



CLASS ORDER

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

The Regional
Municipality
of Durham

Health Department

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Date: April 7, 2020

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

- (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), (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 p.m. (noon) on April 7, 2020:**

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. 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 until the expiry of a 14-day period that begins on the day on which you first show symptoms, are tested, or are diagnosed with COVID-19, whichever is earliest, or on the last day of close contact, unless otherwise instructed by DRHD in accordance with the current Ministry of Health guidelines as amended:
health.gov.on.ca/en/pro/programs/publichealth/coronavirus/docs/2019_testing_clearing_cases_guidance.pdf
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:
durham.ca/novelcoronavirus or given to you by the DRHD or



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any other staff of a healthcare facility to which you may seek or receive treatment.

4. Keep away from vulnerable persons. Follow any further instructions provided by the DRHD pertaining to COVID- 19 and the terms and conditions of this Order. In particular, you should seek clinical assessment over the phone - either by calling your primary care provider's office or Telehealth Ontario 1-866-797-0000. If you need additional assessment, your primary care provider or Telehealth Ontario will direct you to in-person care options.
5. 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.
6. 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 the 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. The Province of Ontario and the Regional Municipality of Durham (the Region) have declared emergencies under the *Emergency Management and Civil Protection Act* as a result of the pandemic.
2. COVID-19 is now 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 by direct contact or when



respiratory secretions from the infected person enter the eyes, nose or mouth of another person.

3. 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: durham.ca/novelcoronavirus.

The following definitions apply to this Order:

"close contact" means you are caring for or living in the same household with someone who has COVID-19 or have otherwise been identified as a close contact by DRHD.

"Durham Region Health Department" means the Medical Officer of Health or DRHD 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
Whitby, Ontario L1N 0B2

This Order shall be posted on the DRHD website:
durham.ca/novelcoronavirus.

Inquiries about this Order should be directed to the DRHD at (905) 668-2020 or 1-800-841-2729