



## HEALTH OFFICER ORDER NO. 22-03

### ORDER OF THE HEALTH OFFICER OF THE COUNTY OF ALAMEDA RESCINDING ORDER 22-02 REQUIRING THE WEARING OF FACE COVERINGS IN WORKPLACES AND INDOOR PUBLIC SETTINGS

*Please read this Order carefully. Violation of or failure to comply with this Order is a misdemeanor punishable by fine, imprisonment, or both. (California Health and Safety Code §§ 120175, 120295; Cal. Penal Code §§ 69, 148(a)(1))*

**EFFECTIVE DATE: 12:01 a.m., June 25, 2022**

**Summary of Order:** This Order rescinds County of Alameda Health Officer Order no. 22-02, which mandated masking for all individuals in the County of Alameda in indoor public spaces, regardless of vaccination status. By rescinding Order 22-02, the County aligns itself with the State, following California Department of Public Health (CDPH) guidance on face coverings. County residents, visitors, and workers will be bound by that state [Guidance](#). Individuals should consult that [Guidance](#) to determine the specific requirements applying to their circumstances. Employers should consult the Cal/OSHA [Emergency Temporary Standards](#) for work-related activities, if applicable.

#### **Background:**

Since December 2021, the Omicron variant of SARS-CoV-2 and its subvariants have circulated in the County. These variants are highly transmissible in indoor settings, and recent mutations have increased infectiousness, including the ability to infect vaccinated persons and those with a history of prior infection. In April and May 2022, rates of laboratory-reported COVID-19 diagnoses in Alameda County rose steadily to levels that exceeded those of the wave from the Delta variant in 2021. Unreported infections were estimated to be much higher. Hospitalizations of people with COVID-19 were stable during April 2022 but then rose steadily starting in May 2022. Reported COVID-19 cases in people with known race or ethnicity also demonstrated worsening disproportionate impacts in certain communities of color as the Spring wave progressed. Past COVID-19 waves in Alameda County were characterized by disparities in cases, hospitalizations, and deaths according to race/ethnicity and place of residence, with lower income communities of color hardest hit. For these reasons the Alameda County Health Officer implemented a mask requirement for indoor public settings effective June 3.

After reaching a peak of 56 new COVID-19 cases per 100,000 residents per day on June 6th, Alameda County's COVID-19 case rate declined to 40.5 on June 16th. While hospitalizations remain elevated, daily hospital admissions of people with COVID-19 have stabilized. On June 23, Alameda County moved from CDC's "High" (Orange) COVID-9 Community Level to



“Medium” (Yellow). While COVID-19 continues to circulate in the County at high levels and will continue to impact residents, conditions have improved from the peak of the wave and appear to have stabilized. As COVID-19 conditions improve it is important to relax restrictions and reserve their use for when risk to communities is highest and other measures do not suffice to mitigate that risk. Changes to health orders and recommendations may be updated as the Health Officer follows the science and the data to evaluate whether additional protective measures may be needed as the virus evolves and if future surges occur.

The Alameda County Health Officer and the CDPH continue to strongly recommend masking in indoor public settings. The CDPH also continues to require masking regardless of vaccination status in homeless shelters, emergency shelters, and heating and cooling centers; in healthcare settings; in correctional and detention facilities; and in Long Term Care Facilities and Adult and Senior Care Facilities. Individuals should consult the [CDPH Guidance](#) to determine applicability to their circumstances.

Vaccination continues to be the most effective strategy for combating COVID-19 and preventing severe disease, hospitalization, and death. COVID-19 will circulate in our communities indefinitely, at varying levels, and the potential remains for severe variants to emerge. The COVID-19 vaccines authorized in the United States are highly safe and effective against COVID-19 generally and the Omicron variant. These vaccines provide protection to individuals and communities, particularly against severe COVID-19 disease, hospitalization, and death, and are recommended by the U.S. Centers for Disease Control and Prevention (CDC) for all populations authorized to receive them by the U.S. Food and Drug Administration. Vaccines are now available for anyone 6 months of age or older. The Health Officer strongly recommends that all eligible persons in the County be vaccinated and stay up-to-date on their vaccinations. Information on obtaining a COVID-19 vaccine in the County of Alameda is available here: <https://covid-19.acgov.org/vaccines>.

