ORDER OF HEALTH OFFICER
HO-2020-004

NON-CONGREGATE SHELTERING – WEST YELLOWSTONE

WHEREAS, the World Health Organization has declared the worldwide outbreak of the COVID-19 Novel Coronavirus a pandemic;

WHEREAS, COVID-19 is a respiratory disease that can cause serious illness or death and can easily spread from person-to-person;

WHEREAS, the Centers for Disease Control and Prevention (CDC) identifies the potential public health threat posed by COVID-19 both globally and in the United States as “high” and has advised that person-to-person spread of the COVID-19 will continue to occur globally, including within the United States, Montana, and Gallatin County, Montana;

WHEREAS, President Donald Trump declared a nationwide emergency related to COVID-19 on March 13, 2020 via presidential proclamation;

WHEREAS, Montana Governor Steve Bullock has declared a state of emergency in Montana due to the global outbreak of COVID-19 through Executive Orders 2-2020 and 3-2020;

WHEREAS, on March 18, 2020, the Gallatin County Board of County Commissioners proclaimed a state of emergency in Gallatin County, Montana due to the COVID-19 pandemic;

WHEREAS, the age, condition, and health of a significant portion of the population of Gallatin County is at risk of serious health complications, including death, from COVID-19, and symptomatic persons, including persons with mild symptoms, and asymptomatic persons with COVID-19 place other vulnerable members of the public at significant risk;

WHEREAS, a large surge in the number of persons with COVID-19 may compromise the ability of the regional healthcare system to deliver necessary healthcare to the public and exceed the capacity of the services, personnel, equipment, supplies and facilities of Gallatin County;

WHEREAS, recognizing these public health risks, the Gallatin City-County Health Officer (“Health Officer”) adopted Health Officer Order (HO) 2020-002 on April 7, 2020, requiring quarantine and isolation measures for individuals in Gallatin County who have been exposed to or who have contracted COVID-19;
WHEREAS, the Gallatin City-County Board of Health adopted Emergency Local Health Rule (EHR) 2020-002 on April 15, 2020, similarly requiring quarantine and isolation measures in Gallatin County relating to COVID-19;

WHEREAS, HO-2020-002 and EHR-2020-002 require all persons with COVID-19 symptoms who have a test result for COVID-19 pending, or who have been identified as a close contact of someone who is a known case for COVID-19, to quarantine in their home or in a government directed or publicly provided location;

WHEREAS, HO-2020-002 and EHR-2020-002 further require that all individuals in Gallatin County who test positive for COVID-19 enter and remain in isolation;

WHEREAS, HO-2020-002 and EHR-2020-002 prohibit an individual from leaving isolation until released by Gallatin City-County Health Department (“Health Department”) staff and in accordance with current CDC guidelines;

WHEREAS, the Town of West Yellowstone is at the southernmost tip of Gallatin County and is located at the West Entrance to Yellowstone National Park;

WHEREAS, over four million people travel to Yellowstone National Park each year, and a considerable amount of those individuals travel to and stay in West Yellowstone;

WHEREAS, the opening of West Yellowstone Park will create a sudden and immense increase in the population of West Yellowstone that will burden the town due to constraints relating to COVID-19;

WHEREAS, there is only limited, part-time healthcare in West Yellowstone that is at full capacity during a typical summer and cannot continue to provide normal services if required to respond to COVID-19 patients and perform viral triage;

WHEREAS, the nearest medical center to West Yellowstone for COVID-19 testing is 50 miles away in Big Sky, Montana; the nearest hospital is located over 90 miles away in Bozeman, Montana; and there are only two ambulances available to transport patients to and from these locations;

WHEREAS, tourists traveling by bus or with a group who contract or are exposed to COVID-19 may be unable to travel to Big Sky or Bozeman and, while the Big Sky viral triage center is adequate for the current population, the number of tourists anticipated in the area may overwhelm that center;

WHEREAS, there is very limited housing available in West Yellowstone and normal hotel occupancy during the summer months is 95 to 100%; consequently, it will be necessary to move individuals in West Yellowstone who require quarantine or isolation to other communities;

WHEREAS, the Health Department must be able to ensure that those who are exposed to or have contracted COVID-19 follow isolation and quarantine requirements for the safety and public welfare of the community;
WHEREAS, pursuant to § 50-2-116(1)(f), MCA, the Gallatin City-County Board of Health (Board) has the duty to “identify, assess, prevent, and ameliorate conditions of public health importance through: (i) epidemiological tracking and investigation; (ii) screening and testing; (iii) isolation and quarantine measures; (iv) diagnosis, treatment, and case management; (v) abatement of public health nuisances; (vi) inspections; (vii) collecting and maintaining health information; (viii) education and training of health professionals; or (ix) other public health measures as allowed by law”;

WHEREAS, § 50-1-101(2), MCA, defines a “condition of public health importance” as “a disease, injury, or other condition that is identifiable on an individual or community level and that can reasonably be expected to lead to adverse health effects in the community;”

WHEREAS, the Board also has the duty pursuant to § 50-2-116(1)(g), MCA, to “protect the public from the introduction and spread of communicable disease or other conditions of public health importance, including through actions to ensure the removal of filth or other contaminants that might cause disease or adversely affect public health”;

WHEREAS, pursuant to § 50-2-118, MCA, a local health officer in carrying “out the purpose of the public health system . . . shall . . . (2) take steps to limit contact between people in order to protect the public health from imminent threats, including but not limited to ordering the closure of buildings or facilities where people congregate and cancelling events”, and “(5) pursue action with the appropriate court if this chapter or rules adopted by the local board or department under this chapter are violated”;

WHEREAS, the spread of COVID-19 constitutes a public health emergency and poses an imminent threat to the public health and, consequently, actions must be taken to avert and minimize the spread of this communicable disease in the community;

WHEREAS, the Health Officer finds it necessary to establish emergency non-congregant sheltering in West Yellowstone for the quarantine and isolation of those individuals infected by or exposed to COVID-19, who do not have a local residence and cannot travel to their home safely and without risk of contagion to others; and

WHEREAS, establishing and maintaining non-congregate sheltering in West Yellowstone during the public health emergency for COVID-19 is reasonable and necessary to address public health needs.

NOW, THEREFORE, EFFECTIVE IMMEDIATELY, IT HEREBY IS ORDERED as follows:

1. Emergency non-congregant sheltering shall be established and maintained in West Yellowstone, Montana for the duration of the public health emergency for COVID-19 to quarantine and isolate individuals.

THIS HEALTH OFFICER ORDER shall remain in full force and effect until further notice.
Dated this 22nd day of May, 2020.

MATT KELLEY
HEALTH OFFICER
GALLATIN CITY-COUNTY BOARD OF HEALTH

ATTEST:

Eric Semerad, Clerk & Recorder