

**COOK COUNTY DEPARTMENT OF PUBLIC HEALTH
REGULATIONS GOVERNING
QUARANTINE AND ISOLATION MEASURES**

I. Summary.

The threats posed by communicable diseases vary, depending upon the nature and communicability of the disease. These regulations are designed to permit the Cook County Department of Public Health (the "Department") to perform its essential function of protecting the public's health by preventing the spread of potentially dangerous communicable diseases.

To protect the public's health, it may be necessary for the Department to issue an order which results in a deprivation of the liberty of one or more individuals. The Department recognizes that sacrifice is involved in complying with such orders, both by individuals and the larger community, and endeavors to impose the least restrictive measures it determines are required under the applicable circumstances.

The following regulations are issued pursuant to the Cook County Board of Health Ordinance, as amended on March 9, 2004, and apply within those areas of Cook County which fall within the jurisdiction of the Cook County Department of Public Health. These regulations impose obligations upon persons and entities within Cook County including, but not limited to, health care providers and persons who have, or who may have been exposed to, a communicable disease.

II. Definitions.

"Carrier" shall refer to a person or animal who harbors a specific infectious agent in the absence of discernible clinical disease and serves as a potential source of infection. For purposes of these Regulations, "carrier" may also include a person who is suspected of being a carrier.

"Case" shall refer to any person having, probably having, or suspected of having a current illness which is determined to be due to a communicable disease or which is believed by the patient's Provider or the Department to be the likely result of a communicable disease.

"Closure" shall refer to the rendering off limits of premises to persons other than to those persons authorized by the Department.

"Communicable disease" or "Reportable communicable disease" shall refer to a disease listed in the CCD Code or in a regulation or executive order of the Department, the suspicion or diagnosis of which must be reported to the CCDPH pursuant to the CCD Code, these regulations, or both.

"Communicable disease" shall include "dangerous communicable disease."

“Contagious” or “Communicable” or “Infectious” shall refer to the capability of a communicable disease to be transmitted to others.

“Control of Communicable Diseases Code” or “CCD Code” shall refer to the regulations issued by the IDPH which are set forth at 77 Ill. Adm. Code 690.100, et seq.

“CDC” shall refer to the Centers for Disease Control and Prevention, a federal agency.

“Contact” shall refer to any person who has or who may have been exposed to a communicable disease.

“Dangerous Communicable Disease” shall refer to a communicable disease, as determined by the Department, the suspicion or occurrence of which requires immediate public health measures to protect the public’s health and shall include those Class I(a) conditions, in the CCD Code which require immediate reporting to local health authorities (*ref.* 77 Ill. Adm. Code 690.100(a)).

“Department” or “CCDPH” shall refer to the Cook County Department of Public Health.

“Department Order” or “CCDPH Order” shall refer to an order issued by the Cook County Department of Public Health to impose those measures the Department determines to be necessary to protect the public’s health.

“First Responder” shall refer to law enforcement officers, fire department personnel including hazardous materials specialists, emergency medical technicians, health care workers, or public health personnel, who, in the course of their duties, are acting in respond to potentially dangerous situations.

“Health Care Worker” shall refer to any person who is employed (or volunteers their services to a health care organization) to provide direct personal services to others when health care is being delivered. This definition includes, but is not limited to, physicians, dentists, nurses and nursing assistants.

“IDPH” shall refer to the Illinois Department of Public Health, a state agency.

“Isolation” shall refer to the separation, or to a selective, partial limitation of the freedom of movement or activities, during the infectious period, of a Case or a Carrier from other persons in such places and under such conditions as will prevent the direct or indirect transmission of the infectious agent.

“Mandated Reporter” shall refer to all persons or entities required to report cases pursuant to these regulations, or pursuant to the Control of Communicable Diseases Code, and shall include, but not be limited to, physicians, nurses, nurse aides, dentists, health care practitioners, laboratory personnel, school personnel, long-term care personnel, day care personnel, college/university personnel, and laboratories.

