

**IN THE MATTER OF the *Public Health Act*, RSPEI 1988, c P-30.1**

**PUBLIC HEALTH ORDER**

**TO:** All persons residing in or present in Prince Edward Island; and

All businesses and organizations operating or carrying on business in Prince Edward Island;

**WHEREAS** a state of public health emergency was declared in Prince Edward Island on March 16th, 2020 pursuant to Order in Council EC2020-174, and continued on April 15th, 2020 by Order in Council EC2020-254 and on May 15<sup>th</sup>, 2020 by Order in Council EC2020-305;

**AND WHEREAS** the Chief Public Health Officer, pursuant to section 39(2) of the *Public Health Act*, RSPEI 1988, c P-30.1 (the "Act"), believes on reasonable and probable grounds that:

- (a) a communicable disease exists or may exist in the Province;
- (b) the communicable disease presents a risk to the health of persons in the Province; and
- (c) the requirements specified in the order are necessary to prevent, decrease or eliminate the risk to health presented by the communicable disease.

**AND WHEREAS** pursuant to subsection 39(1) of the Act, the Chief Public Health Officer may require a person to take or refrain from taking any action that is specified in the order in respect of a communicable disease;

**AND WHEREAS** the reasons for the order are the global COVID-19 pandemic, the health risks posed by the pandemic, and the necessity to prevent, decrease and eliminate those health risks;

**AND WHEREAS** pursuant to section 56 of the Act, the Chief Public Health Officer may require any person to provide information that the Chief Public Health Officer reasonably considers necessary to:

- (a) assess the threat that a disease presents to public health and plan for and address the threat; or
- (b) evaluate and monitor the health and safety of the general public.

**NOW THEREFORE**, pursuant to my authority under sections 39(1), 49(3), and 56 of the Act, I hereby order as follows.

**Definitions**

1. In this Order:

- (a) "close contact" means:

- (i) A person who provides care for, lives with, or has close physical contact with a person who is confirmed or suspected to be infected with COVID-19; or
- (ii) A person who comes into direct contact with the infectious body fluids of a person who is confirmed or suspected to be infected with COVID-19.

A "close contact" does not include a person who consistently and appropriately uses personal protective equipment while caring for a person who is confirmed or suspected to be infected with COVID-19.

- (b) "essential services" means services that, if interrupted, would endanger the life, health, or personal safety of the whole or part of the population. A list of examples of essential services is published at:

<https://www.princeedwardisland.ca/en/topic/covid-19>.

- (c) "allowable services" means services that are not essential services and are appropriate to open to the public, as determined by the Chief Public Health Officer, with certain public health measures in place. A list of examples of allowable services is published at:

<https://www.princeedwardisland.ca/en/topic/covid-19>.

- (d) "self-isolate" means compliance with the following measures:

- (i) A person must remain in their residence or residence grounds, except to seek medical care or due to extraordinary circumstances including reasons of personal safety. A person who resides in an apartment building, condominium, rooming house, or other attached housing must remain on the residence's property and maintain a two-metre distance from other persons at all times while in common areas, corridors, stairwells, elevators, other shared spaces, and outdoors;
- (ii) If a person must leave their residence or the residence's property for a reason outlined in clause (i) above, the person must maintain a two-metre distance from other persons at all times, other than during treatment by a health care worker; and
- (iii) all additional self-isolation requirements published at:

<https://www.princeedwardisland.ca/en/information/health-and-wellness/covid-19-self-isolation>

### **Points of Entry**

- 2. Every person arriving on Prince Edward Island at any and all points of entry shall:
  - (a) stop when instructed to do so by a peace officer;
  - (b) answer any questions posed and provide all information requested by a peace officer, public health official, or health practitioner, including but not limited to: name, place of ordinary residence, license plate number, contact information,

travel details, reason for entering the Province, occupation, and symptom information;

- (c) if requested, submit to such tests and examinations as may be required;
- (d) declare if they are experiencing symptoms including coughing, difficulty breathing, or fever; and
- (e) provide complete details of their self-isolation plan.

