

CLASS ORDER
made pursuant to Section 22 (5.0.1) of the *Health Protection and Promotion Act, R.S.O.*
1990, c.H.7

Date: February 16, 2021

To: All persons residing or present in the area served by Northwestern Health Unit

- a) Are a confirmed case or probable case of COVID-19;
- b) Have new symptoms (even mild symptoms) or worsening symptoms of COVID-19, have been tested for COVID-19 and are awaiting the results of their tests;
- c) Otherwise have reasonable grounds to believe they now have symptoms (even mild symptoms) of COVID-19, or have had such symptoms within the past 10 days; and have not had a COVID test since developing those symptoms;
- d) Are a close contact of a person identified in a) even if they do not themselves have any symptoms of COVID-19; or
- e) Are a parent, or person with responsibilities of a parent, of a person under 16 years of age in a), b), c) or d) who resides or is present in Northwestern Health Unit.

I, Dr. Kit Ngan Young Hoon, Medical Officer of Health for Northwestern Health Unit, order you to comply with the following actions:

1. **Isolate yourself immediately** in accordance with all instructions provided by Northwestern Health Unit. This includes remaining in your home (in a private room if sharing with roommates) or isolation facility. Do not go outside, unless on to a private balcony or enclosed yard where you can avoid close encounters with others. You must not have any visitors into your home except as permitted by Northwestern Health Unit.
2. For persons in category a) above, you must remain in self-isolation:
 - For 10 days from symptom onset as long as on the 10th day, you have no fever and your symptoms have been improving for at least 24 hours, or 10 days from the test date if you have had no symptoms.
 - For 20 days from symptom onset if you have or have had severe illness requiring ICU level support, or if you have severe immune compromise as long as on the 20th day, you have no fever and your symptoms have been improving for at least 24 hours.
 - Or as directed by Northwestern Health Unit.
3. For persons in category b) above, you must remain in self-isolation until you receive a negative test result, have no fever and your symptoms have been improving for at least 24 hours. If you receive a positive result, you are then subject to the order as a person described in a) above.
4. For persons in category c) above:
 - If tested, you must remain in self-isolation until you receive a negative test result, have no fever and your symptoms have been improving for at least 24 hours. If you receive a positive result, you are then subject to the order as a person described in a) above.
 - If not tested, you must remain in self-isolation:

- i. For 10 days from symptom onset as long as on the 10th day, you have no fever and your symptoms have been improving for at least 24 hours, or 10 days from the test date if you have had no symptoms.
 - ii. For 20 days from symptom onset if you have or have had severe illness requiring ICU level support, or if you have severe immune compromise as long as on the 20th day, you have no fever and your symptoms have been improving for at least 24 hours.
5. For persons in category d) above, remain in isolation, even when not displaying any symptoms or even when tested negative, until the expiry of a 14-day period that begins on the day you were last in close contact with a person identified in a) above, unless otherwise instructed by Northwestern Health Unit. The following also apply:
 - *If tested*, and you receive a positive result, you are then subject to the Order as a person described in category a) above; see 2 above for directions.
 - *If tested*, and you receive a negative test result, complete the remaining 14-day period of isolation.
 - *If you develop symptoms and do not get tested*, you are then subject to the order as a person described in category a) above.
6. For persons in category e) above, you are to ensure that the child in a), b), c) or d) above, for whom you have responsibilities as a parent, follows the directions in this Order which apply to them.
7. During the self-isolation period, conduct yourself in such a manner as not to expose another person to infection of COVID-19 by following infection control instructions on the Public Health Ontario website located at <https://www.publichealthontario.ca/en/diseases-and-conditions/infectious-diseases/respiratory-diseases/novel-coronavirus/public-resources>, and as given to you by Northwestern Health Unit or any other staff of a healthcare facility at which you may seek or receive treatment.
8. Inform Northwestern Health Unit or the isolation centre staff if you require any help or resources to properly self-isolate or while you are self-isolating such as food, medication, water, accommodation, clothing, appropriate medical treatment, and family or other religious arrangements.
9. Provide Northwestern Health Unit with the names and contact information of all close contacts, and all other information required for appropriate case and contact management, immediately upon request.
10. During the periods described in 2, 3, 4 and 5 above, remain reachable for monitoring by Northwestern Health Unit and/or other public health staff.
11. Follow any further instructions provided by Northwestern Health Unit pertaining to COVID-19 and the terms and conditions of this Order.
12. Seek prompt medical attention if your illness is worsening (for example, difficulty breathing) by calling 911 and report your COVID-19-related diagnosis, exposure, and/or symptoms.