“Medical examination” shall refer to an examination performed by an appropriately licensed health professional including, but not limited to, Department personnel, for the purposes of determining the health status of a person who may have been exposed to a communicable disease or other public health hazard. “Medical examination” may include, but is not limited to, physical examination and examination by more extensive means, such as chest x-rays or blood tests.

“Observation” or “Monitoring” shall refer to the practice of close medical or other supervision of contacts in order to promote prompt recognition of infection or illness, but without restricting their movements. Observation or Monitoring may include a review of current health status through such means as taking of vital signs and temperature by health care personnel.

“Premises” shall refer to a building or other structure and may include the area surrounding such building or structure as designated by the Department or the IDPH.

“Provider” shall refer to a health facility or to a licensed health professional who is involved in the direct care of a patient whose condition is the subject of a mandatory report to the Department, an investigation of the Department, or an order issued by the Department.

“Provider Order” or “Treatment Order” shall refer to the order of a provider to an individual with respect to his or her health care, compliance with which is voluntary, including but not limited to isolation measures.

“Quarantine” shall refer to the separation, or to a selective, partial limitation of the freedom of movement or activities, of well persons who have or may have been exposed to a communicable disease during its period of communicability (i.e., who are contacts) in order to prevent disease transmission of the communicable disease during its incubation period if infection should occur.

“Susceptible” shall refer to a person who is not known to possess sufficient resistance against a particular pathogenic agent to prevent contracting infection or disease if or when exposed to the agent.

“Temporary Emergency Detention” shall refer to the temporary detention of an individual by a First Responder or Provider who has a reasonable belief, based on the totality of the circumstances presented including, but not limited to, observation of symptoms, reliable information, and/or knowledge of current public health threats, that the immediate quarantine or isolation of a patient, or patients, is reasonably necessary to prevent a significant risk to the public’s health until direction can be obtained from the Department.

III. Enforcement of IDPH and CCDPH Regulations.

The regulations of the IDPH set forth in the CCD Code, 77 Ill. Adm. Code Part 690, shall be enforced by the CCDPH, where applicable. To the extent that they may be supplemented or explained in greater detail by these regulations, such supplement or explanation shall apply in the event of conflict or ambiguity.

IV. Reports to CCDPH

A. Mandatory Reports of Communicable Diseases. All Mandated Reporters shall make reports to the CCDPH with respect to the occurrence or possible occurrence of communicable diseases as required in the CCD Code. In addition, Mandated Reporters shall report any additional reportable communicable diseases identified by the CCDPH in a regulation issued by the CCDPH as required in that regulation.

B. Provider Care of Cases. Providers shall utilize the CCD Code and these regulations in providing appropriate care to Cases including, but not limited to, the implementation of isolation measures through a Treatment Order.

C. Voluntary Nature of Treatment Orders. When a Provider issues a Treatment Order with respect to the care of a patient which includes the implementation of isolation or other measures to prevent the spread of a communicable disease and the patient does not object to such measures, compliance by the patient with such measures is voluntary and not at the direction of the CCDPH.

D. Mandatory Reports to the CCDPH and Temporary Emergency Detention of Potentially Uncooperative Patients.

1. **Treatment Order Noncompliance.** Whenever a Provider becomes aware that a patient plans to refuse, or refuses to comply with, a Treatment Order which is necessary to permit the diagnosis of or to prevent the possible spread of a dangerous communicable disease, the Provider must immediately report such information to the CCDPH.
2. **Department Order Noncompliance.** Whenever a Provider becomes aware that a patient plans to refuse or refuses to comply with, a CCDPH Order issued to permit the diagnosis of or to prevent the possible spread of a dangerous communicable disease, the Provider must immediately report such information to the CCDPH.
3. **Temporary Emergency Detention.** A Provider is authorized to detain a patient, involuntarily if necessary, on a temporary emergency basis pending direction from the Department if, in the judgment of the Provider, the patient has or may have a dangerous communicable disease and poses or may pose a direct threat to the public's health. The imposition of Temporary Emergency Detention under the circumstances described in this Section is declared by the Department to be necessary to protect the public's health. All Temporary Emergency Detention measures taken by a Provider shall comply with Section VII, of these Regulations, Emergency Measures by First Responders and Providers, and all other applicable law.

