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Metropolitan Board of Health of Nashville and Davidson County Declaration of Public Health Emergency

3/15/2020

Whereas, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory illness that appears to occur through respiratory transmission and presents with similar symptoms to those of influenza; and

Whereas, as of March 9, 2020, COVID-19 has spread throughout China and to 104 other countries and territories, including 423 cases within the United States; and

Whereas, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

Whereas, on January 30, 2020, the World Health Organization declared a public health emergency of international concern related to COVID-19; and

Whereas, on January 31, 2020, the United States Department of Health and Human Services declared that a public health emergency exists nationwide as a result of confirmed cases of COVID-19 in the United States; and

Whereas, as of March 9, 2020 a Davidson County resident has tested presumptively positive for COVID-19; and

Whereas, implementation of basic precautions of infection control and prevention, including staying at home when ill and practicing respiratory and hand hygiene are necessary to slow or prevent the spread of COVID-19; and

Whereas, COVID-19 is a communicable disease with significant morbidity and mortality, and presents a severe danger to public health; and

Whereas, COVID-19 is a threat to public health in Metropolitan Nashville and Davidson County; and

Whereas, pursuant to Metropolitan Charter, Article 10., Chapter 1, Section 10.103 the Metropolitan Board of Health, through its Chief Medical Director, exercises all the administrative functions of the metropolitan government pertaining to the physical and mental health of the people, and the investigation and control of communicable diseases; and

Whereas, pursuant to Metro Code of Laws, Section 2.36.020(C) the Metropolitan Department of Health may take such action as may become necessary to assure the maintenance of public health, the prevention of disease, or the safety of the Metropolitan Government and its residents; and the Chief Medical Director, subject to the directions of the Metropolitan Board of Health, may establish procedures to be followed during an emergency declared by the Board to insure the continuation of essential public health services and enforcement; and

Whereas, pursuant to Tennessee Code Ann. § 68-2-609 county health directors are granted the power to order the:

1. quarantine of any place or person, if the county health officer finds that quarantine is necessary to protect the public health from an epidemic;
2. closure of any public establishment, facility or building if the county health officer finds unsanitary conditions of such a nature and extent to significantly threaten the public health; or
3. closure of any public establishment, facility or building, if the public health officer is otherwise authorized by law to take that action; and

Whereas, pursuant to Tennessee Code Ann. § 68-5-104 it is the duty of local health authorities on receipt of a report of a case, or suspected case, of disease declared to be communicable or contagious, to confirm or establish the diagnosis, to determine the source or cause of the disease and to take such steps as may be necessary to isolate or quarantine the case or premise upon which the case, cause or source may be found; and

Whereas, on March 12, 2020 the Governor signed and caused the Great Seal of the State of Tennessee to be affixed to Executive Order No. 14 declaring that a state of emergency exists to facilitate the response to COVID-19.

Now, therefore, the Metropolitan Board of Health, by virtue of Tennessee Statutes and the Metropolitan Charter, and after consultation with Governor Bill Lee, Mayor John Cooper and public health officials within the Tennessee Department of Health and the Metropolitan Department of Health, does hereby declare that a public health emergency exists in Metropolitan Nashville and Davidson County, Tennessee. In order to respond to this emergency, the following shall commence:

Section 1. In order to protect public health, the Metropolitan Board of Health finds it is necessary for the Metropolitan Department of Health to request assistance from the Governor and the Tennessee Department of Health to address this public health emergency.

Section 2. In order to protect public health, the Metropolitan Board of Health finds it is necessary to advise people in Nashville and Davidson County, Tennessee who have traveled to an area for which the Centers for Disease Control and Prevention has issued Warning Level 3 or Alert Level 2 Travel Health Notice, or have been in

close contact with a person who has traveled to such an area, and who develop symptoms of fever, cough, shortness of breath, or difficulty breathing within 14 days of such travel or close contact, that they should immediately contact their health care provider and self-isolate until advised otherwise.

Section 3. In order to protect public health, the Metropolitan Board of Health finds it is necessary to remind physicians, surgeons, practitioners of medicine, health care providers, hospitals, and labs that they are required to immediately report all suspected cases of COVID-19 as required by law to ensure a prompt public health response to prevent disease among close contacts.

Section 4. In order to protect public health, the Metropolitan Board of Health hereby directs the Chief Medical Director to act as necessary to maintain and protect the public health, prevent the spread of the disease, and provide for the safety of the Metropolitan Government and its residents pursuant to the authority of Tennessee law, statutes, rules or regulations and the Metropolitan Charter and Code of Laws. Such actions may include calling for: 1) the testing, screening, inspection and examination of individuals, animals and places by qualified personnel; 2) the implementation of sanitation and disinfection measures at public and private establishments and on any mode of transportation; 3) the quarantine or isolation of animals, persons or places; 4) the imposition of restrictions on social mixing; 4) the closure of public and private places of education, gathering or meeting; 5) the imposition of limitations on hours of commerce; 6) the restructuring of the local healthcare delivery systems, both public and private; 7) the establishment of public health assessment centers; 8) that the director or those in his employ be permitted to enter any public or private establishment, place, vehicle, watercraft or other device that may be used as a means for transportation for the purposes of inspection; and 9) the impositions of limitations on travel.

Section 5. In order to protect the public health, the Metropolitan Board of Health further instructs the Chief Medical Director to contact those having charge of any building or facility licensed to serve food or beverages and to direct those whose primary business is alcohol service to close and those whose primary business is food service to limit occupancy to no more than half of otherwise permitted numbers. The Board further instructs the Chief Medical Director to contact those having charge of a building or facility with an authorized capacity of 100 persons or greater and direct those buildings and facilities to close. This section shall remain in effect until the Chief Medical Director determines that such direction is no longer required, or this declaration is withdrawn.

Issued this 15th day of March 2020, the Metropolitan Board of Health for Nashville and Davidson County, Tennessee.

Alex Jahangir, M.D., M.M.H.C.
Chairman Metropolitan Board of Health

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