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Legislation Text

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ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO No. 2020-2 - FOURTH AMENDED AND RE-ISSUED

(DUTIES OF HOSPITALS, OTHER CONGREGATE FACILITIES AND BUSINESS ESTABLISHMENTS)

Issued and Effective: December 16, 2020

WHEREAS, The Municipal Code of Chicago ("Code") authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City's residents, including but not limited to authority granted in Sections 2-112-030, 2-112-080, 2-112-160(a)(4), and 2-112-170 of the Code, and 77 Ill. Adm. Code 690.1310 (c); and

WHEREAS, COVID-19 is a communicable disease that presents an extraordinarily severe and unprecedented threat to the residents of Chicago. It is necessary and appropriate for the Commissioner of Health to take immediate measures to protect the health, safety, and welfare of the City's residents; and

WHEREAS, The Chicago Department of Public Health ("CDPH") is a public authority authorized pursuant to Section 2-112-160(a)(7) to request, collect, receive and maintain confidential information, records and data, including protected health information ("PHI") consistent with the Health Insurance Portability and Accountability Act ("HIPAA") Privacy Standards set forth in 45 C.F.R. §164.512(b)(1)(i), for the purpose of preventing or controlling disease; now, therefore,

The Commissioner of Health of the City of Chicago hereby orders as follows:

SECTION 1. All acute care and long-term hospitals located within the City shall immediately: (1) adopt and implement administrative and personal protective equipment ("PPE") control policies to reduce potential transmission of COVID-19 and to help conserve PPE, including but not limited to gowns, masks, gloves, eye protection, or other garments or equipment needed to protect the wearer's body from infection or other health or safety risks associated with the COVID-19 virus; (2) [RESERVED]; (3) implement visitor restrictions based on CDPH requirements, which may be periodically updated and distributed via the Health Alert Network based on community risk level;¹ (4) implement a policy to limit entry into patient rooms of COVID-19 patients to essential healthcare workers only, with the exception of companions and other visitors as described in CDPH requirements referenced in item. (3) above; and (5) implement a policy to check employees for symptoms of COVID-19 at the start of each shift.

SECTION 2. All acute care hospitals located within the City shall submit daily reports to CDPH, via an online query established by CDPH reporting COVID-related patient data, e.g. daily counts of COVID-19-related (both diagnosed and persons under investigation ("PUI")) intensive care unit ("ICU") admissions and medical, non-ICU admissions; COVID-19 and PUI

¹A hospital subject to this order may implement policies more restrictive than CDPH requirements, based on its own risk assessment.

patients receiving mechanical ventilation; and COVID-19-related deaths that occurred at the hospital during the preceding 24 hours.

SECTION 3. All schools, jails, correctional facilities and adult transition centers (halfway houses), and all persons licensed or required to be licensed under Title 4 of the Municipal Code of Chicago to engage in the business of a children's services facility, child care institution, adult family care center, assisted living establishment, long-term care facility or adult family care home, and all community living facilities as defined in 210 ILCS 35 and life care facilities as defined in 210 ILCS 40 (collectively, "congregate facilities") shall: (1) immediately report to CDPH, via a mechanism to be detailed and described on the CDPH website, clusters of COVID-19 patients, defined as two or more confirmed cases of COVID-19 occurring within 14 calendar days of each other at such congregate facility; and (2) designate an agent whose responsibility it shall be to file such report with CDPH within 24 hours of identifying the cluster.

SECTION 4. Except as otherwise provided in Section 3 of this Order, any business or establishment licensed or required to be licensed under Title 4 of the Municipal Code of Chicago shall immediately report the following to CDPH: (1) any suspension in operations due to COVID-19 cases among employees or patrons; or (2) any instance in which the business learns that five or more employees or patrons have tested positive for COVID-19 occurring within 14 calendar days of each other. The requirements of this Section shall be reported via a mechanism to be detailed and described on the CDPH website.

SECTION 5. In addition to any other penalty provided by law, any person who violates this Order shall be subject to the fines set forth in Section 2-112-340 of the Code.

SECTION 6. This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.

Allison Arwady, M.D., M.P.H.
Commissioner of Health of the City of Chicago