru, shipment or delivery should be encouraged and promoted.
 - Health Clubs that do not involve contact-fitness or sports (including gyms and dance/fitness studios) may reopen in the following manner:
 1. Facilities should have restricted access to staffed hours only, and must be limited to 25% of building capacity.
 2. Adjustments should be made to equipment layout with closed or restricted access to equipment as necessary so as to permit six-foot physical distancing.

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3. Facilities must conduct regular and thorough cleaning of all equipment, surfaces, and areas of the facility using disinfectant cleaning supplies.
 4. Facilities must require that patrons wash or sanitize their hands upon entering the facility, maintain minimal physical distancing between themselves and others while at the facility.
 5. Patrons must be required to clean equipment with disinfecting wipes before and after their use, and facilities must provide hand sanitizing stations for use upon patron entry and exit to the facility.
 6. Workouts must be limited to 45 minutes.
 7. No sick patrons and employees should be allowed to enter the facility.
- Health care, mental and behavioral health, and biomedical research and businesses that directly support the healthcare industry including health information technology, staffing and supplies. This includes facilities that provide medically necessary procedures as well as medically necessary dental procedures, such as fillings, extractions, and root canals. Also included are facilities that provide elective surgeries and diagnostic, medical, and procedural visits consistent with Tennessee Hospital Association standards and other applicable protocols. Telehealth options are encouraged where practical
 - Sanitation and waste removal businesses and services.
 - Energy, water, and sewage businesses and services.
 - Pharmacies and medical supply businesses, and other related-businesses that directly support the drug and medical supply pipeline.
 - Vehicle fuel, support, service stations and businesses.
 - Banks, savings and loans, insurance companies, accounting businesses, and other businesses that directly support the insurance and financial services sector.

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- Legal and judicial services as prescribed by state and federal courts.
- Laundromats/laundry/cleaning services.
- Warehousing and storage.
- Construction and facilities design businesses.
- Product logistics, transport, and distribution businesses.
- Parcel/mailings transportation and delivery businesses.
- Transportation services including buses, taxis, and other private transportation providers.
- Home and business cleaning and maintenance services.
- All businesses which rely upon deliveries may continue, including florists.
- Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
- Print, online and broadcast media.
- Funeral and burial services.
- Daycare and childcare businesses, provided that they prioritize children of parents working as emergency/first responders or in essential services, implement screening procedures, develop safe drop-off and pickup procedures, ensure additional steps are taken to enhanced personal hygiene of employees, including wearing face coverings that cover the nose and mouth, and provide extraordinary sanitization efforts within the facilities themselves.
- Hotels and commercial lodges will remain open with limitations on gatherings in common areas pursuant to CDC guidelines, and further, they must not engage in group entertainment services. Pick-up and room-service food services may continue.

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- Housing and rental services.

“Other Services” may open and operate after meeting benchmarks (as specified below) and/or following a reopening approach as set forth below.

- Manufacturing, Distribution, Call-Centers and other similar Businesses that are not open to the public or do not rely on in-person interaction with its customers shall be allowed to reopen provided that they arrange workspaces/work stations to allow physical distancing, regularly sanitize their equipment, prevent use of shared devices and implements, and follow all safety measures.
- Nursing homes, assisted living facilities, and any other such facilities housing, treating, or caring for senior citizens or other vulnerable populations shall remain operational but closed to all visitors. Only employees and residents of such facilities will be permitted. Facilities should strictly adhere to CDC guidance regarding social distancing. Employees must not be permitted to enter if they have a fever or any other symptoms of COVID-19, and these establishments must ensure additional steps are taken to enhance personal hygiene of employees and to provide extraordinary sanitization efforts within the facilities themselves. Facilities must establish and maintain an Infection Control and Prevention Program including testing of employees and residents in accordance to Shelby County Health Department and CDC Guidance.
- Public and private non-residential schools are closed but further guidance on reopening schools will be provided well in advance of when schools are scheduled to reopen.
- Businesses related to the pursuit of essential activities may operate in furtherance of those activities as provided below.

