



**ORDER OF THE HEALTH OFFICER No. C19-09
(LIMITATIONS ON RESIDENTIAL FACILITY VISITORS)
DATE ORDER ISSUED: March 18, 2020**

Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code § 120295, *et seq.*; California Penal Code §§ 69, 148(a)(1); San Francisco Administrative Code section 7.17(b).)

Summary: The virus that causes Coronavirus 2019 Disease (“COVID-19”) is easily transmitted, especially in group settings, and it is essential that the spread of the virus be slowed to protect the ability of public and private health care providers to handle the influx of new patients and safeguard public health and safety. This Order accomplishes the dual purpose of strengthening our community social distancing response while also freeing medical resources that may be redirected to address critical issues. Some residents of community living facilities are being treated for health conditions that make them particularly vulnerable to suffering the most serious complications of COVID-19 infection, including death. Community living settings also make it easier for the virus to spread. Also, medical personnel and other essential staff of hospitals and residential facilities will likely experience increased stress associated with providing excellent support during this public health emergency. It is critical to protect all these populations from avoidable exposure to pathogens. Visitors to residential facilities may carry the COVID-19 virus but may not display symptoms or may have mild symptoms. Such visitors can unwittingly pass the virus on to residents and staff. Because of the risk of the rapid spread of the virus, and the need to protect all members of the community and the Bay Area region, especially including residents, the staff that work with them, and health care providers, this Order restricts Visitors and Non-Essential personnel from all Residential Facilities within the City and County of San Francisco (the “City”).

This Order is in effect from 8 a.m. on March 19, 2020. It must be implemented as quickly as possible and will continue for seven weeks through April 30, 2020, subject to the limited exceptions and under the terms and conditions more particularly set forth below. This Order is based on the California Department of Public Health and United States Centers for



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Disease Control and Prevention guidelines issued March 11, 2020, other state and federal guidance, and the shelter in place order issued by six Bay Area counties including San Francisco on March 16, 2020. The Health Officer may revise this Order as the situation evolves, and covered facilities must stay updated by checking the Department of Public Health website (sfdph.org) regularly.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE CITY AND COUNTY OF SAN FRANCISCO (THE “HEALTH OFFICER”) ORDERS:

- 1. Effective as of 8:00 a.m. on Thursday, March 19, 2020 and continuing until 11:59 p.m. on April 30, 2020, the staff of each Residential Facility, as that term is defined in Section 20 below, shall, as quickly as can be implemented, exclude from entry or access to its Premises any Visitors and Non-Essential Personnel including, but not limited to, visitors of residents at the Residential Facility. Such Visitors and Non-Essential Personnel, including, but not limited to, family members of residents and authorized decision-makers, are ordered not to visit any Residential Facility except as expressly permitted by this Order under limited exceptions as described in Section 11 below. Failure to comply with any of the provisions of this Order constitutes an imminent threat and creates an immediate menace to public health.**

This Order is issued in conjunction with and pursuant to the principles included in Health Officer Order No. C19-07, the order issued on March 16, 2020 requiring people who live in the City generally to shelter in place and to avoid any non-essential activities.

- 2. To the maximum extent possible, each Residential Facility must discourage Non-Essential Resident Movement, as defined in Section 14 below, onto, off of, and within the Residential Facility’s Premises, as that term is defined in Section 14 below, where feasible. Such Non-Essential Resident Movement is for the most part also prohibited by Health Officer Order No. C19-07, which requires people to shelter in place during this emergency. Whenever a Residential Facility resident leaves the Residential Facility’s Premises, the resident is ordered to**



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comply with Order No. C19-07 and the social distancing practices listed in that document, which include 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 hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands, including as these items are updated in the future.

