Summary of Update to Health Order
Adding Indoor Mask Requirements (8/2/2021)

In light of the surge in cases and increase in hospitalizations due to the highly contagious Delta variant, and also due to recent changes in CDC and CDPH recommendations around masking, the Health Officer has updated the Safer Return Together Order to add indoor universal masking requirements. Vaccination remains the best tool and highest public health priority to stop the spread of the virus, protect the community and further economic recovery. Most of the new cases are among people who are not fully vaccinated. Also, nearly all of the hospitalizations are of patients who are unvaccinated. The Health Officer continues to strongly urge all individuals who are eligible to get fully vaccinated as soon as they can, and all businesses and governmental entities to consider implementing safety measures to require their employees to get fully vaccinated as soon as possible. But in the meantime, and to help ensure the timely reopening of schools, the Health Officer, consistent with the newly revised CDC and CDPH guidelines and in coordination with health officers from certain other Bay Area jurisdictions (including Santa Clara, Contra Costa, Alameda, Marin, Sonoma and San Mateo counties, and the City of Berkeley), has made the changes summarized below.

Summary:

- **Main new requirement – universal masking in indoor public settings.** The update to the order adds a new requirement for individuals, regardless of their vaccination status, to wear masks while in indoor public settings. The new requirement applies to everyone in the county, including patrons, participants, and visitors, as well as personnel (employees and contractors). In some instances, there are already indoor masking requirements for certain employees and others under existing state and federal rules, such as unvaccinated employees, personnel working in acute care hospitals and other healthcare settings, patrons riding on public transit, and teachers, staff and students in schools. If there is any difference between the requirements under the changes to the local order and state and federal rules, then the more stringent (i.e., health protective) requirements control.
  - **Limited exceptions.** The indoor masking requirement does not apply to individuals covered by specified medical disability or other safety exemptions or who are hearing impaired, children under two years old, and personnel who are subject to more stringent personal protective equipment requirements. Also, there are a number of limited exceptions to the indoor masking requirement in designated settings where individuals may temporarily remove masks while participating in certain activities, including while:
    - Actively eating and drinking (e.g., in restaurants, concessions in movies or live performances, and office breakrooms).
    - Individuals must wear masks at all other times when they are not actively eating or drinking, such as when patrons in a restaurant are seated at a table waiting to be served or leave the table to use the restroom.
    - Showering, personal hygiene or sleeping (e.g., in gyms and homeless shelters and other congregate living situations).
    - Attending small private gatherings in residences.
• But masking is required for other private social gatherings outside the home—e.g., wedding receptions in a hotel ballroom or restaurant. And, even so, masking is recommended for private indoor gatherings in residences with other households, as described below.
• And masking is required in common areas for shared living settings, like common areas in hotels, shared rentals with multiple households, dormitories and firehouses.

- Participating in professional sports, including practices, exhibitions and games.
  • But participants are strongly urged to get fully vaccinated or tested regularly and to wear masks to the extent possible, and
  • The indoor mask requirement applies to spectators and non-participants.
- Performing in live audience or recorded settings, events or productions (e.g., theater, concert, dance, radio, television and film performances, broadcasts or recordings) are subject to the same safety rules as performers in professional sports.
  • If they are not wearing well-fitted masks, performers also must maintain at least six feet of distance from the audience and performers are urged to maintain as much distance from one another as possible, especially while singing, shouting, chanting or playing wind or brass instruments.
- While actively leading religious gatherings (e.g., religious leaders and choirs, who are strongly urged to get fully vaccinated or tested regularly and to wear masks to the extent possible) and also for participants as needed for religious rituals (e.g., temporary removal of masks to take communion). If they are not wearing well-fitted masks, service leaders also must maintain at least six feet of distance from participants except for rituals where maintaining that distance is not feasible, and they are encouraged to maintain as much distance from other service leaders as possible.
- While receiving personal care services where mask removal is necessary (e.g., facials, beard trims, facial piercing or tattooing, and facial massage).
  • While performing these services, the provider must wear an N95, respirator or procedural or surgical mask,
- While participating in certain indoor recreation and sports, consisting of:
  • activities for which wearing masks poses an imminent safety hazard to the participants, such as wrestling; and
  • water sports (e.g., swim lessons for children and adults, water sports, and adult recreational and exercise swimming), with requirements for face shields for swim instructors.
- While alone (or only with members from the same household) in a separate space in a public setting, such as a closed office.
- While alone (or only with members from the same household) in a personal vehicle.
For all these exceptions that apply to designated settings, the masking requirement still applies when participants are not engaged in the activity where masks can be removed. For instance, patrons dining indoors must wear masks when they are not eating or drinking and people showering in gym must wear masks when they are in the locker room outside the shower. Also, removal of masks even under these limited exceptions is only allowed to the extent state rules allow unvaccinated people to do so. The State rules for people who are not fully vaccinated has not changed and still requires that they wear masks in all indoor public spaces.