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- 4) “Essential Activities” permitted under any future health directive shall include:

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- Engaging in activities essential to a person’s health and safety or the health and safety of family or household members, persons who are unable or should not leave their home, or pets, including, but not limited to, seeking emergency services, obtaining medical supplies or assistance, obtaining medication, obtaining non-elective medical care or treatment or other similar vital services, or visiting a health care professional.
- Obtaining and/or delivering necessary services or supplies for 1) persons and/or their family/household members; 2) persons who are unable to or whom should not leave their home; or 3) pets. This includes but is not limited to groceries and food, household consumer products, supplies required to work from home, automobile supplies (including dealers, parts, supplies, repair, and maintenance), and products necessary to maintain the safety, sanitation, and essential operation of residences.
- The ability to engage in outdoor activity, provided that persons strictly adhere to the CDC, Tennessee Department of Health, and Shelby County Health Department health guidelines to the greatest extent practicable, including, but not limited to physical activities that utilize public areas but that can be performed while maintaining the aforementioned safety precautions. This includes visiting non-contact sports facilities that do not utilize shared equipment. By way of example, playing on playgrounds and on basketball courts presents unique risks for the spread of COVID-19 and therefore, these types of activities are not permitted at this time.
- Caring for or visiting a family member, friend, or pet in another household, or transporting or traveling with family members, friends, or pets as allowed by this Order, provided, that the health guidelines issued by the CDC, Tennessee Department of Health, and Shelby County Health Department are followed.
- All businesses that are closed under the current or any future health directive may continue with minimum basic operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home) or at their workplaces to maintain the value of the business’s inventory, ensure security, process payroll and employee benefits, or for related functions.

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- Minimum necessary activities to facilitate allowing employees to continue to work remotely from their residences.

In conclusion, it is my belief that the aforementioned guidelines set forth in this Addendum No. 2 will, once Threshold Criteria are met, present the least restrictive means by which businesses may reopen while also slowing the transmission of COVID-19.

Limiting close contact with others is the best way to reduce the spread of COVID-19. Therefore, everyone should practice social distancing. Social distancing, also called “physical distancing,” means keeping space between yourself and other people outside of your home. To practice social/physical distancing:

- Stay at least six feet (two meters) from other people; and
- Wear a cloth face covering (covering over your nose and mouth) when you are outside of your home

Please keep in mind that the goal is safety while balancing the needs of citizens to receive the necessities of life, i.e., food and shelter, allowing people to work in a safe manner, and further ensuring the availability of resources to the community. Every effort should be made by providers of essential and other services to take steps to stop the spread of this deadly disease. These prophylactic actions are meant to protect everyone.

Requirement to Collect Demographic Data. Any health care provider located in Shelby County, Tennessee that provides COVID-19 testing or clinical care shall provide to the Shelby County Health Department (SCHD), as requested by the SCHD, demographic data regarding individuals tested or cared for by the provider. Such data shall be in such forms, formats and/or schedules that the SCHD will reasonably specify to the provider by written guidelines, including by way of example and without limitation the following data: gender, race, ethnicity, date of birth or other indicia of age, and such other demographic-based clinical information that the SCHD deems relevant and necessary to respond to and serve the needs of Shelby County related to the COVID-19 pandemic.

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The Shelby County Health Department is authorized to take emergent and immediate action to enforce this Addendum, and it serves as official notice of your requirement to comply with it. Immediate action may be taken for any violating it.

Your Right of Review

If you feel this Directive has been issued in error, you may request a review by the TDH's Chief Medical Officer, Dr. Tim Jones (615) 741-3111, or a designee. Dr. Jones, or a designee, will review your request within five (5) business days of its receipt, and you will receive a decision in writing. You may also request that the TDH obtain a court order containing the provisions of this Directive. If you request this option, the TDH will take the matter to an available and appropriate court of record. Please be aware you are still required to abide by all of the provisions contained in this Health Directive during any review process.

A copy of the rules setting forth the Health Directive procedure and your related rights is attached to this Health Directive.



BRUCE RANDOLPH, M.D., M.P.H.
SHELBY COUNTY HEALTH OFFICER

cc: Dr. Tim Jones

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