- 3. This Order is based on evidence of increasing occurrence of COVID-19 within the City and throughout the Bay Area, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically, and evidence that the age, condition, and health of a significant portion of the resident population of Residential Facilities places them at risk for serious health complications, including death, from COVID-19. Due to the outbreak of the COVID-19 virus in the general public, which is now a pandemic according to the World Health Organization, there is a public health emergency throughout the City. Making the problem worse, some individuals who contract the COVID-19 virus have no symptoms or have mild symptoms, which means they may not be aware they carry the virus. Because even people without symptoms can transmit the disease, and because evidence shows the disease is easily spread, social interactions such as visits to Residential Facilities can result in preventable transmission of the virus. The scientific evidence shows that at this stage of the emergency, it is essential to slow virus transmission as much as possible to protect the most vulnerable and to prevent the health care system from being overwhelmed. One proven way to slow the transmission is to limit interactions among people to the greatest extent practicable. By reducing the spread of the COVID-19 virus, this Order helps preserve critical and limited healthcare capacity in the City. Finally, by reducing the spread of the COVID-19 virus within Residential Facilities, this Order helps preserve critical and limited healthcare capacity in the City and the people who provide care and residential services.**

- 4. This Order also is issued in light of the existence of 51 cases of COVID-19 in the County, as well as at least 361 confirmed cases and at least three deaths in neighboring Bay Area counties, as of 10:00 a.m. on**



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Wednesday, March 18, 2020, including a significant and increasing number of suspected cases of community transmission and likely further significant increases in transmission. Widespread testing for COVID-19 is not yet available but is expected to increase in the coming days. This Order is necessary to slow the rate of spread and the Health Officer will re-evaluate it as further data becomes available

- 5. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the February 25, 2020 Proclamation by the Mayor Declaring the Existence of a Local Emergency issued by Mayor London Breed (as supplemented on March 11, 2020 and March 13, 2020), the March 6, 2020 Declaration of Local Health Emergency Regarding Novel Coronavirus 2019 (COVID-19) issued by the Health Officer, and guidance issued by the United States Centers for Disease Control and Prevention (“CDC”), as each of them have been and may be supplemented.**
- 6. This Order is also issued in accordance with, and incorporates by reference the March 12, 2020 Executive Order (Executive Order N-25-20) issued by Governor Gavin Newsom. Executive Order N-25-20 expressly orders that “[a]ll residents are to heed any orders and guidance of state and local public health officials, including but not limited to the imposition of social distancing measures, to control the spread of COVID-19.” This Order is also based on statements by Governor Newsom during a press conference on March 15, 2020, indicating the guidance of the State of California that people 65 years old and older isolate at home.**
- 7. Each Residential Facility must, within 48 hours of receipt of this Order, develop and implement a written plan (“COVID-19 Plan”). This Order does not require a Residential Facility to create any new documentation if it already has written policies or other written guidance that address the requirements for the COVID-19 Plan. The plan must comply with applicable guidance from the CDC (available online at www.cdc.gov) and the Community Care Licensing Division of the California Department of Social Services (“CCL”) regarding the screening of residents, staff, and visitors for signs of COVID-19 or other illness. The**



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COVID-19 Plan must also address other applicable COVID-19-related guidance, including steps to reduce the risk of COVID-19 transmission by authorized visitors (such as through hand washing, masking, maintaining at least six feet distance from other people, and limiting the duration of visits, as appropriate). Nothing in this Order prohibits a Residential Facility from taking steps more protective against transmission of COVID-19 than guidance provided by the CDC or CCL in its plan. Each Residential Facility must update its COVID-19 Plan when new COVID-19 recommendations or requirements are issued by the CDC or CCL or as otherwise required by law. See the COVID-19 Guidance (discussed in Section 10 below) for more information about the COVID-19 Plan.

