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PORTAGE COUNTY FACE COVERING ADVISORY ORDER

WHEREAS, despite positive trends, Portage County remains in the midst of the COVID-19 pandemic; and

WHEREAS, as of May 21, 2021 Portage County vaccinators have administered 55,039 doses of COVID-19 vaccine, which translates to approximately 43% of the county's population having received at least one dose and approximately 37% of the population who have completed their vaccine series; and

WHEREAS, the goal for vaccine administration for COVID-19 in Portage County is to have at least 70% of the entire population fully vaccinated. To date, only those 65 and older have achieved this vaccination level (74.2% in Portage County and 78.3% statewide); and

WHEREAS, ongoing health recommendations remain of significant importance to reduce the spread of COVID-19 and its variants—especially for those who are not yet fully vaccinated against COVID-19; and

WHEREAS, on May 13, 2021, the Centers for Disease Control and Prevention (CDC) issued new guidance for fully vaccinated individuals; and

WHEREAS, the CDC also issued guidance on [Choosing Safer Activities](#) for fully vaccinated and unvaccinated people;

NOW, THEREFORE BE ADVISED, that this Order makes the following critical health recommendations:

1. DEFINITIONS.

- a. "Enclosed space" means a confined space open to the public where individuals congregate, including but not limited to taxis, public transit, ride-share vehicles, and any other confined space, whether indoors or outdoors, where it is not possible to maintain physical distancing.
- b. "Face covering" means a piece of cloth or other material that is worn to cover the nose and mouth completely. A "face covering" includes but is not limited to a bandana, a cloth face mask, a disposable or paper mask, a neck gaiter, or a religious face covering. A "face covering" does not include face shields, mesh masks, masks with holes or openings, or masks with vents, except when double-masking.
- c. "Physical distancing" means maintaining at least six feet of distance from other individuals who are not members of your household or living unit.
- d. "Fully-vaccinated" means people who are considered fully vaccinated for COVID-19 ≥ 2 weeks after they have received the second dose in a 2-dose series (Pfizer-BioNTech or Moderna), or ≥ 2 weeks after they have received a single-dose vaccine (Johnson & Johnson [J&J]/Janssen). (see: [CDC Interim Guidance](#))

2. **FULLY-VACCINATED INDIVIDUALS.** Anyone who is fully vaccinated should follow the guidance from the CDC for fully vaccinated individuals. The interim guidance can be found at the link below.
- a. The complete guidance can be found here: [CDC Interim Guidance. \(https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html \)](https://www.cdc.gov/coronavirus/2019-ncov/vaccines/fully-vaccinated-guidance.html)
 - b. Key information from the CDC’s updated guidance includes:
 - i. Fully vaccinated people can resume activities without wearing a mask or physically distancing, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance.
 - ii. Resume domestic travel and refrain from testing before or after travel or self-quarantine after travel.
 - iii. Refrain from testing before leaving the United States for international travel (unless required by the destination) and refrain from self-quarantine after arriving back in the United States.
 - iv. Refrain from testing following a known exposure, if asymptomatic, with some exceptions for specific settings.
 - v. Refrain from quarantine following a known exposure if asymptomatic.
 - vi. Refrain from routine screening testing if feasible.
 - c. The CDC’s updated guidance also notes that vaccinated people should continue to:
 - i. Get tested if experiencing COVID-19 symptoms.
 - ii. Follow CDC and health department travel requirements and recommendations.
 - d. The CDC’s updated “Guiding Principles for Fully Vaccinated People” include:
 - i. Indoor and outdoor activities pose minimal risk to fully vaccinated people.
 - ii. Fully vaccinated people have a reduced risk of transmitting SARS-CoV-2 to unvaccinated people.
 - iii. Fully vaccinated people should not visit private or public settings if they have tested positive for COVID-19 in the prior 10 days or are experiencing COVID-19 symptoms.
 - e. **IMPORTANT CDC/DHS RECOMMENDED EXCEPTIONS.** Face coverings should continue to be worn by individuals in these settings:
 - i. Health care settings.
 - ii. K-12 schools (School decisions are best handled locally by each district)
 - iii. Places where masks are required by federal, state, local, tribal, or territorial laws, rules, or regulations, including businesses and workplaces.
 - iv. Residents and employees of correctional and detention facilities and homeless shelters.
 - v. Travelers on all planes, buses, trains, and other forms of public transportation traveling into, within, or out of the United States and in U.S. transportation hubs such as airports and stations.
 - f. Organizations are encouraged to adopt policies that align with the updated CDC guidance. The Division of Public Health supports the decision of businesses or organizations that continue to require masking for the safety of their staff and patrons.

