

## RECORD OF DECISION – CMOH Order 30-2020

### Re: 2020 COVID-19 Response

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health have initiated an investigation into the existence of COVID-19 within the Province of Alberta.

Whereas the investigation has confirmed that COVID-19 is present in Alberta and constitutes a public health emergency as a novel or highly infectious agent that poses a significant risk to public health.

Whereas under section 29(2.1) of the *Public Health Act* (the Act), I have the authority by order to prohibit a person from attending a location for any period and subject to any conditions that I consider appropriate, where I have determined that the person engaging in that activity could transmit an infectious agent. I also have the authority to take whatever other steps that are, in my opinion, necessary in order to lessen the impact of the public health emergency.

Whereas the Misericordia Community Hospital has been experiencing an outbreak of COVID-19 since June 21, 2020.

Whereas having determined that it is necessary to restrict the movement of the Misericordia Community Hospital's staff members and contracted providers among other health care facilities, I hereby make the following Order to prohibit staff members and contracted providers from providing in-person services at any health care facility, other than the Misericordia Community Hospital, for the duration of the outbreak of COVID-19 occurring within the Misericordia Community Hospital:

1. Effective immediately, the operator of the Misericordia Community Hospital, and each contractor operating within the Misericordia Community Hospital, must prohibit staff members and contracted providers from providing in-person services at any health care facility other than the Misericordia Community Hospital for the 14 days following any day a staff member or contracted provider works at the Misericordia Community Hospital.
2. For greater certainty, section 1 of this Order applies in respect of any staff member or contracted provider who has worked at the Misericordia Community Hospital on or after July 2, 2020 for the remaining portion of the 14 day period.
3. For greater certainty, section 1 of this Order does not prohibit a staff member or contracted provider from providing virtual services.
4. For the purposes of this Order, a "health care facility" is defined as:
  - (a) an auxiliary hospital or approved hospital under the *Hospitals Act*;
  - (b) a nursing home under the *Nursing Homes Act*;
  - (c) a designated supportive living accommodation or a licensed supportive living accommodation under the *Supportive Living Accommodation Licensing Act*;

- (d) a lodge accommodation under the *Alberta Housing Act*,
  - (e) any facility in which residential addiction treatment services can be offered or provided by a service provider who has been issued a licence under section 6 of the *Mental Health Services Protection Act*;
  - (f) a facility designated under section 1(1)(d) of the *Mental Health Act*; and
  - (g) an urgent care facility listed in the "Alberta Health Facility and Functional Centre Definitions and Facility Listing" published by Alberta Health, as amended from time to time.
5. For greater certainty in this Order, a staff member or contracted provider includes privileged medical staff and midwifery staff.
  6. A staff member or contracted provider who is employed or contracted to provide services at a health care facility other than the Misericordia Community Hospital
    - (a) is authorized to be absent from each of those health care facilities except the Misericordia Community Hospital for any period of time the staff member or contracted provider is prohibited from providing in-person services at those health care facilities under section 1 of this Order, and
    - (b) must as soon as reasonably possible disclose to their immediate supervisor (for a contracted provider who is a member of the privileged medical staff, the facility medical director, and for other contracted providers, the site administrator or designate) at each other health care facility where they would otherwise provide services the fact that they are subject to the prohibition set out in this Order.
  7. Despite section 1 of this Order, a staff member or a contracted provider of the Misericordia Community Hospital may be exempted from the application of this Order, by the Chief Medical Officer of Health, on a case-by-case basis.
  8. This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 14 day of July, 2020.

  
Dr. Deena Hirshaw, MD  
Chief Medical Officer of Health