

## **RECORD OF DECISION – CMOH Order 46-2021**

### **Re: 2021 COVID-19 Response – Modification of Record of Decision CMOH Order 45-2021**

Whereas I, Dr. Deena Hinshaw, Chief Medical Officer of Health (CMOH) 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 a state of public health emergency for the province of Alberta was declared on September 15, 2021.

Whereas I have made Record of Decision - CMOH Order 45-2021 on September 24, 2021.

Whereas I have determined that is necessary to revise Record of Decision - CMOH Order 45-2021.

I hereby make the following order effective October 7, 2021:

1. Part 2 at section 2.1 is amended by:

(a) Section 2.1(e) is deleted and substituted with the following:

(e) eligible person” means a person who is visiting, living, working or going to school, in Alberta who is eligible to receive the COVID-19 vaccine.

(b) In section 2.1(m)(i) by deleting the words “and and including the photograph of the holder”

(c) In section 2.1 (v)(ii)(A) is deleted and substituted with the following:

A. proof of receiving two doses of a World Health Organization approved COVID-19 vaccine in a two dose vaccine series and has had fourteen or more days elapse since the date on which the person received the second dose of vaccine;

(d) The following section 2.1(r.1) is inserted between (r) and (s):

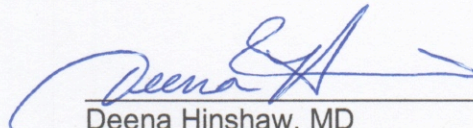
(r.1) "counter sale or quick service restaurant" means a quick service restaurant or a counter sale retail business that provides food or beverage services and requires all dine-in patrons to order or select their food or drink at a counter, food bar or cafeteria line and to pay before being seated but does not include bars, nightclubs, or other similar establishments.

2. The following is inserted after section 5.2:

5.2.1 Despite sections 5.1 and 5.2, an eligible participant that is a counter sale or quick service restaurant is permitted to screen every patron and attendee for the information set out in section 5.1 at the counter instead of at the point of entry.

This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 7<sup>th</sup> day of October 2021.



Deena Hinshaw, MD  
Chief Medical Officer of Health