

July 22, 2020

**PUBLIC HEALTH FINDINGS AND ORDER**

The Oneida Nation Code of Laws, Emergency Management and Public Safety, Chapter 302 authorizes the Nation's Public Health Officer to take action to prevent the spread of any communicable disease. §302.7. The Community/ Public Health Officer may take communicable disease control measures as necessary.

To protect members of the public from becoming infected by a communicable disease it is necessary to issue this Order for specific control measures.

**THE ONEIDA NATION PUBLIC HEALTH OFFICER HEREBY FINDS THAT:**

1. An increase in community transmission of a communicable disease (COVID-19) has occurred. Additional precautions are warranted.
  - a) On March 12, 2020 the Oneida Nation declared a Public Health State of Emergency in response to the COVID-19 pandemic. The COVID-19 pandemic has affected the world, the United States, the State of Wisconsin, Wisconsin counties and municipalities, and the Oneida Reservation. The Nation has been under a continual Public Health State of Emergency since March 12, 2020.
  - b) Oneida Nation Public Health is using data and science to determine the actions necessary to slow the spread of COVID-19 across the Oneida Reservation.
  - c) The number of Oneida COVID-19 cases is growing and if COVID-19 continues to spread on the Reservation, the number of persons needing medical facilities may exceed locally available resources.
    - o On July 7, 2020, the Oneida Nation had 50 positive cases.
    - o On July 15, 2020 the Oneida Nation had 56 positive cases.
    - o On July 16, 2020 the Oneida Nation had 60 positive cases.
    - o On July 20, 2020 the Oneida Nation had 66 positive cases.
    - o On July 21, 2020 the Oneida Nation had 71 positive cases. Currently there are 16 individuals in active isolation.
  - d) This is a critical time for the Oneida Nation to minimize the spread of COVID-19.
  - e) COVID-19 spreads mainly from person-to-person through respiratory droplets when a person with a COVID-19 infection coughs, sneezes, or talks.
  - f) The spread of COVID-19, including on the Oneida Reservation, confirms the spread of COVID-19 is person-to-person, which creates a significant risk of exposure and infection. COVID-19 creates an extreme public health risk, particularly in Native communities, where certain underlying health conditions may increase the severity of COVID-19 in individuals.
  - g) Many people with a COVID-19 infection do not have any symptoms but can still transmit the virus to others.
  - h) Evidence suggests that wearing a cloth face covering reduces the risk of a person with a COVID-19 infection spreading the infection to others.

Mailing Address: P.O. Box 365, Oneida, WI 54155  
<https://oneida-nsn.gov/resources/health/>

Oneida Community Health Center  
Behavioral Health Services  
Anna John Resident Centered Care Community  
Employee Health Nursing

525 Airport Dr., Oneida, WI 54155  
2640 West Point Rd., Green Bay, WI 54304  
2901 S. Overland Rd., Oneida, WI 54155  
701 Packerland Dr., Green Bay, WI 54303

Phone: (920) 869-2711 or 1-866-869-2711  
Phone: (920) 490-3790 or 1-888-490-2457  
Phone: (920) 869-2797  
Phone: (920) 405-4492

Fax: (920) 869-1780  
Fax: (920) 490-3883  
Fax: (920) 869-3238  
Fax: (920) 405-4494

- i) Cloth face coverings can also protect people without a COVID-19 infection from exposure to droplets that may contain the virus.
- j) The Centers for Disease Control and Prevention ("CDC") recommends the use of face coverings when members of the public need to interact with others outside the home, and especially in settings where individuals cannot reliably maintain six feet of distance from others.
- k) Given the continued increase in the numbers of cases of COVID-19 infection on the Oneida Reservation, this precaution must now become mandatory.
- l) In order to protect, preserve and promote the general health, safety and welfare of the community, it is necessary to take this step to protect the community from increased risk of exposure.

#### ORDER FOR SPECIFIC CONTROL MEASURE(S)- FACE COVERINGS

In order to further prevent the spread of COVID-19 during this pandemic and proclaimed public health emergency, and pursuant to the authority provided **IN ACCORDANCE WITH 302.7 OF THE LAW,**

