

**RESTATED ORDER #6 OF THE CHIEF MEDICAL OFFICER OF HEALTH UNDER
SECTION 32 of the *HEALTH PROTECTION ACT* 2004, c. 4, s. 1.**

May 24, 2022

Decision Log:

May 24, 2022: Sections 2, 3, 3.6-3.7 (amended)

- TO:**
- 1.) All persons residing in or present in the Province of Nova Scotia;**
 - 2.) All not-for-profit and for-profit businesses and organizations operating or carrying on business in Nova Scotia;**
 - 3.) Such other persons or entities as may be identified by the Chief Medical Officer of Health or otherwise as set out in this Order.**

ORDER made pursuant to Section 32 of the *Health Protection Act* (Nova Scotia)

WHEREAS Section 32 of the *Health Protection Act* states:

32 (1) Where a medical officer is of the opinion, upon reasonable and probable grounds, that:

- (a) a communicable disease exists or may exist or that there is an immediate risk of an outbreak of a communicable disease;
- (b) the communicable disease presents a risk to the public health; and
- (c) the requirements specified in the order are necessary in order to decrease or eliminate the risk to the public health presented by the communicable disease,

the medical officer may by written order require a person to take or to refrain from taking any action that is specified in the order in respect of a communicable disease.

WHEREAS COVID-19 has been identified as a communicable disease that presents a risk to public health as defined under s.4(b) of the *Health Protection Act*, and;

WHEREAS I am the Chief Medical Officer of Health for the Province of Nova Scotia and am of the opinion, upon reasonable and probable grounds, that

- (a) a communicable disease (COVID-19) exists; and that there is an immediate risk of an outbreak of the communicable disease;

(b) the communicable disease presents a risk to the public health; and

(c) the requirements specified in the order are necessary to decrease or eliminate the risk to the public health presented by the communicable disease, and;

WHEREAS as the Chief Medical Officer of Health, I have determined it necessary to issue this Order to the Class of Persons to decrease the risk to public health presented by COVID-19.

Please be advised that:

I, Dr. Robert Strang, Chief Medical Officer of Health, **order** the following:

**PART I
DEFINITIONS**

1. In this Order,

“Adult Day Program” means a planned program of activities in a professional care setting designed for older adults or persons with disabilities who require supervision during the day, or those who are isolated and lonely. Adult day care centers enable seniors and persons with disabilities to socialize and enjoy planned activities in a group setting, while still receiving needed health services. At the same time, they offer family caregivers respite from caregiving duties while knowing that their loved one is in a safe place.

“fully vaccinated” means receipt of 1 dose of a vaccine authorized as a 1 dose vaccine series such as Janssen plus 14 days, or 2 doses of a vaccine authorized as a 2 dose vaccine series such as Pfizer, Moderna or AstraZeneca plus 14 days (mixed series acceptable), a complete series of any other World Health Organization authorized series of COVID-19 vaccine such as Covaxin, Sinopharm or Sinovac plus 14 days, or a single dose of a WHO authorized vaccine and a single dose of a Health Canada authorized vaccine plus 14 days.

“health care workers” means individuals who provide health care or support services, such as nurses, physicians, dentists, paramedics, allied health professionals, unregulated healthcare providers, clinical instructors and students, volunteers, and housekeeping staff in health care settings, pharmacists, pharmacy technicians, pharmacy interns and pharmacy students.

“health care settings” means all hospitals as defined by the Hospitals Act; long-term care facilities licensed under the *Homes for Special Care Act*; privately-operated care facilities for seniors, along with independent or assisted living services for seniors; homes licensed by the Minister of Community Services under the *Homes for Special*

Care Act; health authority as defined in the *Health Authorities Act*; home care agency funded under the *Homemaker Services Act*; privately-operated home care services and agencies; emergency health services, ambulance services and communications centre as defined in the *Emergency Health Services Act*; and organizations primarily funded by the Minister of Community Services that provide residential placements and supervision to, including participants of the Disability Support Program (Temporary Shelter Arrangements, Independent Living Support and Supervised Apartments) and Children and youth in the care of the Minister of Community Services under the *Children and Family Services Act*; physicians providing care in the community, including family, pediatricians and other specialists; and pharmacies and pharmacy immunization clinics.

“household contact” means an individual who has been exposed to a person diagnosed with COVID-19 and was living in the same household as the diagnosed person during the diagnosed person’s infectious period, regardless of their ability to effectively isolate away from the diagnosed person.

“mask” means a commercial medical or non-medical mask or a home-made mask made as per the PHAC instructions located at: <https://www.canada.ca/en/public-health/services/diseases/2019-novel-coronavirus-infection/prevention-risks/sew-no-sew-instructions-non-medical-masks-face-coverings.html>, that covers the nose and mouth.