Treatment is available for those at high risk for severe disease with mild or moderate COVID-19 symptoms. County residents should talk to their health care provider about treatment options and have a plan to access treatment before they become ill, if possible. If you need support to understand treatment options or to find out if treatment is right for you, please call Alameda County’s COVID line: 510-268-2101.

The Health Officer will continue to assess the public health situation as it evolves and may modify this Order, or issue additional Orders, related to COVID-19, as changing circumstances dictate.



## ORDER

### **UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040, 101085, AND 120175, THE HEALTH OFFICER OF THE COUNTY OF ALAMEDA (“HEALTH OFFICER”) ORDERS:**

1. This Order RESCINDS Health Officer Order No. 22-02, which mandated face coverings be worn in indoor public spaces. As of the effective date of this order, Order No. 22-02 will no longer be in effect.
2. Beginning June 25, 2022 at 12:01 a.m., residents, visitors, and workers within the County of Alameda will be subject only to the face covering guidance issued by the California Department of Public Health, as that guidance develops from time to time. Under that guidance as of the time of this Order:
  - a. The CDPH **strongly recommends masking for all individuals over the age of two years, regardless of vaccine status**, in indoor public settings and businesses (examples: retail, restaurants, theaters, family entertainment centers, meetings, state and local government offices serving the public); on public transit (examples: airplanes, ships, ferries, trains, subways, buses, taxis, and ride-shares); and in transportation hubs (examples: airport, bus terminal, marina, train station, seaport or other port, subway station, or any other area that provides transportation). Surgical masks or higher-level respirators (e.g., N95s, KN95s, KF94s) with good fit are highly recommended;
  - b. All individuals, regardless of vaccination status must continue to mask in homeless shelters, emergency shelters, and heating and cooling centers; in healthcare settings; in correctional and detention facilities; and in Long Term Care Facilities and Adult and Senior Care Facilities.; and
  - c. Workplaces will be subject to regulations on indoor masking issued by Cal/OSHA.
3. Nothing in this Order is intended to prohibit the wearing of masks by any individuals in any setting. Indeed, the Health Officer strongly recommends continued use of masks in all settings.
4. The Health Officer will continue to monitor several key indicators to inform the decision whether to modify the conditions in this Order. The Health Officer will continually review whether modifications to the Order are warranted based on (1) progress in countering the spread of COVID-19 in the County; (2) developments in methods and



strategies for preventing and treating COVID-19; and (3) scientific understanding of the transmission dynamics and clinical impact of COVID-19.

5. This Order is issued in accordance with, and incorporates by reference, the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the Declarations of Local Health Emergency issued by the Health Officer on March 1 and 5, the March 10, 2020 Resolution of the Board of Supervisors of the County of Alameda Ratifying the Declarations of Local Health Emergency, and the March 17, 2020 Resolution of the Board of Supervisors Ratifying the Declaration of Local Emergency.
6. This Order is also issued in light of the March 19, 2020 Order of the State Public Health Officer and subsequent orders and guidance issued by the Governor, the State Health Officer, and the California Department of Public Health and Department of Industrial Relations, including without limitation the CDPH June 28, 2021 Guidance for the Use of Face Coverings. The Health Officer may adopt more stringent restrictions and requirements addressing the particular facts and circumstances in this County, necessary to control the public health emergency as it is evolving within the County and the region. Where a County Health Officer Order and any state public health order related to the COVID-19 pandemic conflict, the most restrictive provision will apply.
7. Failure to comply with any of the provisions of this Order constitutes an imminent threat and immediate menace to public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.
8. This Order shall become effective at 12:01 a.m. on June 25, 2022 and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.
9. Copies of this Order shall promptly be: (1) made available at the County Administration Building at 1221 Oak Street, Oakland, California 94612; (2) posted on the County Public Health Department's website (<https://covid-19.acgov.org/index.page>); and (3) provided to any member of the public requesting a copy of this Order.



10. If any provision of this Order or its application to any person or circumstance is held to be invalid, the remainder of the Order, including the application of such part or provision to other persons or circumstances, shall not be affected and shall continue in full force and effect. To this end, the provisions of this Order are severable.

**IT IS SO ORDERED:**

A handwritten signature in black ink, appearing to read 'N. J. Moss', written over a light gray rectangular background.

June 24, 2022

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Nicholas J. Moss, MD, MPH  
Health Officer of the County of Alameda

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Date