- 8. Each Residential Facility’s COVID-19 Plan must also include a requirement that any employee or other staff member who is sick or does not pass the required screening must be immediately sent home and not return to work until feeling better or authorized to return by a physician. If a Residential Facility is unable to immediately send home any such employee or staff member, then the Residential Facility must (1) prevent that staff member from engaging in any resident care or contact (except in an emergency when the Residential Facility is doing whatever it can to protect residents) and (2) immediately notify its respective licensing entity and seek guidance from that entity. This Order is based in part on the Social Distancing Recommendations, which state that the “general public should avoid going to medical settings such as hospitals, nursing homes and long-term care facilities, even if [they] are not ill.”**
- 9. If a Residential Facility learns that any resident or staff member who currently resides or works at, or within the prior two weeks resided or worked at, the Residential Facility tests or has tested positive for COVID-19, then the Residential Facility must immediately (within 1 hour) notify the Department of Public Health and meet any other applicable notification requirements.**
- 10. Attached as part of this Order is written guidance to Residential Facilities (“COVID-19 Guidance”) issued by the Health Officer. The Health Officer or designee may revise the COVID-19 Guidance in**



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writing from time to time. Each Residential Facility should periodically check the DPH website (sfdph.org) to confirm it is following the most recent COVID-19 Guidance. Each Residential Facility must follow the COVID-19 Guidance when applying this Order.

- 11. This Order restricts physical contact between Residential Facility residents, Visitors and Non-Essential Personnel. When Visitors and Non-Essential Personnel seek to visit or contact a resident, there are two ways a Residential Facility may facilitate contact. First, each Residential Facility must make reasonable efforts to facilitate such contact by other means (such as telephone or videoconference) that do not expose the resident to in-person contact. Second, each Residential Facility may authorize Necessary Visitation (as defined in the following paragraph) on a case-by-case basis using the following protocol.**

“Necessary Visitation” means a visit or contact that is based on urgent health, legal, or other issues that cannot wait until after the duration of this Order. If the needs and context of a particular request for Necessary Visitation justifies a temporary exception to this Order, then the Residential Facility Administrator may arrange for Necessary Visitation of a Residential Facility resident. For purposes of this Order, the Residential Facility Administrator may act through a designee. The decision about whether the needs and context justify a temporary exception is left to the determination of the Residential Facility Administrator, who must make the decision based on this Order and the COVID-19 Guidance. Also, any Necessary Visitation permitted under this Section must be done subject to requirements of the COVID-19 Guidance and as otherwise deemed appropriate by the Residential Facility. For example, Necessary Visitation must include appropriate steps to protect residents from exposure to the COVID-19 virus, which might include hand washing, masking, maintaining at least six feet distance from other people, and a short duration of visit as appropriate. Visitors permitted under this paragraph are ordered to comply with all conditions of visitation imposed by the Residential Facility at the time of entry or access to the Premises.

- 12. If any Visitor or Non-Essential Person refuses to comply with this Order, then the Residential Facility may contact the San Francisco**



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Police Department to request assistance in enforcing this Order. The Residential Facility shall take whatever steps are possible within the bounds of the law to protect residents and staff from any such visitor or person who refuses to comply with this Order. For example, a Residential Facility should contact facility security and ask the unauthorized visitor or person to comply with conditions of visitation imposed by the Residential Facility. Even if a Visitor or Non-Essential Person otherwise complies with the facility's visitation protocols as outlined in this paragraph, that individual is still in violation of this Order if the individual's presence is not a Necessary Visitation under Section 11 above.

13. This Order does not restrict first responder access to the Residential Facility's Premises during an emergency. Further, this Order does not restrict local, state or federal officers, investigators, or medical or law enforcement personnel from carrying out their lawful duties on the Residential Facility's Premises. Persons other than first responders permitted access under this paragraph must comply with all conditions of visitation imposed by the Residential Facility at the time of entry or access to the Residential Facility's Premises when feasible.

14. Definitions.

a) "Visitors and Non-Essential Personnel" are employees, contractors, volunteers, or members of the public who do not perform treatment, maintenance, support, or administrative tasks deemed essential to the healthcare mission of the Residential Facility. Refer to the COVID-19 Guidance for more information. This term includes family members and loved ones of residents and those who have legal authority to make healthcare or other legal decisions for a resident. The Ombudsperson is an authorized visitor and is not included in this term, but the Ombudsperson must still follow all conditions of visitation imposed by the Residential Facility and should also try to avoid non-essential visits. Nothing in this Order prohibits a resident from seeking care at any Residential Facility or at any clinic or other location providing health care or other services on the Residential Facility's Premises.

b) "Non-Essential Resident Movement" means travel off, onto or within



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the Residential Facility's Premises by a resident other than for specific treatment or pressing legal purposes as described more fully in the COVID-19 Guidance.

c) "Premises" includes, without limitation, the buildings, grounds, facilities, driveways, parking areas, and public spaces within the legal boundaries of each Residential Facility within the City.

