

RECORD OF DECISION – CMOH Order 57-2021

Re: 2021 COVID-19 Response

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 it is important to ensure that asymptomatic persons who are close contacts are confirmed, by use of rapid screening tests for COVID-19, to be negative for COVID-19 prior to working or providing services at health care facilities.

Whereas having determined that additional measures are necessary to protect Albertans from exposure to COVID-19 and to prevent the spread of COVID-19, I hereby make the following order:

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Part 1 – Application

- 1.1 This Order applies throughout the Province of Alberta to operators of health care facilities and employees in health care facilities and is effective December 23, 2021.

- 1.2 If a section of this Order is inconsistent with, or in conflict with, a provision in Record of Decision - CMOH Order 06-2021, the provisions of Record of Decision - CMOH Order 06-2021 prevail to the extent of any inconsistency or conflict.

Part 2 – Definitions

2.1 For the purposes of this Order:

- (a) “asymptomatic” means a person who is not exhibiting COVID-19 symptoms.
- (b) “close contact” means a person who:
- i. without the consistent and appropriate use of personal protective equipment, provides care to, lives with, or has close physical contact with, a person who is a confirmed case of COVID-19; or
 - ii. has come into contact with the infectious body fluids of a person who is a confirmed case of COVID-19.
- (c) “confirmed case of COVID-19” means a person who has taken a Health Canada approved test or PCR test which confirms that the person is infected by COVID-19.
- (d) “COVID-19 symptoms” means the following symptoms of COVID-19 that are not related to a pre-existing illness or health condition:
- i. cough;
 - ii. fever;
 - iii. sore throat;
 - iv. shortness of breath;
 - v. runny nose; or
 - vi. loss of taste or smell.
- (e) “employee” means workers, contractors, repair workers, delivery workers, inspectors and others who are entering a health care facility for work purposes and not as patients, residents, volunteers or visitors.
- (f) “Health Canada approved test” means a Health Canada-approved and/or laboratory based test administered by accredited diagnostic laboratories that a person takes to determine whether they are a confirmed case of COVID-19.
- (g) “health care facility” means:
- i. an auxiliary hospital under the *Hospitals Act*;
 - ii. a nursing home under the *Nursing Homes Act*;
 - iii. a designated supportive living accommodation under the *Supportive Living Accommodation Licensing Act*;

- iv. any facility in which residential hospice services are offered or provided by Alberta Health Services or by a service provider under contract with Alberta Health Services.
- (h) “isolation” means the separation of a person from any other person for the purpose of preventing the spread of COVID-19.
- (i) “PCR” means a lab based, accredited, molecular test that a person takes to determine whether they are a confirmed case of COVID-19.
- (j) “rapid screening test for COVID-19” means a COVID-19 testing device that is listed in *Authorized medical devices for uses related to COVID-19: List of authorized testing devices by Health Canada* published on the Government of Canada website and is approved for point-of-care molecular or antigen COVID-19 testing, including but not limited to, Panbio COVID-19 AG Rapid Test Device (nasal), Bd Veritor System for Rapid Detection of SARS-CoV-2, Id Now Covid-19 and the Spartan COVID-19 System Cube.
- (k) “testing period” means ten calendar days from the employee’s last date of exposure to a confirmed case of COVID-19 which caused the employee to become a close contact.


Part 3 – Testing and isolation requirements

- 3.1 During the testing period, an operator of a health care facility must cause an employee who is an asymptomatic close contact to take a rapid screening test for COVID-19 prior to each time the employee works or provides services at the operator’s health care facility.
- 3.2 During the testing period, an employee who is an asymptomatic close contact must take a rapid screening test for COVID-19 prior to each time the employee works or provides services at a health care facility.
- 3.3 An employee is required to isolate in accordance with Record of Decision - CMOH Order 06-2021 if the employee:
 - (a) has a positive result from a rapid screening test for COVID-19;
 - (b) exhibits COVID-19 symptoms; or
 - (c) is a confirmed case of COVID-19.
- 3.4 An operator of a health care facility must not permit an employee in section 3.3 from working or providing services at the operator’s health care facility during the period in which the employee is required to isolate in accordance with Record of Decision - CMOH Order 06-2021.

Part 4 – General

- 4.1 For greater certainty, a person must comply with this Order in addition to any requirement set out in Record of Decision – CMOH Order 06-2021 for isolation that applies to the person.
- 4.2 Notwithstanding anything in this Order, the Chief Medical Officer of Health may exempt a person or classes of persons from the application of this Order.
- 4.3 This Order remains in effect until rescinded by the Chief Medical Officer of Health.

Signed on this 23 day of December, 2021.



Deena Hinshaw, MD
Chief Medical Officer of Health