

**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

July 5, 2020

Public Health Emergency Order No. 2020-017

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Re-issuing Stay at Home (Shelter in Place) Public Health Emergency Order

- I. Paragraphs I – IX from Public Health Emergency Order No. 2020-004 are incorporated herein, addressing the various Navajo Nation (Nation) authorities related to the current COVID-19 Public Health Emergency as well as escalating incidents and community spread of COVID-19 on the Nation.
- II. A Stay at Home (Shelter in Place) Order has been in effect for all residents of the Nation, requiring individuals to limit their movement within and outside of their immediate communities and to limit contact with individuals who are not in their immediate household. (Public Health Emergency Orders No. 2020-003 (March 20, 2020) and No. 2020-004 (March 29, 2020)). Under that Order, individuals can leave their place of residence only to perform “Essential Activities” which primarily include activities and tasks essential to health, safety, and welfare. That Order also advised that public gatherings in excess of five (5) people should be avoided. Under Public Health Emergency Order No. 2020-014 (“Safer at Home”), individuals were encouraged to exercise personal responsibility but were not ordered to stay home. That Order also permitted “Drive-in” Gatherings only during non-curfew hours.
- III. Areas surrounding the Navajo Nation are experiencing an alarming rise in positive COVID-19 cases. Hospitals and health care systems in these areas are being drastically impacted. These factors threaten the Navajo People’s health and well-being and also have the potential to overwhelm the health care system on the Navajo Nation.
- IV. The intent and purpose of this Public Health Emergency Order No. 2020-017 is to re-issue the Stay at Home (Shelter in Place) requirements to further ensure an effective response to the COVID-19 pandemic by restricting movement of individuals on the Nation to limit contact to prevent the spread of the virus and to minimize the strain on medical response capabilities. All provisions of this Order are to be interpreted to effectuate this intent. Failure to comply with any provision of this Order constitutes an imminent threat and menace to public health.

THEREFORE, NOTICE IS GIVEN that pursuant the power and authority set forth in the NDOH enabling legislation (NNC Resolution No. CO-50-14) and in conjunction with the Navajo Nation Public Health State of Emergency Declaration (CEM Resolution No. 20-03-11):

A. All individuals on the Navajo Nation shall **Shelter in Place**: stay at home and strictly limit movement within and outside of their immediate communities, and limit public contact with others. Individuals may leave their place of residence only for emergencies or to perform "**Essential Activities**," defined herein, which primarily include activities and tasks essential to health, safety, and welfare, as described below.

B. **Visitors** are advised to refrain from traveling to the Navajo Nation at this time. According to the Centers for Disease Control and Prevention, "COVID-19 cases and deaths have been reported in all 50 states, and the situation is constantly changing. Because travel increases your chances of getting infected and spreading COVID-19, **staying home is the best way to protect yourself and others from getting sick.**"

C. All individuals on the Navajo Nation shall comply with the following consistent with the current Public Health Emergency Orders (as long as those Orders are in effect):

1. **Daily curfew** from 8:00 p.m. to 5:00 a.m. (From Public Health Emergency Order No. 2020-013 (June 5, 2020)). Weekend Curfews or Lockdowns, as may be ordered.
2. **Wear a mask in public** (From Public Health Emergency Order No. 2020-007 (April 17, 2020)).
3. **Avoid public gatherings of more than 5 people.** "Drive-In" Gatherings are permissible during non-curfew hours (From Public Health Emergency Order No. 2020-14 (June 5, 2020)).
4. **Remain in your vehicle** for curb-side and drive-through essential activities.

D. **Essential Businesses**, defined herein, are required to:

1. Ensure that adequate social distancing is practiced.
2. Ensure that high-touch surfaces are regularly disinfected.
3. Ensure that customers to wear masks.
4. Make efforts to ensure that customers have on-site access to handwashing stations, sanitizer, or gloves.
5. Limit the number of customers in any enclosed area.
6. To the greatest extent possible, operate on a curb-side or drive-through basis.
7. To the greatest extent possible, limit operations before 6:00 A.M. (MDT) and after 7:00 P.M. (MDT) to permit customers to obey the daily curfew.


NOTICE IS FURTHER GIVEN that this Order shall not abrogate any disease-reporting requirements (consistent with HIPAA privacy standards).

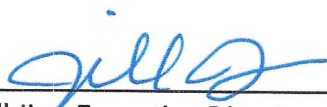
NOTICE IS FURTHER GIVEN that it is greatly advised that the public take the following preventive precautions:

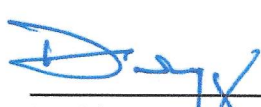
1. All persons on the Navajo Nation are required to stay home and leave home only when absolutely necessary for their health, safety, or welfare or as described herein.
2. Avoid close contact with people who are sick.
3. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
4. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hands or finger if you must touch something.
5. Wear a mask and avoid touching your face, nose, eyes, etc.
6. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, and cell phones).
7. Avoid all public gatherings (no more than 5 people).
8. Avoid all non-essential travel.

NOTICE IS FURTHER GIVEN that this Order shall take effect at 5:00 p.m. MDT on Thursday, July 5, 2020, and shall remain in effect until rescinded by the Regulatory Authority or the Health Command Center.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 5th DAY OF JULY, 2020.


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Definitions

Emergency: a serious, unexpected, or dangerous situation requiring immediate action, including a medical condition that requires immediate treatment.

Essential Activities: (1) activities or tasks essential to the health and safety of one's household (including livestock and pets), such as obtaining critical medical supplies or medication, or visiting a health care professional for an imminent health need, or participating in a Traditional Navajo ceremony or prayer; (2) obtaining necessary services or supplies (such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of a residence); (3) engaging in daytime outdoor activity such as walking, hiking, or running (From Public Health Emergency Order No. 2020-003, March 20, 2020); (4) Voting (From Public Health Emergency Order No. 2020-009, May 14, 2020); (5) Cultivate food (i.e. farming) and tend to livestock (From Public Health Emergency Order No. 2020-015 (June 16, 2020); (6) Working for an essential business or in an essential government function, or providing essential infrastructure services.

Essential Businesses: Healthcare Operation, Essential Governmental Functions, Essential Infrastructure (e.g., courts of law, medical providers for urgent care, public utilities, and critical school operations such as nutrition programs) (From Public Health Emergency Order No. 2020-002, March 19, 2020 and expanded through Public Health Emergency Order No. 2020-003, March 20, 2020 to include food cultivation (including farming and livestock), grocery stores, food banks, convenience stores, hardware stores and other establishments engaged in the retail sale of groceries and non-grocery products necessary to maintaining the safety, sanitation and essential operation of residences, among other things).

Essential Employees: Those employees identified by Essential Businesses deemed to be necessary to the continued operation of those Essential Businesses.

Essential Governmental Functions: means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Essential infrastructure: Public works construction, construction of housing, water, sewer, gas, electrical, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Gathering: means any grouping together of individuals in a single connected location. (From Public Health Emergency Order dated March 18, 2020).

Social Distancing Requirements: Physical distancing by limiting contact of people within 6 feet from each other. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Social Distancing Standards: Physical distancing by not shaking hands, standing several feet away from other people, avoiding crowds, etc.) (From Public Health Emergency Order No. 2020-003, March 20, 2020).