### **Mandatory Self-Isolation**

3. Unless exempted below, persons entering, residing in or present in Prince Edward Island who fall under any of the categories below shall self-isolate for the period of time specified,
  - (a) Persons identified as a close contact of a confirmed or suspected case of COVID-19, shall self-isolate for a period of 14 days from the last day of close contact, regardless of whether a negative test result for COVID-19 is received during that period.
  - (b) Persons diagnosed with COVID-19 shall self-isolate for a period of at least 14 days after the onset of symptoms and such additional time until the person is cleared by a public health official.
  - (c) Persons who are symptomatic and awaiting the results of a test for COVID-19 shall self-isolate as follows:
    - (i) Persons who are symptomatic with exposure criteria (history of travel or close contact with a positive case) shall self-isolate for 14 days from the date of the test, regardless of whether a negative test result is received during that period.
    - (ii) Persons who are symptomatic without exposure criteria (no history of travel, no known contact with a positive case) need not self-isolate after receipt of a negative COVID-19 test result, unless otherwise instructed by the public health official.
  - (d) Persons who have travelled outside Canada on and after March 8, 2020 shall self-isolate for 14 days from the date of their return to Canada or for the duration of their stay in the Province (if shorter than 14 days), regardless of whether a negative test result for COVID-19 is received during that period.
  - (e) Persons entering the Province from within Canada on and after March 21, 2020 shall self-isolate for 14 days or for the duration of their stay in the Province (if shorter than 14 days), regardless of whether a negative test result for COVID-19 is received during that period.

### **Self-Isolation Requirements – Health Care Workers**

4. Health care workers are exempt from the requirement to self-isolate prescribed in clauses 3(a) to (e), however, they shall self-isolate as follows:

- (a) If diagnosed with COVID-19, health care workers shall self-isolate until they receive two negative test results (24 hours apart) and are cleared by a public health official.
  - (b) If symptomatic and awaiting the results of a test for COVID-19, health care workers shall self-isolate until a negative test result is received.
  - (c) If entering the Province after international travel, health care workers shall self-isolate for 14 days or for the duration of their stay in the Province (if shorter than 14 days).
  - (d) If entering the Province after travel within Canada, and unless exempt under section 8, health care workers shall self-isolate for 14 days or for the duration of their stay in the Province (if shorter than 14 days), other than when performing work duties.
5. Section 4 does not apply to long-term care workers.

#### **Self-Isolation Requirements – Workers providing Essential Services**

6. Unless further exempt under section 7, 8 or 9, asymptomatic workers who are engaged in providing essential services (as defined above) in the Province are exempt from the requirement to self-isolate in clauses 3(d) and (e), however, they shall self-isolate for the duration of their stay in the Province (if 14 days or less) other than when they are performing work duties.
7. Unless further exempt under section 8, effective May 13, 2020, asymptomatic workers who are engaged in providing essential services in the Province, who reside in the Province, and regularly travel outside of the Province within Canada or the United States as part of their employment (i.e. every 14 days or less) are exempt from the requirement to self-isolate in clauses 3(d) and (e), provided they comply with the following conditions:
- (a) undergo testing for COVID-19 at a location designated by the Chief Public Health Officer immediately upon entry to the Province;
  - (b) self-isolate until they receive an initial negative test result for COVID-19;
  - (c) undergo testing every 7 days after the initial test at the designated testing location; and
  - (d) monitor for symptoms of COVID-19 and call 811 for testing if they experience symptoms.
- If a worker receives a positive test result for COVID-19, or fails to submit to a follow-up test, they must self-isolate in accordance with the requirements prescribed in clause 3(b) or section 6, as applicable.
8. Effective May 13, 2020, asymptomatic workers who are engaged in providing essential services in the Province and are entering the Province from New Brunswick (and have not travelled anywhere else), are exempt from the requirement to self-isolate prescribed in clause 3(e) provided they monitor for symptoms of COVID-19 and call 811 for testing if they experience symptoms.

9. Sections 6 to 8 do not apply to long-term care workers or temporary foreign workers.
10. Subject to section 11, effective May 22, 2020, transportation crew on any plane, helicopter, bus or marine vessel are exempt from the requirement to self-isolate in clauses 3(d) or (e) provided they monitor for symptoms of COVID-19 and call 811 for testing if they experience symptoms.
11. Section 10 does not apply to crew transporting temporary foreign workers to the Province.