15. This Order shall be effective until 11:59 p.m. on April 30, 2020, or until it is earlier rescinded, superseded, or amended by the Health Officer or by the State Public Health Officer, in writing. It is possible this Order will be extended for the protection of Residential Facility residents based on conditions at that time.

16. While this Order is in effect, the Residential Facility must provide copies of the Order in all of the following ways: (1) post this Order on the Residential Facility website (if any); (2) post this Order at all entrances to the Residential Facility; (3) provide a written summary of the key aspects of this Order to each Residential Facility resident; (4) provide a written summary of the key aspects of this Order to any authorized decision maker for each Residential Facility resident if not the resident, including any conservator; (5) provide this Order to the Residential Facility Ombudsperson (if any); (6) provide this Order to any Resident who requests a copy; (7) post copies within the facility such as at resident social and dining areas; and (8) offer it to anyone who visits the Residential Facility or who contacts the Residential Facility seeking to visit.

17. Each Residential Facility must within 12 hours of receipt of this Order notify its licensing entity (CCL or otherwise) of the existence of this Order regarding the Residential Facility.

18. The Health Officer will continue to assess the quickly evolving situation and may, at any time or from time to time, modify or extend this Order, or issue additional orders, related to COVID-19.

19. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, gathering, or circumstance is



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held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision will not affect the validity of the remaining portions or applications of this Order.

20. This Order applies to each facility listed below (each a Residential Facility):

Residential Care Facilities for the Elderly:

<u>Facility Name</u>	<u>Facility Address</u>	<u>Zip</u>
9TH AVENUE COMMUNITY CARE HOME	1730 - 9TH AVENUE	94122
ALMA VIA OF SAN FRANCISCO	ONE THOMAS MORE WAY	94132
AUTUMN GLOW	654 GROVE STREET	94102
BESTUDIO'S CARE HOME FOR THE ELDERLY	51 DE LONG STREET	94112
BUENA VISTA MANOR HOUSE	399 BUENA VISTA EAST	94117
BYXBEE HOME	383 BYXBEE STREET	94132
CARE AND CARE RESIDENCE I	940 HAIGHT STREET	94117
CARE AND CARE RESIDENCE II	901 GRAFTON AVENUE	94112
CARLISLE, THE	1450 POST ST	94109
CAYCO'S CARE HOME	1855 35TH AVENUE	94122
CORINTHIAN GARDEN RESIDENTIAL CARE HOME	170 APTOS AVENUE	94127
COVENTRY PLACE	1550 SUTTER STREET	94109
CYPRESS AT GOLDEN GATE	1601 19TH AVENUE	94122
DAMENIK'S HOME	331 30TH AVENUE	94121
FOOK HONG SF CARE HOME, INC.	5735 MISSION STREET	94112