Also, businesses and other entities responsible for indoor public settings are strongly encouraged to provide face coverings at no cost to individuals who do not have one upon entry.

- **Vaccination verification**. Where under the indoor mask mandate individuals may remove masks in certain situations consistent with the exceptions mentioned above, businesses and government agencies are urged to implement appropriate measures requiring all patrons or other participants to show proof that they are fully vaccinated, as a condition for those individuals to enter the facility. For clarity, the indoor mask rules still apply even if a business or agency does verify vaccination and testing status for everyone entering the facility.

- **Private indoor gatherings in residences**. The Health Officer strongly urges individuals to wear masks indoors in residences when they are gathering with people who are not part of their household.

- **Ventilation**. The Health Officer also continues to urge businesses and individuals to implement ventilation measures for indoor settings consistent with DPH guidelines, particularly where people are not required to wear masks. Businesses and operators of other public and private facilities where individuals are allowed to remove their masks indoors (under any of the exceptions to the general indoor mask mandate summarized above) may only allow individuals not to wear masks if they are using at least one of the following ventilation strategies: (1) all available windows and doors accessible to fresh outdoor air are kept open; (2) fully operational HVAC system; and (3) appropriately sized portable air cleaners in each room.

- **Signage for businesses**. DPH is making available a new template sign for businesses and others to post regarding the indoor masking requirements.

- **Crowded outdoor public spaces**. The Health Officer strongly urges individuals to wear masks when they are in crowded outdoor spaces (e.g., parades, fairs and outdoor concerts or sports exhibitions)

- **What face coverings satisfy the mask requirement**. The indoor mask requirement means wearing a face covering that is well-fitted to an individual and covers the nose and mouth especially while talking, consistent with DPH guidance, which can be found at [www.sfcdcp.org/maskingupdate](http://www.sfcdcp.org/maskingupdate). DPH will periodically update that guidance. A non-
vented N95 mask is strongly recommended as a well-fitted mask, even if not fit-tested, to provide maximum protection. A scarf, ski mask, balaclava, bandana, turtleneck, collar, or single layer of fabric or any mask that has an unfiltered one-way exhaust valve do not satisfy the requirement. Also, in some instances such as for designated high-risk settings like acute care hospitals, fitted N95 masks or respirators are already mandated under other health rules.

- **Conforming changes for new State Health Order regarding vaccination verification for employees in high-risk and congregate settings.** The updates to the order also make changes to conform to the recent new order the State issued for certain high-risk and congregate indoor settings. The State order applies to acute care and long-term care settings, additional health care settings and also to other high-risk congregate settings, like adult and senior residential care facilities, homeless shelters and jails. The testing requirement for unvaccinated personnel working in these locations is twice a week for employees in acute care and long-term care settings and once a week for employees in the other settings. Additionally, unvaccinated or incompletely vaccinated personnel working in acute care and long-term care facilities must wear a respirator in certain indoor settings, and those working in other high-risk congregate and health care settings must wear FDA-cleared surgical masks indoors when they are working with others. The State health order goes into effect on August 8 and requires compliance by August 23.

- **Mega-events.** Consistent with State rules, the requirements and recommendations for mega-events (indoor events with more than 5,000 patrons and outdoor events with more than 10,000 patrons) continue. Generally, that means for indoor mega-events personnel and patrons age 12 and up are required to show proof, before entering the facility, that they are fully vaccinated or have a negative COVID-19 test, and under local requirements the sponsor must submit a health and safety plan in advance to DPH. The only significant differences are the new requirement that people attending indoor mega-events wear masks and the new recommendation that people attending outdoor mega-events wear masks.

- **Timing.** The Health Officer issued the order today, August 2, and the new mask requirements will become operational on at 12:01a.m. on Tuesday, August 3. The updates to the order will remain in effect until the Health Officer determines they are no longer needed or need to be changed, depending on health conditions. In coordination with other health officers in the region, the Health Officer will regularly assess health conditions to determine whether and under what conditions indoor masking is still necessary.