

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

July 6, 2022

Decision Log:

July 6, 2022: Sections 1-6 (amended)

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,

“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, AstraZeneca, Novavax or Medicago, 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.

“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.

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

2. Effective 12:01a.m. July 6, 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.

2.1 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 July 6, 2022, 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>.

2.2 All long term care facilities licensed by the Minister of Seniors and Long Term Care under the *Homes for Special Care Act* are open to volunteers and visitors, 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 July 6, 2022, 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>.

2.3 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.

2.4 Employers and operators in high risk settings, as well as employees, outside service providers, and volunteers, 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, and volunteer 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, and volunteer is fully vaccinated in accordance with the Protocol.

2.5 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 III EXCEPTIONS

3. 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 IV PENALTIES

4. 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.
5. 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*.
6. 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. Shelley Deeks
Deputy Chief Medical Officer of Health
On behalf of Dr. Robert Strang, Chief Medical Officer of Health
Nova Scotia Department of Health and Wellness

cc Dr. Robert Strang, Chief Medical Officer of Health
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