13. The requirements of this Order are subject to necessary modifications for persons or a class or persons, such as:
- a) A person or class of persons who, in the opinion of Northwestern Health Unit, is asymptomatic and is required to provide an essential service**, using mandated PPE, for the limited purpose of providing that essential service;
 - b) A person or class of person whose isolation, in the opinion of Northwestern Health Unit, would not be in the public interest; or
 - c) A person or class of persons who, for other reasons, as authorized by the Medical Officer of Health or designate, require modifications or this Order.

****essential service** means clinical health care that would, in the opinion of the Medical Officer of Health, be severely compromised without the availability of the person or class of persons to provide the service.

THE REASONS FOR THE ORDER ARE THAT:

1. COVID-19, a disease caused by a novel coronavirus, is designated as a disease of public health significance and a communicable disease pursuant to Ontario Regulation 135/18 under the *Health Protection and Promotion Act*. COVID-19 has been declared a pandemic by the World Health Organization. The Province of Ontario has enacted emergency orders under the *Emergency Management and Civil Protection Act*, and subsequently under the *Reopening Ontario (A Flexible Response to COVID-19) Act, 2020*, as a result of the pandemic.
2. COVID-19 is present in Northwestern Health Unit and therefore poses a risk to the health of the residents of Northwestern Health Unit through community transmission. The COVID-19 virus is spread from an infected person to an uninfected person by direct contact or from a close encounter where respiratory secretions from the infected person are transmitted to the uninfected person.
3. The COVID-19 period of communicability or infectiousness is understood to be up to 10 days for most people.
4. The COVID-19 incubation period (the period between exposure to an infection and the appearance of the first symptoms) can be up to 14 days.
5. The number of cases and/or deaths continues to rise in Northwestern Health Unit and Ontario.
6. Of particular concern is recent transmission across Ontario of variants of the COVID-19 virus identified to be of great concern given their potential for increased transmission and increased capacity to cause illness and death.
7. To contain the spread of COVID-19, individuals experiencing symptoms consistent with COVID-19 or who are infected with COVID-19, as well as close contacts of individuals infected with COVID-19, are required to isolate themselves from other people until they are no longer deemed infectious or potentially infectious. Isolation is necessary to decrease the risk of spreading their infection to others.

AND I AM OF THE OPINION, UPON 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 this class to whom it is directed is likely to cause a delay that could significantly increase the risk to the health of any person residing in the jurisdiction of Northwestern Health Unit.

Therefore, notice shall be provided through the public media and the internet via posting at: <https://www.nwhu.on.ca/covid19/Pages/home.aspx>.

The following definitions apply to this Order:

- **Close Contact** means a person who, within the past 14 days, has had a high-risk exposure to a confirmed or probable COVID-19 case. For example, a person who:
 - Lived with or otherwise had close, unprotected and prolonged contact, e.g., within 2 metres (6 feet) for more than 15 minutes, with a confirmed case of COVID-19 during their period of communicability (infectiousness); or
 - Has been identified by Northwestern Health Unit or another public health unit as a close contact.
- **Unprotected** means without appropriate personal protective equipment (PPE). Appropriate PPE is using both medical-grade surgical/procedural mask and protective eyewear. A non-medical mask or face covering is not PPE.

NOTICE:

TAKE NOTICE THAT, each member of the class to whom this Order is directed is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered notice in writing to me and to the Health Services Appeal and Review Board (Health Board Secretariat, 151 Bloor Street West, 9th Floor, Toronto, ON, M5S 2T5), requesting a hearing within 15 days after publication of this Order. During the COVID-19 pandemic:

- All requests for review, submissions, materials, and inquiries should be sent to the Health Services Appeal and Review Board by e-mail to hsarb@ontario.ca or faxed to the Board at 416-327-8524.
- Instead of mail or courier, you may email your request for review to me at talkpublichealth@nwhu.on.ca. Should you wish to do so, however, please carefully consider the use of electronic communication for sensitive information. Northwestern Health Unit will use reasonable means to protect your information but, due to the inherent risks of electronic communication, confidentiality cannot be guaranteed.

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 to a set fine of \$750.00 (ticket), or not more than \$5,000 for every day or part of each day on which the offence occurs or continues to occur, on conviction.

FAILURE TO COMPLY WITH THIS ORDER may also result in further legal action being taken against you under sections 36(2), 35, 102 and other relevant provisions of the *Health Protection and Promotion Act*.

Kit Ngan Young Hoon MBBS, FRCPC
Medical Officer of Health