V. CCDPH Orders

A. Issuance of Department Orders. Based upon a Provider's report regarding a potentially uncooperative patient, or based upon other information it receives from a source it deems reliable, or whenever it determines that immediate action is required to protect the public's health, the CCDPH may issue a Department Order imposing those measures it deems necessary to evaluate the existence of a potential threat to the public's health or to protect the public's health. Such Department Orders shall be signed by the Department's Chief Executive Officer, or designee, and shall be based upon the determination of the CCDPH that a less restrictive and

equally efficacious measure is not reasonably available.

B. Communication of Department Orders Directed to Individuals. Department Orders shall be served upon the individual who is the subject of the order through personal delivery to the individual or, if necessary due to the infectious nature of a communicable disease with which an individual is or may be infected, through delivery to the residence or other location of the individual. When reasonably possible, a copy shall also be delivered to any Provider who is rendering health care to such individual. In the event of a Department Order for the closure of premises, notice of the Order shall be conspicuously posted on or near points of ingress to the premises. In an emergency, orders may be communicated through other means including, but not limited to, verbal, facsimile or telephonic communication, which emergency orders shall be followed by a written Department order which shall be delivered or otherwise transmitted to the individual as soon as reasonably practicable thereafter.

1. Communication of Department Orders Directed to Groups. In the event a Department order is directed to a group of individuals and where individual communication of orders is not reasonably practicable, the order may be communicated in such places and in such a manner as is reasonably calculated to provide notice of the order to the subjects of the order.

C. Consent to CCDPH Orders. When possible, the CCDPH will request that each person who is the subject of a CCDPH Order consent to the measures described in the order. A consent agreement shall be part of the CCDPH Order. The CCDPH Order shall be in effect and enforceable even if the individual refuses to consent to a CCDPH Order. As soon as reasonably possible after notification that an individual refuses to consent to a CCDPH Order, the CCDPH shall file a petition in the Circuit Court of Cook County seeking a court determination of the matter.

D. Withdrawal of Consent to CCDPH Order. In the event an individual agrees to consent to a CCDPH Order and later wishes to withdraw such consent, he or she must notify the CCDPH or his or her desire to withdraw consent. The CCDPH shall, as soon as reasonably possible thereafter, notify the individual that its Order is terminated or notify the individual that it has filed a petition in the Circuit Court of Cook County to obtain a court determination of the matter. Until receiving notification of termination of the CCDPH Order or until the determination of the Court, whichever is applicable, the CCDPH Order shall remain in full force and effect. For purposes of this paragraph, "as soon as reasonably possible" shall be a period not greater than forty-eight (48) hours, excluding weekends and holidays.

E. Right to Communications, Counsel and to Present Medical Evidence. The CCDPH Order shall contain a statement of rights including a statement of the right to consult and be represented by an attorney and the right to present medical evidence supporting an objection to the CCDPH Order. It further shall inform the subject of the order that he or she may telephone an attorney, family member or other persons(s).

F. Determinations Regarding Less Restrictive and Equally Efficacious Alternatives. In issuing Department Orders, the CCDPH shall consider whether a less restrictive and equally efficacious measure is available, utilizing the expertise of persons with training and education in the protection of public health including, but not limited to, CCDPH personnel, IDPH personnel, and the expertise reflected in the directives set forth in the CCD Code, the guidelines of the Centers for Disease Control and Prevention, or the World Health Organization.

VI. Types of CCDPH Orders.

The CCDPH may issue one or more orders directing individuals to comply with measures deemed necessary to evaluate the existence of a potential threat to the public's health or to protect the public's health. Such orders may include, but shall not be limited to, orders restricting the activities of Cases or Carriers (isolation orders); orders restricting the activities of Contacts (quarantine orders), orders compelling the closure of premises (closure orders), and orders compelling an individual to undergo a medical examination and/or observation and monitoring. Nothing in this Section shall limit a First Responder or Provider from initiating a Temporary Emergency Detention when the clinical and other factual circumstances dictate that such a measure is required to protect the public's health and when the provisions of these Regulations are followed.

