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**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA  
MANDATING THE MASKING OF PERSONNEL IN HEALTHCARE FACILITIES  
DURING THE ANNUAL RESPIRATORY VIRUS SEASON**

**ORDER NO. HO-2023-1**

**DATE OF ORDER: September 18, 2023**

**Summary of the Order**

This Order of the Health Officer requires personnel in healthcare facilities, as defined, to wear face masks in specified areas during the annual respiratory virus season (November 1 through April 30) for the purpose of providing a layer of protection to patients against COVID-19, influenza, respiratory syncytial virus (RSV), and other viral infections. This Order also requires the operators of these facilities to develop and implement a plan to enforce the masking requirement.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTION 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA (“HEALTH OFFICER”) ORDERS:

- 1. Basis of Order.** Historical data show higher rates of infection by COVID-19, influenza, RSV and other viruses in Contra Costa County (County) annually between late fall and spring. This seasonal increase in circulation of multiple respiratory viruses poses a particular risk to people more likely to experience severe disease and death if infected, including infants, older adults and people with impaired immunity. The seasonal surges also risk overwhelming healthcare facilities in the County, jeopardizing the capacity to provide care for these and other patients. The masking of personnel in these facilities is necessary to provide a layer of protection to patients during the respiratory season when risk of exposure is highest.

## 2. **Prior Orders.**

- a. The following Health Officer masking orders remain in effect:
  - (1) Health Officer Order HO-COVID19-70, which mandates the wearing of face masks by personnel of skilled nursing facilities; and
  - (2) Health Officer orders issued on August 27, 2012, which mandated influenza vaccination or masking of health care workers (<https://cchealth.org/flu/pdf/Memo-Flu-Vaccination-HCF-2012-0827.pdf>), and on August 12, 2014, which mandated influenza vaccination or masking of residential care facility staff (<https://cchealth.org/flu/pdf/Memo-Flu-Vaccination-RCF-2014-0812.pdf>) (collectively the “Influenza Vaccination or Masking Orders”).
- b. In the event of a conflict between HO-COVID19-70 and this Order, or either or both of the Influenza Vaccination or Masking Orders and this Order, this Order will control.

## 3. **Definitions.**

- a. “Face Mask” means a face mask that is well-fitted to an individual and covers the nose and mouth. Examples include but are not necessarily limited to surgical mask, KN95, KF94, and N95 respirators. Guidance regarding well-fitted masks may be found at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/types-of-masks.html>.
- b. “Healthcare Facility” means an acute care facility (a hospital that provides general acute physical or psychiatric care), dialysis center, infusion center, chemotherapy center, or skilled nursing facility, located in Contra Costa County.
- c. “Operator” means a person who owns or operates a Healthcare Facility.
- d. “Patient” means an individual who seeks or receives care in a Healthcare Facility.
- e. “Personnel” means individuals who are present in a Healthcare Facility in the course of their employment or other occupation, including but not limited to employees, students, volunteers, contractors and emergency services personnel. “Personnel” does not include patients or family members, friends and other individuals who enter a Healthcare Facility for the primary purpose seeking care, or engaging in social visitation with a patient.
- f. “Respiratory Virus Season” means the annual time period commencing on November 1 and continuing to and through April 30.

4. **Requirement for Personnel.** All Personnel shall wear Face Masks when in an enclosed space in a Healthcare Facility where a Patient is present, or otherwise providing direct care to a Patient at a Healthcare Facility, during the Respiratory Virus Season.

5. **Requirement for Operators.** All Operators shall develop program to enforce the requirement set forth in Section 4 of this Order, and implement that program during the Respiratory Virus Season.

6. **Exceptions.** The requirement in Section 4 does not apply to:
  - a. Individuals with a medical condition, mental health condition, or disability that prevents the individual from wearing a Face Mask, or a hearing impairment;
  - b. Individuals who are communicating with persons who are hearing-impaired, where the ability to see the mouth is essential for communication; or
  - c. Individuals for whom wearing a Face Mask would create a risk to the individual related to the individual's work, as determined by federal, state or local regulators or workplace safety guidelines.
7. **Effective Date and Time.** This Order takes effect at 1201AM on November 1, 2023, and shall remain in effect until it is rescinded, superseded or amended in writing by the Health Officer.
8. **Copies; Contact Information.** Copies of this Order shall promptly be: (1) made available at the Office of the Director of Contra Costa Health, 1220 Morello Avenue, Suite 200, Martinez, CA 94553; (2) posted on the Contra Costa Health website (<https://www.cchealth.org>); and (3) provided to any member of the public requesting a copy of this Order. Questions or comments regarding this Order may be directed to Contra Costa Health at (844) 729-8410.

**IT IS SO ORDERED:**



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Ori Tzvieli, M.D.  
Health Officer of the County of Contra Costa

Dated: September 18, 2023