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GOLDEN RESIDENTIAL CARE HOME	166 FOOTE AVENUE	94112
GONZALES HOME	2237 NORIEGA STREET	94122
GUIROLA RESIDENT CARE	618 HOLLOWAY AVENUE	94112
HAYES VALLEY CARE	601 LAGUNA ST	94102
IDA'S REST HOME, LLC	612 39TH AVENUE	94121
JANET'S RESIDENTIAL FACILITY FOR THE ELDERLY	2970 25TH AVENUE	94132
JULIE'S CARE HOME	1363 - 5TH AVENUE	94122
KIMOCHI HOME	1531 SUTTER STREET	94109
KOKORO ASSISTED LIVING	1881 BUSH ST	94109
LADY OF PERPETUAL HELP RFE #1	476 FAIR OAKS STREET	94110
LINA'S REST HOME I	393 SILVER AVENUE	94112
LYNNE & ROY M. FRANK RESIDENCES	ONE AVALON AVENUE	94112
MARIAN'S CARE HOME I	1450 - 24TH AVENUE	94122
MERCED GIRARD RESIDENTIAL CARE FACILITY	129 GIRARD STREET	94134
MERCED RESIDENTIAL CARE FACILITY	259 BROAD STREET	94112
MERCED THREE RESIDENTIAL CARE FACILITY	1420 HAMPSHIRE STREET	94110
MERCED TWO RESIDENTIAL CARE FACILITY	257 BROAD STREET	94112
PARKSIDE RETIREMENT HOME	2447 - 19TH AVENUE	94116
PORTOLA GARDENS	350 UNIVERSITY ST	94134
PROVIDENCE PLACE	2456 GEARY BLVD.	94115
PSALM RESIDENTIAL CARE HOME	565 GROVE ST	94102



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QUALITY CARE HOMES, LLC 1	801 - 38TH AVENUE	94121
QUALITY CARE HOMES, LLC 2	757 - 44TH AVENUE	94121
QUALITY CARE HOMES, LLC 3	2277 - 33RD AVENUE	94116
QUALITY CARE HOMES, LLC 4	475 EUCALYPTUS DRIVE	94132
RHODA GOLDMAN PLAZA	2180 POST STREET	94115
RJ STARLIGHT HOME CORPORATION	2680 BRYANT STREET	94110
SAGEBROOK SENIOR LIVING AT SAN FRANCISCO	2750 GEARY BLVD	94118
SAN FRANCISCO RCFE	887 POTRERO AVENUE	94110
SANTIAGO HOME CARE	152 HAROLD STREET	94112
SFAL - THE AVENUE	1035 VAN NESS AVENUE	94109
STELLA'S CARE HOME I	616 39TH AVENUE	94121
ST. ANNE'S HOME FOR THE AGED	300 LAKE STREET	94118
ST. FRANCIS MANOR I	1450 PORTOLA DRIVE	94127
SUNSET CARE HOME	1434 7TH AVENUE	94122
SUNSET CARE HOME 2	1367 39TH AVENUE	94122
SUNSET GARDENS	1338 27TH AVENUE	94122
SUTRO HEIGHTS RESIDENTIAL CARE, LLC	659 45TH AVENUE	94121
TARAVAL RESIDENTIAL CARE HOME	3721 TARAVAL STREET	94116
TIFFANY'S CARE HOME, INC	50 TIFFANY AVENUE	94110
TLC HOME CARE II	110 VALE AVENUE	94132



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VICTORIAN MANOR	1444 MCALLISTER STREET	94115
VILLAGE AT HAYES VALLEY- GROVE BUILDING, THE	601 LAGUNA STREET	94102
VILLAGE AT HAYES VALLEY- LAGUNA BUILDING, THE	624 LAGUNA ST	94102

Adult Residential Facilities:

<u>Facility Name</u>	<u>Facility Address</u>	<u>Zip</u>
AMB RESIDENTIAL CARE HOME	219 LONDON STREET	94112
ARDOIN, DAVID RESIDENTIAL CARE HOME	126 MONTANA STREET	94112
AURORA'S RESIDENTIAL CARE HOME	1823 SILLIMAN STREET	94134
AURORA'S RESIDENTIAL CARE HOME	1821 SILLIMAN STREET	94134
AURORA'S RESIDENTIAL CARE HOME	1827 SILLIMAN STREET	94134
BERNADETTE SMITH'S BOARD & CARE HOME #2	1648 REVERE STREET	94124
BMB SUNSHINE RESIDENTIAL CARE FACILITY	1356 FULTON STREET	94117
BRODERICK STREET ADULT RESIDENTIAL FACILITY	1421 BRODERICK STREET	94115
CROSSROADS RESIDENTIAL CARE	9 CRYSTAL STREET	94112
CRYSTAL HOME CARE	1 CRYSTAL STREET	94112
DAVID ARDOIN 2	1582 VAN DYKE AVENUE	94124
DIAMOND LODGE	20 ARLINGTON STREET	94131
EMERALDGREEN'S ARF	851 HEAD STREET	94123
FAIRBANKS RESIDENTIAL CARE HOME	46 WILLIAMS AVENUE	94124