#### **THE ONEIDA NATION PUBLIC HEALTH OFFICER HEREBY FINDS AND ORDERS THAT:**

1. **Necessity.** This Order is necessary to protect the public.
2. **Definitions.** In this Order:
  - a) "Face Covering" means a manufactured or homemade cloth covering that fully covers an individual's nose and mouth that is secured with ear straps or otherwise tied or secured so as to prevent slipping, and/ or a face shield which covers the mouth and nose, fits snugly against the side of the face, and is secured on the head, or as otherwise conforms to the CDC do-it-yourself face covering instructions.
  - b) "Indoor area open to the public" means any structure or premises subject to the jurisdiction of the Oneida Nation or used in whole or in part as a place of resort, assemblage, lodging, trade, traffic, occupancy, or other use by the public.
  - c) "Mass gathering" means a planned event with a large number of individuals in attendance, such as a concert, festival, meeting, training, conference, performance, show, party, or sporting event. Individuals that are members of the same household or living unit do not count towards the mass gathering numbers in their own household or living unit.
  - d) "Qualifying vehicle" means a paratransit vehicle, a taxi, a private car service vehicle, a ride sharing vehicle, or any other for-hire vehicle.
3. **Face Coverings Required.** Every individual age five (5) and older who is present on the Oneida Nation Reservation shall wear a face covering that covers their nose and mouth at any time they are or will be in contact with other people who are not household members. This requirement includes the following areas: in private, in indoor areas open to the public, while driving or riding Tribal

transportation or a qualifying vehicle, in public, or at a mass gathering indoors or outdoors, unless exempted under this section. In addition:

- a) Face coverings are required while waiting in line. Face coverings are required for individuals in line to enter any indoor or outdoor area open to the public.
- b) Mass Gathering(s) outside are permitted for twenty (20) individuals or less, not including employees and face coverings are required.

4. **Exemptions.** This Order does not apply to:

- a) Any individual who has trouble breathing or is unconscious, incapacitated, or otherwise unable to remove their face covering without assistance.
- b) Any individual who falls within the CDC's guidance for those who should not wear face coverings due to a medical condition, mental health condition, or disability that prevents them from wearing a face covering.
- c) Any individual who is communicating with an individual who is deaf or hard of hearing and communication cannot be achieved through other means.
- d) Individuals for whom wearing a face covering would create a risk to the person related to their work, as determined by government safety guidelines.
- e) Individuals in settings where it is not practical or feasible to wear face coverings when obtaining or rendering goods or services to the extent necessary to obtain or render such goods and services including, but not limited to, the receipt of dental services or medical treatments or consuming food or beverages.
- f) Individuals speaking to an audience, whether in person or through broadcast, so long as the speaker remains six (6) feet or more away from other individuals.
- g) Any individual actively engaged in exercising in a gym or similar indoor facility, so long as physical separation of not less than six (6) feet is maintained and the individual wears a face covering at all times when not actively engaged in exercising or engaged in post-exercise hygiene activity for which a mask is impracticable, such as showering in a locker room, so long as six (6) feet of physical separation is maintained between individuals.
- h) Whenever tribal or other applicable law prohibits wearing a face covering or where it is necessary to evaluate or verify an individual's identity.

5. This finding is based on the presence of a health hazard for individuals who may be exposed or are at heightened risk of exposure to COVID-19.

6. This Order is effective July 27, 2020. This Order remains in effect until I provide official written notification of the release of these specific control measures.

7. **Enforcement.** Failure to comply with this Order may endanger the public and may result in enforcement action to include any of the following: citation, additional order(s), involvement of non-tribal officials for further enforcement to include further isolation/incarceration/additional fines and any other action deemed necessary.
- a) The Oneida Nation Police Department is granted authority to assist with the execution of this Order and enforcement authority.
  - b) Rental and lease agreements with the Oneida Nation generally require compliance with all Oneida laws, policies and rules. Thus, failure to comply with this Order would constitute a lease/rental agreement violation for tenants/lessees of the Oneida Nation, and may result in action under the applicable agreement and/or the Eviction and Termination law.
  - c) Any Tribal license or certificate holder may be subject to administrative action for licenses or certificates they possess with the Nation for failure to adhere to these requirements.
8. These requirements are in addition to any current COVID-19 related recommendations (hand washing practices, use of cough etiquette, good hygiene practices, etc.).

**BE IT SO ORDERED:**

  
\_\_\_\_\_

Signature

Michelle Myers, BSN, RN  
\_\_\_\_\_

Name Printed or Typed

Oneida Nation Public Health Officer  
\_\_\_\_\_

Title

July 22, 2020  
\_\_\_\_\_

Date Signed

**For the latest information about COVID-19 visit:**

Oneida Nation:

<https://oneida-nsn.gov/>

State of Wisconsin:

<https://www.dhs.wisconsin.gov/disease/covid-19.htm>

Centers for Disease Control and Prevention:

<https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/businesses-employers.html>