

**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

April 22, 2021

**Public Health Emergency Order No. 2021-010
Revising Daily Curfews and Expanding Gatherings**

- I. Paragraphs I – IX from Public Health Emergency Order No. 2020-004 are included with this Public Health Order, addressing the various Navajo Nation (Nation) authorities related to the current COVID-19 Public Health Emergency.
- II. The intent and purpose of this Public Health Emergency Order No. 2021-010 is to revise curfew hours and update gathering limits. The requirements of this Order may be extended or changed in a future order. These measures are intended to further ensure an effective response to the COVID-19 pandemic by restricting movement of individuals on the Nation to limit contact to prevent the spread of the virus and minimize the strain on medical response capabilities. All provisions of this Order are to be interpreted to effectuate this intent. Failure to comply with any provision of this Order constitutes an imminent threat and menace to public health.
- III. Wearing a mask in public is mandatory (Public Health Emergency Order No. 2020-007, April 17, 2020). The Nation is currently in a Shelter in Place (Public Health Emergency Order No. 2021-008, April 09, 2021).
- IV. Daily curfew hours remain from 11:00 P.M. MDT to 5:00 A.M. MDT.
- V. The Navajo Nation remains vigilant as neighboring states are reducing restrictions rapidly and new COVID variants are present and being monitored in states surrounding the Navajo Nation. The Navajo Nation recently documented cases of COVID-19 UK variant (B.1.1.7) and California variant (B.1.429) within the Navajo Nation. According to the CDC, these variants seem to spread more easily and quickly. There are reported increases in COVID-19 UK variant cases in Utah and Colorado. An increase in the number of cases will put more strain on health care resources. As coronavirus vaccines are being made available on the Navajo Nation, all preventative precautions should continue to be adhered to after receiving the vaccine.
- VI. According to the Centers for Disease Control and Prevention, “Limiting face-to-face contact with others is the best way to reduce the spread of coronavirus disease 2019 (COVID-19)” and **“the more closely you interact with others and the longer that interaction, the higher the risk of COVID-19 spread.”**

THEREFORE, NOTICE IS GIVEN that, pursuant to the power and authority set forth in the NDOH enabling legislation (NNC Resolution No. CO-50-14), and in conjunction with the Navajo Nation Public Health State of Emergency Declaration (CEM Resolution No. 20-03-11):

- A. Gatherings of 15 or fewer people are permitted. All unvaccinated or vaccinated people shall wear a mask and continue safety precautions while gathering.
- B. Traditional ceremonies of 15 or fewer people are permitted with the following guidance: Recommend remote prayers and ceremonies; avoid attending if you are sick or were exposed to COVID-19 within the previous 2 weeks; use a shade house or hogan/home with windows and doors open; avoid sharing objects, items and food (tobacco/smoking pipes, drinking cups, utensils, food, towels, clothing, water, pans, cups); bring individual drinking water in closed containers; prepare your own supply of medicine/herbs/pollen and avoid sharing; no buffet or family style meals; food may be served in prepackaged containers; use disposable eating/serving utensils on to-go foods and eating outside is recommended; eating inside is recommended for Medicine man, Road man and patients only; ventilate or “air out” for at least 24 hours before re-use (sweat lodge); remove and hang any fabric/floor coverings in direct sunlight for several hours; clean and disinfect all objects used; wash your hands after, or use a hand sanitizer with at least 60% alcohol; everyone wears a mask.
- C. Churches and other houses of worship may be open in conjunction with additional Navajo Health Command Operations Center guidelines, provided: that 50% or less of maximum occupancy be allowed in any enclosed space; that six-foot social distancing is practiced; masks are required; facility cleaning and disinfecting is practiced; do not attend if you are sick or were exposed to COVID-19 within the previous 2 weeks; no buffet or family style meals; avoid sharing food, containers and utensils; food may be served in prepackage containers; use disposable eating/serving utensils on to-go foods and eating outside is recommended.
- D. Limited “Drive-in” gatherings up to 50 vehicles are permitted if the organizers and participants adhere to the requirements herein. Such gatherings include parking lot gatherings for internet access, religious services, funeral services, graduations (additional guidance is forthcoming), and similar events. “Drive-in” gatherings can be conducted during non-curfew hours, consistent with the current Public Health Emergency Orders (as long as those Orders are in effect), where event organizers ensure the following requirements are in place:
 - 1. Outdoor “drive-in” gatherings only where people from the same vehicle remain in their vehicles.
 - 2. Vehicles are parked at least six (6) feet from other vehicles, in all four directions.
 - 3. Organizers and participants wear masks.
 - 4. Gathering is conducted in a no-contact manner and maintaining social distancing standards.

E. Daily Curfew Hours: A daily 11:00 P.M MDT to 5:00 A.M. MDT curfew applies to all individuals across the Nation.

1. The daily curfew does not apply to Essential Employees reporting to or from duty, or to employees reporting to an off-reservation worksite. Such employees must carry official identification or a letter of designation from their essential business employer, off-reservation employer, or essential government activity employer on official letterhead, naming a point of contact with contact information for verification.

F. All Businesses must comply with the requirements of Public Health Emergency Order No. 2021-009 Declaring “Yellow Status” for Businesses (April 22, 2021).