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FLOR'S RESIDENTIAL CARE HOME	301 EDINBURGH STREET	94112
FRANCIS RESIDENTIAL CARE HOME	45 FRANCIS	94112
HOLLY PARK FAMILY HOME, INC.	321 HOLLY PARK CIRCLE	94110
J & L ADULT RESIDENTIAL FACILITY	1596 ALEMANY BLVD	94112
KONANIA HOUSE	226 FARALLONES STREET	94112
LIFE CONNECTION - PORTOLA HOME	1340 PORTOLA DRIVE	94127
MAE BEA ANDREWS BOARDING CARE	1691 NEWCOMB AVE	94124
MAE BEA ANDREWS BOARDING CARE	1739 NEWCOMB AVE	94124
MERIT RESIDENTIAL CARE HOME INC.	162 MONTANA ST.	94112
MYNARR HOME	90 LIEBIG STREET	94112
NANIOLA RESIDENTIAL CARE HOME I	41 PRETOR WAY	94112
NANIOLA RESIDENTIAL CARE HOME III	506 PANORAMA DRIVE	94131
NANIOLA RESIDENTIAL CARE HOME IV	798-A HURON AVENUE	94112
ODYSSEY HOUSE	484 OAK STREET	94102
PARKVIEW INN #1	969 BUENA VISTA WEST	94117
PARKVIEW INN #2	935 BUENA VISTA WEST	94117
POMEROY RECREATION & REHABILITATION CENTER	2626 FULTON ST	94118
POMEROY RECREATION & REHABILITATION CENTER	207 SKYLINE BLVD	94132
POMEROY RECREATION & REHABILITATION CENTER 2	2750 FULTON ST	94118
RUSTAN ADULT RESIDENTIAL CARE HOME	460 UTAH STREET	94110
SAN FRANCISCO ADULT RESIDENTIAL FACILITY	887 POTRERO AVE.	94110



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SAN FRANCISCO INTERNATIONAL FACILITY	627 CAMBRIDGE STREET	94134
SAN FRANCISCO INTERNATIONAL FACILITY (A)	1226 GOETTINGEN STREET	94134
SF WOMEN'S REHAB FOUNDATION DBA STEPPING STONE	255 10TH AVE	94118
SOUTH VAN NESS MANOR	822 SOUTH VAN NESS	94110
SUNBODY HAVEN	198 PEABODY	94134
SUNBODY HAVEN 2	1125 GENEVA STREET	94112
UNITED FAMILY CARE HOME	165 GUERRERO STREET	94103
VERNON MANOR	425 VERNON STREET	94132

Residential Facilities for the Chronically Ill:

<u>Facility Name</u>	<u>Facility Address</u>	<u>Zip</u>
ASSISTED CARE	129 HYDE STREET	94102
CALIFORNIA PACIFIC MEDICAL CTR COMING HOME HOSPICE	115 DIAMOND STREET	94114
LELAND AVENUE PROJECT	141 LELAND AVENUE	94134
MAITRI RESIDENTIAL CARE (FPLWA)	401 DUBOCE AVENUE	94117
PETER CLAVER COMMUNITY	1340 GOLDEN GATE AVENUE	94115
RICHARD M. COHEN RESIDENCE	220 DOLORES STREET	94103

A RESIDENT OR THE RESIDENT'S AUTHORIZED LAWFUL REPRESENTATIVE MAY CONTACT A REPRESENTATIVE OF THE RESIDENTIAL FACILITY TO SEEK CLARIFICATION OF ANY PART OF THIS ORDER BY CONTACTING THE FACILITY.



