



CLASS ORDER

made pursuant to Section 22(5.0.1) of the Health Protection and Promotion Act

Date: April 7, 2020

Revised Date: March 25, 2021

TO: All persons residing in or present in the Regional Municipality of Durham who:

The Regional
Municipality
of Durham

Health Department

605 ROSSLAND ROAD EAST
LEVEL 2
PO BOX 730
WHITBY, ON L1N 0B2
CANADA

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- (a) are identified as a person diagnosed with COVID-19;
- (b) have the signs and symptoms of COVID-19, have been tested for COVID-19 and are awaiting the results of their test;
- (c) otherwise have reasonable grounds to believe they have symptoms of COVID-19; or
- (d) are a Close Contact of a person identified in (a), or (b) or (c).

I, Dr. Robert Kyle, Medical Officer of Health for the Regional Municipality of Durham, order you to take the following actions, **effective 12:01 am on March 26, 2021:**

1. Isolate yourself without delay in accordance with instructions provided by the Durham Region Health Department (DRHD). This includes remaining in your home or isolation facility and keeping away from others. Do not go outside, unless on to a private balcony or enclosed yard where you can avoid close contact with others. You must not have any visitors into your home except as permitted by DRHD.
2. Remain in isolation as directed by DRHD in accordance with the current Ministry of Health guidelines, including:
http://health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/2019_testing_clearing_cases_guidance.pdf
 - a) For persons diagnosed with COVID-19 or otherwise have reasonable grounds to believe they have COVID-19, the isolation period is 10 days from the date of symptom onset or as directed by DRHD.
 - b) For persons having the signs and symptoms of COVID-19, the isolation period is 10 days from the date of symptom onset unless a negative test result is received or as directed by DRHD. For persons having been tested for COVID-19 and are

waiting test results, they must remain isolated until test results are received.

- c) For persons testing positive for COVID-19 with a Variant of Concern (VOC) or if DRHD has reasonable grounds to believe they have a COVID-19 VOC, they are required to follow isolation instructions from DRHD.
 - d) For Close Contacts of persons diagnosed with COVID-19 or Close Contacts of persons having reasonable grounds to believe they have COVID-19, the self-isolation period is 14 days from the date of last exposure or as directed by DRHD.
3. During the self-isolation period, conduct yourself in such a manner as not to expose another person to infection or potential infection from COVID-19 by following infection control instructions on the DRHD website, located at <https://www.durham.ca/en/health-and-wellness/novel-coronavirus-update.aspx> or as given to you by DRHD or any other staff of a healthcare facility to which you may seek or receive treatment.
 4. Keep away from Vulnerable Persons.
 5. Follow any further instructions provided by DRHD pertaining to COVID-19 and the terms and conditions of this Order. Should you require a clinical assessment, contact by telephone, either your primary care provider's office or Telehealth Ontario at 1-866-797-0000. If you need additional assessment, your primary care provider or Telehealth Ontario will direct you to in-person care options.
 6. Seek prompt medical attention if your illness is worsening (e.g. difficulty breathing) by calling 911 and telling them of your COVID-19 related diagnosis or symptoms.
 7. Co-operate fully with DRHD staff for the remainder of your COVID-19 isolation. This includes participating in phone calls as directed by public health to confirm isolation and for ongoing monitoring of your health. Inform your public health nurse immediately if your symptoms worsen.
 8. Immediately, as directed by public health, provide DRHD up to date contact information including the first and last name, address, and phone number for all persons that you have come

in contact with during your period of communicability for COVID-19.

9. The requirements of this Order are subject to necessary modifications for the following persons or class of persons:
 - a) a person or class of persons who, in the opinion of the Medical Officer of Health is asymptomatic and provides an essential service, for the limited purpose of providing that essential service;
 - b) a person receiving essential medical services or treatments, whether or not related to COVID-19; or
 - c) where a person's isolation, in the opinion of DRHD, would not be in the public interest.

THE REASONS for this ORDER are that:

1. COVID-19 has been designated as communicable under Ontario Regulation 135/18 as amended. COVID-19 has been declared a pandemic by the World Health Organization.
2. COVID-19 is present in the Region and therefore poses a risk to the health of the residents of the Region through community transmission. The COVID-19 virus is spread from an infected person to a Close Contact primarily by direct contact or when respiratory secretions from the infected person enter the eyes, nose or mouth of another person.
3. A VOC is a mutation in the SARS-CoV-2 genome for which there is conclusive or strong evidence of an impact on public health and clinical practice, including transmission. There is evidence of presence and community transmission of VOCs in multiple health units in Ontario.
4. To contain the spread of COVID-19, individuals experiencing symptoms consistent with COVID-19 or who are infected with COVID-19, as well as their Close Contacts, are required to isolate themselves from other people until they are no longer infectious or potentially infectious. Isolation ensures that these people will not spread their infection to others.

I am of the opinion, on reasonable and probable grounds that:

- a) a communicable disease exists or may exist or there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;
- b) the communicable disease presents a risk to the health of persons in the health unit served by me; and
- c) the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

I am also of the opinion that the delivery of notice of this Order to each and every member of the class is likely to cause a delay that could significantly increase the risk to the health of any person residing in the health unit, so notice shall be provided through the public media and the internet via posting on the DRHD website:

<https://www.durham.ca/en/health-and-wellness/novel-coronavirus-update.aspx>.

The following definitions apply to this Order:

"Close Contact" is defined as a person who had a high-risk exposure to a confirmed or probable case during their period of communicability or have otherwise been identified as a Close Contact by Durham Region Health Department. This includes household, community and healthcare exposures as outlined in Ministry guidance on cases and contacts of COVID-19.

"Durham Region Health Department" means the Medical Officer of Health or Durham Region Health Department staff acting under the direction of the Medical Officer of Health.

"Vulnerable Person" includes a person who (i) has an underlying medical condition; (ii) has a compromised immune system from a medical condition or treatment; (iii) is 65 years of age or older; or (iv) is reliant upon a homeless shelter or other congregate living setting.

NOTICE

TAKE NOTICE THAT each member of the class is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered to me, at the address below, and to the Health Services Appeal and Review Board, by e-mail to hsarb@ontario.ca or

faxed to the HSARB at 416-327-8524., notice in writing, requesting a hearing within 15 days after publication of this Order or otherwise in accordance with applicable law.

AND TAKE FURTHER NOTICE THAT although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

FAILURE to comply with this Order is an offence for which you may be liable, on conviction, to a fine of not more than \$5,000.00 for every day or part of each day on which the offence occurs or continues.

Original signed by

Robert Kyle, BSc, MD, MHSc, CCFP, FRCPC, FACPM
Commissioner & Medical Officer of Health
Durham Region Health Department
605 Rossland Road East
Whitby, Ontario L1N 0B2

This Order shall be posted on the Durham Region Health Department website: <https://www.durham.ca/en/health-and-wellness/novel-coronavirus-update.aspx>.

Inquiries about this Order should be directed to the Durham Region Health Department at (905) 668-2020 or 1-800-841-2729.