3. **INDIVIDUALS NOT YET FULLY VACCINATED.** Anyone who is not yet fully vaccinated should follow the guidance below.
- a. **FACE COVERING STILL RECOMMENDED.** Every individual who is not fully vaccinated, age five and older, should wear a face covering when:
 - b. The individual is indoors or in an enclosed space, other than at a private residence, and;
 - c. Another person or persons who are not members of the individual's household or living unit are present in the same room or enclosed space.
 - i. Face coverings are also strongly recommended in all other settings
 - d. **EXCEPTIONS.** Individuals who are otherwise recommended to wear a face covering may remove the face covering in the following situations:
 - i. While eating or drinking.
 - ii. When communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
 - iii. While obtaining a service that requires the temporary removal of the face covering, such as dental services.
 - iv. While sleeping.
 - v. While swimming or on duty as a lifeguard.
 - vi. While a single individual is giving a religious, political, media, educational, artistic, cultural, musical, or theatrical presentation for an audience, the single speaker may remove the face covering when actively speaking. While the face covering is removed, the speaker must remain at least 6 feet away from all other individuals at all times.
 - vii. When engaging in work where wearing a face covering would create a risk to the individual, as determined by government safety guidelines.
 - viii. When necessary to confirm the individual's identity, including when entering a bank, credit union, or other financial institution.
 - ix. When federal or state law or regulations prohibit wearing a face covering.
 - e. In accordance with current CDC guidance, the following individuals are exempt from the face covering recommendations in Section 2:
 - i. Children between the ages of 2 and 5 are encouraged to wear a mask when physical distancing is not possible. The CDC does not recommend masks for children under the age of 2.
 - ii. Individuals who have trouble breathing.
 - iii. Individuals who are unconscious, incapacitated, or otherwise unable to remove the face covering without assistance.
 - iv. Individuals with medical conditions, intellectual or developmental disabilities, mental health conditions, or other sensory sensitivities that prevent the individual from wearing a face covering.
 - v. Incarcerated individuals. The Wisconsin Department of Corrections shall continue to comply with COVID-19 protocols to ensure the health and safety of its staff and individuals in its care. Local governments are strongly encouraged to create or continue COVID-19 protocols to ensure the health and safety of their staff and individuals in their care.

4. **LEGISLATURE AND JUDICIARY.** State facilities or offices under the control of the Wisconsin State Legislature or the Wisconsin Supreme Court are exempt from this Order. The Wisconsin State Legislature and the Wisconsin Supreme Court may establish guidelines for face coverings that are consistent with the specific needs of their respective branches of government.

APPLICABILITY. The recommendations in this Order are designed to promote and protect the health and safety of everyone in Portage County and to minimize the transmission and spread of COVID-19.

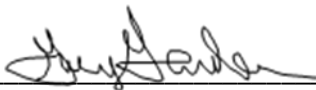
Although this Order makes recommendations as opposed to mandates, existing state laws (such as Wis. Admin. Code § DHS 145.06) authorize certain local health officials, including Portage County's Health Officer, and the courts to take steps designed to prevent the spread of communicable diseases, including COVID-19. Those existing state laws also authorize local health officials and the courts to direct individuals who are known to have or are suspected of having a contagious medical condition which poses a threat to others to follow certain case specific safety protocols. Local health officials and the courts have similar authority with respect to persons who own or supervise property which present a threat of communicable disease transmission, including COVID-19 transmission.

Local health officials are authorized to investigate reports related to communicable diseases which pose a threat to the public. If the investigation shows clear and convincing evidence of public health threats related to communicable disease, local health officials can exercise their discretion to pursue enforcement mechanisms available under the existing state laws outlined above. The degree to which individuals/property owners have followed recommendations like those in this Order will most likely be relevant in such enforcement proceedings.

Directives imposed by local health officials and the courts under existing state laws designed to prevent transmission of communicable diseases must be the least restrictive alternatives that serve to correct the situation at hand in order to protect the public's health.

Duration. This order shall become effective immediately. This order shall remain in effect until July 31, 2021, or until revoked or superseded by subsequent order. Portage County will review this order throughout its duration and after 60 days.

It is ordered by the Health Officer of Portage County.



Gary L. Garske, RS, MPH

May 24, 2021

Date

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