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IF A RESIDENT OR THE RESIDENT'S AUTHORIZED LAWFUL REPRESENTATIVE OBJECTS TO THE APPROPRIATENESS OF THE LIMITATION ON ACCESS CONTAINED IN THIS ORDER, THEN THE RESIDENT OR LAWFUL AUTHORIZED REPRESENTATIVE MAY SUBMIT WRITTEN OBJECTIONS TO THE RESIDENTIAL FACILITY. THE RESIDENTIAL FACILITY SHOULD RESPOND TO THE CONCERN WITHIN 2 BUSINESS DAYS IF POSSIBLE. IF A RESPONSE IS NOT RECEIVED WITHIN 2 BUSINESS DAYS OF RECEIPT OF THE OBJECTION, THEN THE OBJECTION WILL BE CONSIDERED NOT GRANTED.

IT IS SO ORDERED:

A handwritten signature in blue ink that reads "Tomás Aragón".

Tomás J. Aragón, MD DrPH,
Health Officer of the
City and County of San Francisco

Date: March 18, 2020



**WRITTEN GUIDANCE REGARDING COMPLIANCE WITH
ORDER OF THE HEALTH OFFICER No. C19-09**

DATE ORDER ISSUED: March 18, 2020

This information (the “COVID-19 Guidance”) is meant to help each Residential Facility when implementing the Order to which it is attached. This document uses the terms defined in the Order.

1. For purposes of the Order, the term “Administrator” means the administrator of a Residential Facility or the administrator’s designee.
2. The Order does not prohibit a Residential Facility from being more restrictive in its operations and practices than is outlined in the Order. The Order also does not require permitting visitation when not otherwise required by applicable laws or regulations.
3. Guidance regarding Sections 7 and 8 (COVID-19 Plan): The Order requires the Residential Facility to create a COVID-19 Plan that addresses issues including: 1) screening of residents, staff, and visitors for signs of COVID-19 or other illness; 2) conditions of visitation imposed by the Residential Facility at the time of entry or access to the Premises for authorized visitors that reduce the risk of infection, such as thorough hand washing, appropriate use of Personal Protective Equipment (PPE), maintaining at least six feet distance from other people, and limiting the duration of visits, as appropriate; 3) sending sick employees home immediately; 4) notifying DPH and other regulators of any positive COVID-19 result for a resident or staff member, including as required by law; and 5) other CDC or CDPH requirements. Note that the Order does not require a Facility to create any new documentation if it already has policies or other guidance that address the requirements for the COVID-19 Plan.

The COVID-19 Plan should also address how the facility can reduce the risk of unnecessary exposure as outlined in the San Francisco Department of Public Health Social Distancing Protocols, a copy of which is attached to the Order. For example, the facility should avoid large in-person gatherings of residents or staff, instead holding smaller gatherings that still meet the facility’s mission and needs (*e.g.*, substituting unit-based activities for a facility-wide bingo event). Similarly, postponing large staff meetings or having meetings occur by phone can help when feasible.



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Additionally, there may be areas that warrant limitations that are not normally in place. A Residential Facility may have a cafeteria or other concession that is normally available to residents, essential employees, other employees (such as others who share the building but are not associated with the healthcare mission of the facility), and visitors. While this Order is in effect, the Residential Facility should consider whether a restriction on such use makes sense. One option might be to limit cafeteria visits to residents and essential staff and temporarily block other employees from that area.

If the facility had plans to have vendors come onsite for meetings or to show sample products, those meetings should be conducted via remote communication, occur at another site that does not include a vulnerable population, or be postponed until after this emergency situation if possible.