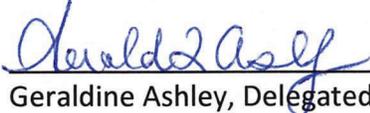
NOTICE IS FURTHER GIVEN that this Order shall not abrogate any disease-reporting requirements (consistent with HIPAA privacy standards).

NOTICE IS FURTHER GIVEN that it is greatly advised that the public take the following preventive precautions:

1. Avoid close contact with people who are sick.
2. Wash your hands often with soap and water for at least 20 seconds, especially after blowing your nose, coughing, or sneezing, or having been in a public place. If soap and water are not available, use a hand sanitizer that contains at least 60% alcohol.
3. To the extent possible, avoid touching high-touch surfaces in public places – elevator buttons, door handles, handrails, handshaking with people, etc. Use a tissue or your sleeve to cover your hands or finger if you must touch something.
4. Wear a mask and avoid touching your face, nose, eyes, etc.
5. Clean and disinfect your home to remove germs: practice routine cleaning of frequently touched surfaces (for example: tables, doorknobs, light switches, handles, desks, toilets, faucets, sinks, and cell phones).
6. Refrain from gathering with individuals outside your household who are not yet vaccinated.
7. Limit unnecessary travel.
8. Get an influenza (flu) vaccination as soon as possible and when safe to do so, and in accordance with the above requirements.
9. All persons are highly encouraged to get any COVID-19 vaccination as soon as possible and when safe to do so, and in accordance with the above requirements.

NOTICE IS FURTHER GIVEN that this Order shall take effect on Monday, April 26, 2021 and shall remain in effect until otherwise rescinded or modified by a subsequent Order.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 22nd DAY OF APRIL, 2021.



Geraldine Ashley, Delegated Program Supervisor III
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Protection Program
Navajo Department of Health



Dr. Jill Jim, Executive Director
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Definitions

Drive-In: means attending a gathering without leaving one's car.

Emergency: a serious, unexpected, or dangerous situation requiring immediate action, including a medical condition that requires immediate treatment.

Essential Activities: (1) activities or tasks essential to the health and safety of one's household (including livestock and pets), such as obtaining critical medical supplies or medication, banking, or visiting a health care professional for an imminent health need, or participating in a Traditional Navajo ceremony or prayer; (2) obtaining necessary services or supplies (such as canned food, dry goods, produce, pet supplies, meat, and any other household consumer products, and products necessary to maintain the safety, sanitation, and essential operation of a residence); (3) engaging in daytime outdoor activity such as walking, hiking, or running (From Public Health Emergency Order No. 2020-003, March 20, 2020); (4) Voting (From Public Health Emergency Order No. 2020-009, May 14, 2020); (5) Cultivate food (i.e. farming) and tend to livestock (From Public Health Emergency Order No. 2020-015 (June 16, 2020)); (6) Working for an essential business or in an essential government function, or providing essential infrastructure services; (7) Wood collection and hauling (From Public Health Emergency Order No. 2020-024 (September 29, 2020)); (8) Hunting with a permit from the Navajo Nation Department of Fish and Wildlife (From Public Health Emergency Order No. 2020-026 (October 22, 2020)); (9) Churches and other houses of worship are essential and must operate within Navajo Health Command Operations Center guidelines.

Essential Businesses: Healthcare Operation, Essential Governmental Functions, Essential Infrastructure (e.g., courts of law, medical providers for urgent care, public utilities, banks and other financial institutions, and critical school operations such as nutrition programs) (From Public Health Emergency Order No. 2020-002, March 19, 2020 and expanded through Public Health Emergency Order No. 2020-003, March 20, 2020 to include food cultivation (including farming and livestock), banks and other financial institutions, grocery stores, food banks, convenience stores, hardware stores and other establishments engaged in the retail sale of groceries and non-grocery products necessary to maintaining the safety, sanitation and essential operation of residences, among other things).

Essential Employees: Those employees identified by Essential Businesses or off-reservation employers as necessary to the continued operation of those Essential Businesses or off-reservation employers.

Essential Governmental Functions: means all services needed to ensure the continuing operation of the government agencies and provide for the health, safety and welfare of the public. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Essential infrastructure: Public works construction, construction of housing, water, sewer, gas, electrical, roads and highways, public transportation, solid waste collection and removal, internet, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services). (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Fully vaccinated: two weeks after completion of any COVID-19 vaccination (both doses of Pfizer or Moderna vaccines or single dose of Johnson and Johnson Janssen vaccine)

Gathering: means any grouping together of individuals in a single connected location. (From Public Health Emergency Order dated March 18, 2020).

Religious services: Related to spirituality, traditional beliefs, or religion.

Social Distancing Requirements: Physical distancing by limiting contact of people within 6 feet from each other. (From Public Health Emergency Order No. 2020-002, March 19, 2020).

Social Distancing Standards: Physical distancing by not shaking hands, standing several feet away from other people, avoiding crowds, etc.) (From Public Health Emergency Order No. 2020-003, March 20, 2020).

Unvaccinated individuals: people who have not received a covid-19 vaccination. As vaccines are currently unavailable for children, this includes children under 16.