

Process for use of *Public Health Act* for managing hospitalized individuals who are non-compliant with requirements for isolation

Background

Isolation requirements (from CMOH Order 05-2020

at <https://open.alberta.ca/publications/cmoh-order-05-2020-2020-covid-19-response> and

Alberta Health Public Health Disease Management Guidelines – COVID-19

at <https://open.alberta.ca/publications/coronavirus-covid-19>):

- Asymptomatic lab-confirmed cases should be isolated for at least 10 days from date of laboratory specimen collection. Case should monitor for symptoms, and if they develop during isolation period, case must remain in isolation for 10 days after onset of symptoms, or until symptoms resolve, whichever is longer.
- Returning international travelers, close contacts of confirmed and probable cases who develop symptoms shall by order be in isolation for another 10 days from onset of symptoms or until symptoms have resolved, whichever is longer ([CMOH Order 05-2020](#)) – legally enforced
- Individuals with new onset of the following symptoms: fever (over 38 degrees Celsius) and/or new onset of (or exacerbation of chronic) cough, SOB/difficulty breathing, sore throat or runny nose shall by order be in isolation for 10 days from onset of symptoms or until symptoms resolve, whichever takes longer ([CMOH Order 05-2020](#)) – [should be tested]
- Symptomatic confirmed and probable cases (individuals with no lab testing done who have clinical illness and who had close contact to a lab-confirmed case, or an individual with lab testing done who has clinical illness, has had an exposure to COVID-19 and the lab diagnosis is inconclusive) shall by order be in isolation for 10 days from onset of symptoms or until symptoms have resolved, whichever is longer ([CMOH Order 05-2020](#)) – legally enforced
- Hospitalized cases discharged to their own home before hospital isolation is complete should remain on home isolation for 10 days from onset of symptoms or until symptoms have resolved, whichever is longer, after arrival at home
- Hospitalized cases being discharged/transferred to long term care facilities/continuing care/group homes/shelters, etc. before their isolation period is complete should remain on isolation for 14 days from onset of symptoms or until symptoms have resolved, whichever is longer (additional 4 days is recommended as case had severe disease (hospitalized) and will be re-entering a facility with other vulnerable persons.

Applicability for Isolation Order (previously called Form 5)

If a COVID +ve individual is hospitalized and refuses to remain in isolation for the required time, OR if an individual, who has been apprehended and brought to a facility under a

Section 39 Certificate of a Medical Officer of Health (previously called Form 3) under the *Public Health Act*, requires detention beyond 7 days of issuance of the Certificate:

- Use a Section 44 [Isolation Order](#) (previously called Form 5) under the *Public Health Act*.
- An Isolation Order is authority for a health practitioner to:
 - Observe, examine, care for, treat, obtain biological specimens from, AND
 - Control and detain in a facility the person named in the form with or without that person's consent until the order is cancelled.
- An Isolation Order cannot be used to isolate a hospitalized individual who is only symptomatic and either has refused testing, or test results are pending. If testing is refused, use a Section 39 [Certificate of a Medical Officer of Health](#) under the *Public Health Act* to authorize testing with or without consent, and detain an individual. An Isolation Order can then be used if the individual tests positive and requires an isolation order.

PROCESS:

Attending physician:

- Determines that Isolation Order is necessary. (One physician supported by a lab report demonstrating evidence of COVID-19, OR two physicians certifying that a person is infected with an organism that produces a disease and that the person refuses or neglects to:
 - a) submit to medical, surgical or other remedial treatment, or
 - b) comply with any other conditions prescribed by a physician as being necessary to mitigate that disease or limit its spread to others.)
- Obtains Isolation Order package from ZEOC or Acute Care Site (ZEOC will know how to access)
- Completes [Isolation](#) Order form; one copy for chart, one copy to accompany letter to Chief Medical Officer of Health (CMOH)
- Writes order for detainment of patient (this facilitates Protective Services authority to detain the patient)
- Re-examines isolated patient at least once every 7 days to determine whether the patient may be released from isolation; documents this in the patient's chart
- Cancels Isolation Order – when two physicians on separate examination of isolated patient are of the opinion that the patient:
 - Is not infectious, OR
 - Will comply with conditions of their discharge,the two physicians must complete an [Cancellation of Isolation Order](#) (previously Form 6) to cancel the isolation order, and provide a copy for the chart and one to accompany the letter to the CMOH

Medical Director of Isolation Facility:

- When Isolation Order is issued, immediately informs the patient/guardian, if any, of the reason for the issuance of the isolation order or orders; advises the patient/guardian that the patient has a right to retain and instruct counsel without delay, and gives the patient/guardian a copy of section 49 of the *Public Health Act* – see Isolation Order Package
- In the event the patient on isolation leaves the facility without leave of absence granted by the Medical Director, issues an order to a peace officer or other person ordering the return of the patient to the facility – [Order to Apprehend Isolation Patient](#) (previously Form 8) (consult with MOH on how to send this Form)

Protection Services

- Provides staff to ensure patient remains in isolation in room

Isolation Order Package consists of:

- Process for Use of *Public Health Act* for managing hospitalized individuals who are non-compliant with requirements for isolation
- Fillable forms for: [Isolation Order](#) (previously Form 5), [Cancellation of Isolation Order](#) (previously Form 6) and [Order to Apprehend Isolation Patient](#) (previously Form 8)
- Medical Director responsibilities to inform patient of reason for isolation and their right to legal counsel; copy of section 49 of Public Health Act for patient/guardian
- Template letters to Chief Medical Officer of Health (CMOH) - fillable forms notifying of Isolation Order and Cancellation of same (with copies of completed Isolation and Cancellation of Isolation Orders)
- Sections 44-52 of *Public Health Act* – for information of attending physician and Medical Director