4. Guidance regarding Section 11 (efforts to facilitate contact that is not in-person): The Order requires the Residential Facility to make reasonable efforts to facilitate contact between an Unauthorized Visitor or Non-Essential Personnel and a resident. Such efforts include using technology to facilitate a remote connection with the resident when possible and would include telephone calls, telephone conferences involving multiple people, and video conferences using appropriate technology. Efforts are not reasonable if they interfere with the Residential Facility's healthcare mission or if they are not available or are cost prohibitive. The Residential Facility is encouraged to be creative in trying to facilitate contact that is not in-person so long as it complies with its other legal and regulatory obligations.
5. Guidance regarding Section 11 (Necessary Visitation): The term Necessary Visitation refers to a visit or contact that is based on urgent health, legal, or other issues that cannot wait until later. Nothing in the Order limits the standard healthcare that the Residential Facility provides to a resident. When medical care is appropriate or required, it is by definition permitted under the Order. Necessary Visitation refers to other types of visits or contact that are time-sensitive or critical. For example, a resident may be in the end stages of life unless doing so would interfere with the Residential Facility's mission in light of the current emergency. In that instance, family or loved ones should be permitted to be with the resident. Another example would be a resident who is updating their will or other legal papers and an



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in-person meeting with the lawyer or family members or a notary is required, again unless doing so would interfere with the Residential Facility's mission. But, a meeting with a lawyer to discuss future changes or other, non-urgent issues should generally be postponed or conducted via telephone or other means.

Anyone who is legally authorized to make decisions for the resident, whether by operation of a durable power of attorney or public or private conservatorship, must be given special consideration, especially if they need to meet in person with the resident to fulfill their role. This distinction is in place because decisions regarding care when there is a surrogate decision maker should not be delayed when in-person contact is needed, whereas visits by other family or loved ones are important but may not be time-sensitive. But such authorized decision-makers should be encouraged to use alternative methods of contacting the resident when possible in order to avoid exposing the resident and others.

Also, Necessary Visitation should not be granted for routine visits by decision makers, family, or loved ones, even if the resident very much looks forward to the visit or the visitor has a strong desire for the visit. Such routine visits put all residents at risk at this time. But if a family member or loved one plays an essential role in providing care to a resident, without which the resident will suffer medical or clinical harm, Necessary Visitation may be appropriate.

There may be other unique situations that justify a Necessary Visitation based on the context. And as the situation evolves, the Residential Facility may need to restrict Necessary Visitation. This Order is intended to give the Administrator flexibility in making that determination so long as the decision is in line with the Order and this COVID-19 Guidance. The Administrator should not authorize Necessary Visitation for all or a majority of residents as that would likely reflect a violation of the intent of the Order to protect all residents from the risks of non-essential exposure to COVID-19.

All visits allowed as Necessary Visitation must occur subject to all conditions of visitation imposed by the Residential Facility at the time of



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entry or access to the Premises.

6. Guidance regarding Section 10 (Unauthorized Visitors and Non-Essential Personnel): The Order defines Unauthorized Visitors and Non-Essential Personnel as employees, contractors, volunteers, or members of the public who do not perform treatment, maintenance, support, or administrative tasks deemed essential to the healthcare mission of the Residential Facility. This term includes non-resident spouses or partners, family, loved ones, friends, clergy, and colleagues of the resident. This term also includes anyone who is legally authorized to make decisions for the resident, whether by operation of a durable power of attorney or public or private conservatorship (but see guidance above about decision-maker visits).

This term also includes employees of the Residential Facility or its vendors (and their employees) who are not needed in the short term for the facility to perform its healthcare mission. For example, a vendor that makes deliveries of large bottled water refill jugs is likely not essential. However, the facility should work to see if there are ways to permit delivery, such as on a loading dock, which would eliminate the need in the short term for someone to make visits all across the facility. This Order grants the Administrator authority to make judgment calls about how best to ensure the facility is able to operate during this emergency situation.

7. Guidance regarding Section 10 (Non-Essential Resident Movement): The Order defines Non-Essential Resident Movement as travel off or onto Residential Facility Premises by a resident other than for specific treatment or pressing legal purposes. This is contrasted with situations when a resident leaves the facility for health-related purposes or as required by law, such as for a meeting or service mandated by a court. The goal of the Order is to encourage residents to limit Non-Essential Resident Movement.

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Dated: March 18, 2020