ORDER OF THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA

RESCINDING PRIOR ORDERS MANDATING EMPLOYERS OF SPECIFIED EMERGENCY FIRST RESPONDERS AND NON-EMERGENCY MEDICAL TRANSPORT WORKERS TO REQUIRE ROUTINE TESTING FOR SARS-COV-2 OR PROOF OF COVID-19 VACCINATION

ORDER NO. HO-COVID19-67

DATE OF ORDER: AUGUST 23, 2022

Summary of the Order

This Order of the Health Officer, effective immediately upon issuance, rescinds Health Officer Order No. HO-COVID19-53, as amended, which mandated law enforcement agencies, fire protection agencies, emergency medical response entities, and non-emergency medical transport entities to require certain workers who respond to emergency calls for assistance at specified health care and other high-risk facilities in Contra Costa County (“County”), or provide non-emergency medical transport services involving patients at these facilities, as part of their usual duties, to either undergo weekly testing for the virus that causes Coronavirus Disease 2019 (“COVID-19”) or prove they are fully vaccinated with a COVID-19 vaccine and have received a booster shot.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040 AND 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA (“HEALTH OFFICER”) ORDERS:

1. **Basis for Order.** In August 2021, the Delta variant of the virus that causes COVID-19 (SARS-CoV-2) was dominant, and the risk of outbreaks in health care and congregate settings beginning with workers and spreading to patients, clients and residents was high and increasing. There was an order of the State Public Health Officer in place at the time that required workers in these settings to undergo routine testing for SARS-CoV-2 or document that they were fully vaccinated with a COVID-19 vaccine. But the state order did not cover the first responders and emergency transport workers entering these settings. For this reason, to protect the patients, clients and residents in these settings against exposure to the COVID-19 virus, on August 13, 2021, the Health Officer issued an order, No. HO-COVID19-53, to require law enforcement agencies, fire protection agencies, emergency medical response...
entities, and non-emergency medical transport entities, to require specified workers to either undergo routine testing for SARS-CoV-2 or show that they were fully vaccinated with a COVID-19 vaccine. On December 27, 2021, Health Officer Order No. HO-COVID19-60 was issued to amend Health Officer Order No. HO-COVID19-53. Under the amendment, exemption from the testing requirement required that a worker show that he or she was both fully vaccinated and, if eligible, had received a booster shot. Health Officer Orders Nos. HO-COVID19-53 and HO-COVID19-60 will be collectively referred to as the “Prior Orders.”

The circumstances that gave rise to the need to issue the Prior Orders have changed. The COVID-19 virus continued to mutate and newer variants of the virus are now in circulation in the County. While the COVID-19 vaccines and boosters remain excellent tools for substantially reducing the risk of severe disease and death, as a result of the mutations, the protection against infection and transmission offered by the current COVID-19 vaccines has diminished. As a result, both vaccinated and unvaccinated people are becoming infected with current circulating strains of the virus.

In its Morbidity and Mortality Weekly Report issued on August 11, 2022, the CDC addressed the current state of the COVID-19 pandemic: “As SARS-CoV-2, the virus that causes COVID-19, continues to circulate globally, high levels of vaccine- and infection-induced immunity and the availability of effective treatments and prevention tools have substantially reduced the risk of medically significant COVID-19 illness (severe acute illness and post-COVID-19 conditions) and associated hospitalization and death. These circumstances now allow public health efforts to minimize the individual and society health impacts of COVID-19 by focusing on sustainable measures to further reduce medically significant illness as well as to minimize strain on the health care system, while reducing barriers to social, educational, and economic activity.”

For the above reasons, in the current state of the pandemic, screening testing of unvaccinated emergency first responders and non-emergency medical transport orders under the Prior Orders, is no longer justified. The decline in hospitalizations in the County, from a 7-day average of 114 on July 31, 2022, at the height of the current wave, to a 7-day average of 73 on August 22, 2022, coupled with the availability of medical treatments for those who need them, also indicate that it is not necessary at this time to impose a screening requirement on emergency first responders and non-emergency medical transport workers.

2. **Rescission of Prior Orders.** Health Officer Orders Nos. HO-COVID19-53 and HO-COVID19-60 are hereby rescinded.

3. **Effective Date and Time.** This Order takes effect immediately upon issuance.

4. **Copies; Contact Information.** Copies of this Order shall promptly be: (1) made available at the Office of the Director of Contra Costa Health Services, 1220 Morello Avenue, Suite 200, Martinez, CA 94553; (2) posted on the Contra Costa Health Services website (https://www.cchealth.org); and (3) provided to any member of the public requesting a copy
of this Order. Questions or comments regarding this Order may be directed to Contra Costa Health Services at (844) 729-8410.

IT IS SO ORDERED:

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Dated: August 23, 2022

Ori Tzvieli, M.D.
Health Officer of the County of Contra Costa