



**ORDER OF THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA
RESCINDING ORDER MANDATING OPERATORS OF DINING ESTABLISHMENTS
AND FITNESS FACILITIES TO RESTRICT ENTRY OR SERVICE BASED ON COVID-
19 VACCINATION STATUS OR TESTING**

ORDER NO. HO-COVID19-65

DATE OF ORDER: FEBRUARY 4, 2022

Summary of the Order

This Order of the Health Officer rescinds Health Officer Order No. HO-COVID19-57, which required the operators of indoor dining establishments and fitness facilities in Contra Costa County to restrict entry or service based on the Coronavirus Disease 2019 (COVID-19) vaccination status or test results of workers and patrons, effective immediately upon issuance.

UNDER THE AUTHORITY OF CALIFORNIA HEALTH AND SAFETY CODE SECTIONS 101040 and 120175, THE HEALTH OFFICER OF THE COUNTY OF CONTRA COSTA (“HEALTH OFFICER”) ORDERS:

1. **Basis of Order.** On September 14, 2021, the Health Officer issued an order, No. HO-COVID19-57 (the “Prior Order”) that required the operators of dining establishments and fitness facilities to restrict entry to indoor areas based upon COVID-19 test results or vaccination status information provided by patrons and workers. The Prior Order was issued on the heels of the emergence of the Delta variant of SARS-CoV-2, the virus that causes COVID-19. Infection of County residents with the Delta variant had led to a severe rise in infections, hospitalizations and deaths. In order to lessen the risk of transmission at crowded indoor settings where people remove their masks to eat or drink, and fitness centers where face coverings cannot block all particulates and aerosols emitted by heavy breathers, the Health Officer issued the Prior Order in an attempt to keep infected individuals out of these environments.



Since the issuance of the Prior Order, the Omicron variant of SARS-CoV-2 emerged and quickly became the dominant strain nationwide and in the County. The Omicron variant currently accounts for more than 99 percent of sequenced virus samples in the County. After it arrived here, case rates quickly spiked. The current wave began the week of December 13, 2021. That first week, the rolling seven-day average in the County was 16.7 new cases per 100,000 people per day, an increase of 69 percent from the rolling seven-day average of 9.9 per 100,000 people per day the previous week. The wave peaked on January 9, 2022, when the rolling seven-day average case rate had climbed to 249.2 cases per 100,000 people per day.

Current COVID-19 vaccines, together with booster doses, continue to provide recipients with protection against severe illness, hospitalizations, and deaths. However, as a result of mutations of the SARS-CoV-2 virus, the Omicron variant is more transmissible than previous variants, including among people who have been fully vaccinated. While the vaccines have never prevented all infections of or transmissions from vaccinated people, circulation of the Omicron variant means that there will be even more transmissions and cases. This can be expected to occur everywhere Omicron is present, and is expected to occur in indoor dining areas and fitness centers notwithstanding the measures put in place last September to minimize transmissions in those locations.

Compared with cases involving previous variants, however, the cases caused by the Omicron variant involve less severe disease on the average, which in turn means fewer per-case hospital admissions due to COVID-19 than have been seen in previous waves. At the peak of the current wave, there were 333 people in County hospitals with COVID-19, with 58 of those in intensive care units; however, roughly half of these patients were there because of primary diagnosed ailments other than COVID-19. Hospitalizations due to COVID-19, including those leading to intensive care stays, are expected to further decrease in the coming weeks.

The County is currently shown as an area of high transmission in the COVID Data Tracker maintained by the U.S. Centers for Disease Control and Prevention. However, the County is also a high vaccination rate area. Of the approximately 1.15 million people who live in the County, as of February 4, 2022, 80.0 percent are fully vaccinated, and 87.3 percent have received at least one dose. Considering both vaccinated people and others who have recovered from natural infection, it is estimated that around 95 percent of County residents have some degree of protection against the virus.

In summary, the high rate of vaccination in the County, coupled with the decreased severity of symptoms caused by the Omicron variant, make the County well-positioned to handle high case rates and transmissions caused by this variant. It is expected that going forward, use of the health care system related to COVID-19 will stabilize as case numbers and hospitalizations drop. For this reason, I have determined that the Prior Order is no longer necessary and should be rescinded.



2. **Rescission of Prior Order.** HO-COVID19-57 is hereby rescinded.
3. **Effective Date and Time.** This Order takes effect immediately upon issuance.
4. **Copies; Contact Information.** Copies of this Order shall promptly be: (1) made available at the Office of the Director of Contra Costa Health Services, 1220 Morello Avenue, Suite 200, Martinez, CA 94553; (2) posted on the Contra Costa Health Services website (<https://www.cchealth.org>); and (3) provided to any member of the public requesting a copy of this Order. Questions or comments regarding this Order may be directed to Contra Costa Health Services at (844) 729-8410.

IT IS SO ORDERED:

Chris Farnitano, M.D.
Health Officer of the County of Contra Costa



By: _____
Ori Tzvieli, M.D.
Deputy Health Officer

Dated: February 4, 2022