#### **Self-Isolation Requirements – Temporary Foreign Workers**

12. Subject to section 13, effective April 17, 2020 at 8:00 a.m., all temporary foreign workers entering the Province shall self-isolate for 14 days at a quarantine facility designated by the Minister of Health & Wellness, regardless of whether a negative test result for COVID-19 is received during that period.
13. The following temporary foreign workers are exempt from the requirements in section 12:
  - (a) temporary foreign workers employed by an employer that has submitted a transition plan which addresses self-isolation requirements, and which plan has been approved by the Chief Public Health Officer; and
  - (b) such other temporary foreign workers as may be otherwise exempted by the Chief Public Health Officer under exceptional circumstances, provided satisfactory arrangements have been made for the temporary foreign worker to comply with self-isolation requirements.
14. Temporary foreign workers exempted from the requirements of section 12 who enter the Province shall remain subject to the requirement to self-isolate in accordance with this Order, an applicable transition plan, and applicable directions of the Chief Public Health Officer.

#### **Self-Isolation Requirements – Other**

15. Effective May 22, 2020, persons exercising or facilitating custody and/or access with children and are entering the Province from New Brunswick (and have not travelled anywhere else), are exempt from the requirement to self-isolate prescribed in clause 3(e) provided they monitor for symptoms of COVID-19 and call 811 for testing if they experience symptoms.

#### **Businesses and Workplaces**

16. Effective March 17, 2020, businesses that are not an essential service or an allowable service shall not offer or provide services to the public at a location that is accessible to the public.
17. Businesses that are not an essential service or an allowable service may continue serving the public by means of telephone, virtual services, delivery, and pick-up, provided that owners and operators of those services comply at all times with the preventative measures described in section 18.

18. Owners and operators of workplaces that are permitted to operate under this Order, shall take the following preventative measures:
  - (a) take every reasonable step to ensure minimal interaction of people (including employees and/or clients) within two metres of each other;
  - (b) take every reasonable step necessary to prevent employees who are required to self-isolate, as provided above, from entering workplaces;
  - (c) develop and follow an exclusion policy that ensures symptomatic employees are immediately excluded from work activities;
  - (d) develop and follow an operational plan detailing how risk of transmission of disease will be mitigated;
  - (e) ensure enhanced cleaning and disinfection of shared areas and surfaces;
  - (f) ensure hand washing stations are available; and
  - (g) follow any other specific direction issued to the workplace by the Chief Public Health Officer.
19. No business may operate a video lottery terminal.
20. Community fundraising lotteries and activities may only operate virtually.
21. Effective May 22, 2020, all child care facilities, including licensed and unlicensed centres, are permitted to re-open to the public. Licensed centres must comply with the Chief Public Health Officer's "Phase 2 of Renew PEI Together: Re-opening Licensed Child Care Centres". Unlicensed centres must comply with the Chief Public Health Officer's "Phase 2 of Renew PEI Together: Re-opening Unlicensed Child Care Centres".

### **Gatherings**

22. Effective May 8, 2020, indoor gatherings of more than 5 persons are prohibited, except in the following circumstances:
  - (a) facilities where health care or social services are provided;
  - (b) businesses or workplaces (including child care centres) that are permitted to operate under, and to the extent of, this Order or any specific direction provided by the Chief Public Health Officer; and
  - (c) groups of persons living in the same household; and
  - (d) groups of persons living in the same household with 5 or fewer additional persons from different households, maintaining social distancing as much as reasonably possible.
23. Effective May 8, 2020, outdoor gatherings of more than 10 persons from different households are prohibited. Any person who is gathering outdoors in a group of 10 persons or less from different households shall maintain a distance of two metres from other persons in the group. This prohibition does not apply to:

- (a) businesses or workplaces (including child care centres) that are permitted to operate under, and to the extent of, this Order or any specific direction issued to the business or workplace by the Chief Public Health Officer; or
- (b) groups of persons living in the same household.

**Long-Term Care Facilities and Nursing Homes Visitation**

24. Despite section 22(a), visitation to nursing homes and community care facilities is prohibited, unless for exceptional and compassionate circumstances, including end of life.

**General**

25. Notwithstanding anything in this Order, the Chief Public Health Officer may exempt a person or classes of persons from the application of any section of this Order under exceptional circumstances.
26. This Order:
- (a) revokes and replaces my order of May 15, 2020;
  - (b) is effective on May 22, 2020 at 12:00 a.m., except where stated in this Order to have retroactive effect; and
  - (c) shall remain in effect until June 1, 2020 unless earlier amended or revoked.

**TAKE NOTICE** that failure to comply with this Order is an offence for which you may be liable on summary conviction in accordance with section 66 of the Public Health Act.

**DATED** at Charlottetown, Queens County, Prince Edward Island this 21<sup>st</sup> day of May, 2020.

  
\_\_\_\_\_  
Dr. Heather Morrison  
Chief Public Health Officer