“organization” means:

(a) a public body, body corporate, society, company, firm, partnership, trade union or municipality, or

(b) an association of persons that:

(i) is created for a common purpose,

(ii) has an operational structure, and

(iii) holds itself out to the public as an association of persons.

“self-isolate” means the requirement of any person who has COVID-19 to remain separate from others in such places and under such conditions to prevent or limit the direct or indirect transmission of COVID-19.

“self-quarantine” means the requirement of any person who has been exposed or may have been exposed to COVID-19 during its period of communicability to restrict that person’s activities in order to prevent disease transmission during the incubation period for this disease.

PART II
ISOLATION AND QUARANTINE REQUIREMENTS

2. Effective 12:01a.m. May 24, 2022 the following requirements apply to all persons residing in or present in Nova Scotia:

(a) persons diagnosed with COVID-19:

(i) if symptomatic, must self-isolate on the first day of symptoms, and continuing thereafter for 7 consecutive days or as directed by a Medical Officer of Health; or

(ii) if asymptomatic, must self-isolate on the first day of positive diagnosis of COVID-19, and continuing thereafter for 7 consecutive days following positive diagnosis or as directed by a Medical Officer of Health; and

(iii) may leave self-isolation after 7 consecutive days if they do not have symptoms or their symptoms are improving (including no fever for at least 24 hours),

(b) symptomatic persons who are identified as a household close contact of a person who has been diagnosed with COVID-19:

(i) must self-quarantine immediately;

(ii) must get tested for COVID-19 immediately and repeat testing 72 hours from the diagnosed person's specimen collection date for testing; and

(iii) may exit self-quarantine if they have received negative COVID-19 test result(s) in accordance with Public Health Guidelines and their symptoms are improving (including no fever for at least 24 hours),

but

(iv) who do not get tested for COVID-19 must self-quarantine for 7 consecutive days from the date of their own symptom onset; and

(v) may exit quarantine on the 8th day if they are asymptomatic, or their symptoms are improving (including no fever for at least 24 hours),

and

(c) asymptomatic persons who are identified as a household close contact of a person who have been diagnosed with COVID-19:

(i) are not required to self-quarantine;

but

(ii) are recommended to get tested for COVID-19 72 hours from the diagnosed person's specimen collection date for testing.

2.1 Those persons required to self-quarantine or self-isolate in accordance with sections 2(a) and (b):

(a) must, during their period of self-quarantine or self-isolation, conduct themselves in such a manner as not to in any way expose any other person to infection or potential infection from COVID-19; and

(b) must remain in their residence or residence grounds and otherwise remove themselves from the presence of others in public while they may be infectious during the quarantine or isolation period, so that all precautions necessary to protect others are in place. Specifically, such persons must not enter any buildings, public transportation, or other enclosed spaces (other than their residence) where other people are present;

(c) must follow all infection control instructions given to them on the Government of Nova Scotia's website, at: <https://novascotia.ca/coronavirus/>, or given to them by Telehealth 811 staff, public health staff or any other staff of a healthcare facility to which they may seek or receive treatment; and

(d) after the mandatory period of self-quarantine or self-isolation period has lapsed, they may cease self-isolation or self-quarantine if they do not exhibit symptoms of COVID-19.

2.2 Notwithstanding:

(a) sections 2(a) and (b), persons who are required to self-isolate or self-quarantine may leave their residence to seek medical attention or to undergo COVID-19 testing as directed by a Medical Officer of Health; and

(b) sections 2 (a) and (b) persons who are required to self-isolate or self-quarantine may leave their residence for 1 outing per day for outdoor exercise within walking/running distance of their home or isolation site for a maximum of 1 hour. During this period they are not permitted to enter indoor public or private spaces (except to access urgent medical care or COVID-19 testing), must maintain 2 metres (6 feet) physical distance from others at all times, and must wear a mask if distance cannot be maintained.

**PART III
LONG TERM CARE FACILITIES,
HIGH RISK SETTINGS
AND
OTHER VULNERABLE POPULATIONS**

3. Effective 12:01a.m. May 24, 2022, except where otherwise stated in this Order, the restrictions on long term care facilities and other vulnerable populations apply to all persons present and residing in Nova Scotia.

3.1 All long term care facilities licensed by the Minister of Seniors and Long Term Care under the *Homes for Special Care Act* must comply with Schedule “A” “COVID-19 Management Long Term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated October 4, 2021, as amended from time to time and located at:

<https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>;

3.2 All long term care facilities licensed by the Minister of Seniors and Long Term Care under the *Homes for Special Care Act* may be open to volunteers and 5 fully vaccinated visitors at one time, in accordance with the terms and conditions set out in Schedule “A”, “COVID-19 Management Long Term Care Facilities Directive Under the Authority of the Chief Medical Officer of Health”, dated October 4, 2021, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf>. Larger group visits are permitted within the facility for resident’s special occasions on pre-scheduling with the facility administration.

