

# Health Law Alert: Onondaga County Executive Orders Mandatory Self-Quarantine While Awaiting COVID-19 Test Results CDC Issues Guidance on Healthcare Workers Returning to Work

We have been tracking two developments regarding return to work rules for individuals who have been tested and are awaiting results and/or have tested positive for COVID-19.

Pursuant to Local Emergency Orders issued by Onondaga County Executive J. Ryan McMahon, II, individuals within Onondaga County who have been tested for COVID-19 are required to self-quarantine at home or at their current residence until receipt of a negative test result. While the Emergency Order, originally issued on March 16, 2020, is intended to continue through May 11, 2020, the County Executive must update the order every 5 days for it to remain in effect. The County Executive has also directed healthcare providers and other testing sites to issue written notification of this mandatory self-quarantine order to any individual they test. Failure to comply with the mandatory self-quarantine order is punishable as a criminal misdemeanor offense. Copies of both Executive Orders and the Self-Quarantine Notice to tested individuals are linked below.

We are monitoring whether other Upstate New York counties issue similar orders and will provide updates as additional information is received.

With respect to health care personnel who have been tested for, or exhibit symptoms of, COVID-19, the Centers for Disease Control (CDC) have recommended more stringent return to work guidelines. Two alternative approaches for determining when a healthcare worker can safely return to work have been suggested – a test-based strategy and a non-test-based strategy.

The test-based strategy calls for health care personnel to refrain from returning to work until:

- (i) Their fever has resolved without the use of fever-reducing medications; and
- (ii) They have experienced improvement in their respiratory symptoms (e.g., cough, shortness of breath); and
- (iii) They have had negative results from at least two consecutive COVID-19 tests collected at least 24 hours apart (i.e., total of two negative specimens).

The non-test-based strategy calls for health care personnel not to return to work until:

- (i) At least three days (72 hours) have passed since the individual has recovered, defined as resolution of fever without the use of fever-reducing medication, as well as improvement in respiratory symptoms (e.g., cough, shortness of breath); and,
- (ii) At least 7 days have passed since the symptoms first appeared.

Please note that use of these CDC strategies has not yet been mandated by New York State or any

other county or local authority. Individual health care employers may, however, implement policies based on the CDC recommendations.

[Onondaga County Executive Proclamation of Emergency](#)

[Local Order 6](#)

[Local Order of OC Executive No.6 A Quarantine Test Results](#)

[Hospital COVID Test Self Quarantine Notice](#)

Please contact one of our Firm's health law attorneys identified if you would like more information.

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