A. Isolation Orders. A CCDPH isolation order shall set forth the specific location where a Case is ordered to remain, if applicable, and shall describe any restrictions or limitations upon the activities of the Case. The isolation order shall describe the period during which it shall remain in effect, which shall typically be the period the dangerous communicable disease is believed to be infectious. A CCDPH isolation order shall also set forth the clinical and/or circumstantial facts supporting the need for the isolation order, any required monitoring, observation or medical examinations and the circumstances which if satisfied may lead the modification or termination of the order.

B. Quarantine Orders. A CCDPH quarantine order shall set forth the specific location(s), if applicable, where the subject of the order is order to remain, any restrictions on the activities of the subject of the order and a description of the period during which the person must comply with these restrictions which shall typically be the period for which the dangerous communicable disease is believed to be infectious under the applicable clinical circumstances. A CCDPH quarantine order shall also set forth the clinical and/or circumstantial facts supporting the need for the quarantine order, any required monitoring, observation or medical examinations which are required under the applicable clinical circumstances and the circumstances which if satisfied may lead the modification or termination of the order.

C. Medical Examination Orders. The CCDPH may issue an order compelling an individual to submit to a medical examination and compelling the licensed health professional who performs the examination to provide the results thereof to the CCDPH when necessary to determine the medical status of a person who has or may have been exposed to a dangerous communicable disease. Circumstances in which this determination may be necessary include,

but are not limited to, circumstances in which the person has traveled in an area epidemic with a dangerous communicable disease and/or circumstances in which the person has symptoms indicating the presence of a dangerous communicable disease. Refusal to submit to a medical examination ordered by the Department may be grounds for the issuance of a Department Order requiring the quarantine or isolation of the individual in order to protect the public's health.

D. Observation and Monitoring Orders. The CCDPH may issue an order compelling an individual to submit to observation and monitoring and compelling the Health Care Worker or First Responder who performs the observation and monitoring to provide the results thereof to the CCDPH when necessary to determine the medical status of a person who has been or may have been exposed to a dangerous communicable disease. Circumstances in which this determination may occur include, but are not limited to, circumstances in which the subject of the order may have been exposed to a dangerous communicable disease, until such time as the risk of contracting the disease is over or other measures become necessary. Refusal to submit to isolation and monitoring ordered by the Department may be grounds for the issuance of an order requiring the quarantine or isolation of the individual in order to protect the public's health.

E. Closure Orders. In the event the CCDPH determines that an actual or potential danger to the public's health exists requiring the closure of a place until such time as the condition can be corrected or the danger to the public health eliminated or reduced in such a manner that no immediate threat to the public health any longer exists, the CCDPH may order a place closed and made off limits to the public. A CCDPH closure order shall set forth the specific premises or location to be made off limits to the public, the circumstances under which an individual may enter the premises, any other restrictions imposed upon entry to or use of the premises, and the conditions which must be met before the closure order is terminated. A CCDPH closure order shall also set forth the facts supporting the need for the closure order and the circumstances which if satisfied may lead the modification or termination of the order.

F. Orders Applicable to Multiple Individuals. A Department Order may be directed to more than one individual. If reasonably practicable, a Department order shall list the names and identifying information of the persons who are the subjects of the Order. If complete information is not available, the Department Order shall include the information which is available and shall otherwise describe the persons who are the subjects of the Order with as much specificity as is reasonably available.

VII. Temporary Emergency Detention by First Responders and Providers.

In situations in which a First Responder or Provider forms a reasonable belief, based on the totality of the circumstances including, but not limited to, observation of symptoms, reliable information, and/or knowledge of current public health threats, that immediate quarantine or isolation ("Temporary Emergency Detention") of an individual or individuals is reasonably necessary to prevent a significant risk to the public's health, then the First Responder or Provider may detain such individual or individuals on a temporary emergency basis. The imposition of Temporary Emergency Detention is declared by the Department to be necessary to protect the

public's health and shall be equivalent to a Department Order and enforceable by all legal means.