3.2.1 Visitors to residents of long term care facilities licensed by the Minister of Seniors and Long Term Care under the *Homes for Special Care Act* must practice physical distancing of 2 metres (6 feet), except for initial greeting with the resident, and must wear a mask and be fully vaccinated in accordance with the COVID-19 Mandatory Vaccination Protocol for High-Risk Settings (the “Protocol”), located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-mandatory-vaccination-high-risk-settings-en.pdf>.

3.3 All residents in homes licensed by the Minister of Community Services under the *Homes for Special Care Act* are open to 5 fully vaccinated visitors at one time in accordance with the terms and conditions set out in the “Covid 19 Management in DSP Licensed Homes-Guidelines” as amended from time to time.

3.3.1 Except for foster homes, all residents in child caring facilities licensed, approved or operated by the Minister of Community Services under the *Children and Family Services Act* may be open to 5 fully vaccinated visitors at one time in accordance with the terms and conditions set out in the “Coronavirus (COVID) Child Welfare Practice Guidelines” as amended from time to time.

3.3.2 The masking requirements contained in Section 2.4 of Schedule “A” “COVID-19 Management Long Term Care Facilities Directive”, as amended from time to time and located at: <https://novascotia.ca/dhw/ccs/documents/COVID-19-Management-in-Long-Term-Care-Facilities-Directive.pdf> also apply to the following high-risk settings:

(a) Homes licensed by the Minister of Community Services under the *Homes for Special Care Act*;

(b) Child-caring facilities approved or operated by the Minister of Community Services under the *Children and Family Services Act*, except foster homes;

(c) Organizations primarily funded by the Minister of Community Services that provide residential placements and supervision to:

(i) Participants of the Disability Support Program, including Temporary Shelter Arrangements, Independent Living Support and Supervised Apartments; and

(ii) Children and youth in the care of the Minister of Community Services under the *Children and Family Services Act*; and

(d) Organizations primarily funded by the Minister of Community Services that provide Adult Day Programming for persons with disabilities.

3.4 For greater clarity, nothing in this Order prevents the:

(a) discharge of a COVID-19 patient from a hospital to a long-term care or residential care facility;

(b) transfer of a COVID-19 patient from community to a long-term care or residential care facility; or

(c) return of a COVID-19 patient who has left a long-term care or residential care facility for healthcare services back to that facility after receiving treatment at a hospital.

3.5 Employers and operators in high risk settings, as well as employees, outside service providers, volunteers, visitors and designated care givers therein must adhere to the COVID-19 Mandatory Vaccination Protocol for High-Risk Settings (the "Protocol"), located at: <https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-mandatory-vaccination-high-risk-settings-en.pdf>, and employers and operators must:

(a) verify proof of full vaccination from each employee, outside service provider, volunteer, visitor and designated care giver in accordance with the Protocol unless they have been granted an exception in accordance with the Protocol;

(b) only retain information collected under subsection (a) until the termination of this Order; and

(c) only use the information collected under (a) for the purpose of confirming that the employee, outside service provider, volunteer, visitor and designated care giver is fully vaccinated in accordance with the Protocol.

3.6 Health care setting employers and health care workers employed in a health care setting must adhere to the COVID-19 Protocol for Additional Precautions for SARS-CoV-2 in Health Care Settings, located at:

<https://novascotia.ca/coronavirus/docs/COVID-19-Protocol-for-Healthcare-Settings-Additional-Precautions.pdf>.

PART IV EXCEPTIONS

4. Under exceptional circumstances and under the authority granted to me as the Chief Medical Officer of Health under Part I of the *Health Protection Act*, I may exercise discretion to grant an exception to any term and condition of this Order.

PART V PENALTIES

5. Any direction provided by a medical officer of health to a person, business, organization or other entity pertaining to COVID-19 and the terms and conditions of this Order must be followed.

6. Failure to comply with this health protection order may be considered a breach of this Order issued under the *Health Protection Act* and may result in penalties under the *Act*.

7. For greater clarity, any corporation or individual member of a business or organization may be held responsible for the business's or organization's breach of a provision of this Order.

This Order remains in effect until notice is provided by myself, as Chief Medical Officer of Health, under the authority granted under Part I of the *Health Protection Act* and will be updated from time to time.

Signed:

Dr. Robert Strang
Chief Medical Officer of Health
Nova Scotia Department of Health and Wellness

cc The Honourable Tim Houston, Premier of Nova Scotia
Laura Lee Langley, Deputy to the Premier and Clerk of Executive Council
Michelle Thompson, Minister of Health and Wellness
Jeannine Lagassé, Deputy Minister of Health and Wellness
Dr. Shelley Deeks, Deputy Chief Medical Officer of Health
Tina M. Hall, Legal Counsel, Nova Scotia Dept. of Justice