



HEALTH OFFICER ORDER NO. 21-04a

ORDER OF THE HEALTH OFFICER OF THE COUNTY OF ALAMEDA RESCINDING THE ORDER ALLOWING GROUPS OF FULLY VACCINATED PEOPLE TO REMOVE THEIR FACE COVERINGS UNDER SPECIFIED CIRCUMSTANCES

DATE OF ORDER: December 28, 2021

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 § 120295, et seq.; Cal. Penal Code §§ 69, 148(a)(1))

EFFECTIVE DATE: 12:01 a.m., December 30, 2021

Summary of Order:

This Order RESCINDS the existing Order No. 21-04 dated November 1, 2021, which allowed groups of fully vaccinated people to remove their face coverings under specified circumstances. The purpose of this Order no. 21-04a is to limit the transmission of Novel Coronavirus Disease 2019 (“COVID-19”). The County of Alameda is experiencing sharp increases in COVID-19 infection rates attributed to the Omicron variant of the virus, which is highly transmissible. Although vaccinations have greatly reduced the risk of severe disease in the County of Alameda, the Omicron variant can spread even among those fully vaccinated and boosted. Rapidly increasing case numbers will cause significant stress on our hospitals. Accordingly, to limit the spread of the Omicron variant, it is critical that all individuals within the County of Alameda resume masking indoors, regardless of vaccination status.

The Health Officer may revise this Order as necessary to respond to the conditions in the County of Alameda and may impose greater restrictions than the State.

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. 21-04 in light of evidence of the increased transmissibility of the Omicron variant of COVID-19 and consequent increases in case rates throughout the County of Alameda. Except as indicated herein, this Order, no. 21-02a, does not impact any other Health Officer Order issued in response to the COVID-19 pandemic.
2. 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.

3. 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 State Public Health Officer Order of July 26, 2021, which set baseline statewide requirements and restrictions for certain facilities. 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 controls.
4. This Order shall become effective at 12:01 a.m. on December 30, 2021 and will continue to be in effect until it is rescinded, superseded, or amended in writing by the Health Officer.
5. 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.
6. 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. Moss", written over a horizontal line.

Nicholas J. Moss, MD, MPH

Health Officer of the County of Alameda

December 28, 2021

Date