1. **Notification to Department of Temporary Emergency Detention.** As soon as possible after imposing Temporary Emergency Detention, the First Responder or Provider shall report the Temporary Emergency Detention to the Department, which shall immediately investigate the situation. The Department may order the Temporary Emergency Detention to continue pending the outcome of its investigation.. The Department's initial order may be verbal, but shall be followed up with a written Department Order which in the absence of a declared disaster shall be delivered or otherwise transmitted as soon as possible thereafter, within twenty-four (24) hours of the commencement of the Temporary Emergency Detention.

2. **Notification of Temporary Emergency Detention.** As soon as reasonably practicable after the imposition of a Temporary Emergency Detention, as described in this Section, the First Responder or Provider shall inquire of the individual whether a spouse, family member, or friend is to be notified of the Temporary Emergency Detention and shall assist the individual in attempting to make such notifications.

3. **Additional Provisions.** Temporary Emergency Detention shall only be used as a public health protection measure. In no event shall Temporary Emergency Detention be exercised by any First Responder or Provider for any other purpose.

VIII. Duration and Scope of Quarantine and Isolation.

The duration and scope of quarantine or isolation may vary, depending on the type of communicable disease and the risks presented. For example, quarantine or isolation may be necessary in order to provide:

A. **Quarantine or Isolation During Period of Risk Assessment.** In some cases, persons believed to be exposed to a dangerous communicable disease may be isolated or quarantined for a reasonable period of time to permit assessment of risk including testing of specimens and for obtaining epidemiological information including a history of symptoms, the source of potential exposures and Contacts.

B. **Quarantine for Provision of Prophylactic Treatment.** Where prophylactic treatment would prevent illness or disease transmission, quarantine may last until such treatment has been provided.

C. **Quarantine for the Duration of the Incubation Period.** Where a risk is reasonably believed to be present, and treatment is either not indicated, not available or refused, then quarantine may be necessary for the duration of the incubation period, which is the time period within which symptoms of the disease are likely to appear. If, at the end of the incubation period, the individual is not considered to be potentially contagious, he or she will be released from quarantine. If the individual is considered to be potentially contagious, he or she may be

ordered isolated for the duration of the infectious period.

D. Isolation for the Duration of the Infectious Period. If an individual is considered to be potentially infectious, he or she may be ordered isolated during the infectious period.

The order shall set forth the facts supporting the need for quarantine, the date and time quarantine commenced, the expected duration, including the indicators (e.g., return of negative lab reports or expiration of stated incubation period) that will result in termination of the quarantine, the location of the quarantine (e.g., in the home or elsewhere), and any conditions on quarantine (e.g., limitations on visitors, requirements of allowing CDPH or other medical monitoring), and shall be signed by a public health physician.

IX. Enforcement of Department Orders.

Pursuant to Cook County Ordinance, any person who violates any Department Order is guilty of a Class B misdemeanor and shall be subject to arrest and fine of \$1,000 for each violation (*ref.* Cook County Board of Health Ordinance, Section 5-216(a), amended March 9, 2004).

In addition to the foregoing, the knowing infliction of harm or risk of harm upon others which may occur when an individual refuses to comply with measures designed to prevent such harm through the prevention of transmission of dangerous communicable disease may constitute a crime under applicable law.

X. Scope of These Regulations and Declared Disasters.

These Regulations are intended to assist First Responders and Providers to protect the public from dangerous communicable diseases. The Department may implement additional health protection measures and procedures prior to and during a declared disaster.

XI. Department Contact Information.

Questions concerning Department Orders should be directed to the Department at (708) 492-2150.

All reports required by these Regulations should be directed to the Communicable Disease Control Unit of the CCDPH at (708) 492-2150, Monday through Friday from 8:30 a.m. until 4:30 p.m. and to (708) 873-6568 at all other times.