



McHenry County Department of Health

Position Statement on Enforcement of COVID-19 Executive Orders

Response to COVID-19 Executive Orders

In response to the COVID-19 pandemic, McHenry County Department of Health (MCDH) has prioritized delivery of mandated and essential services (outlined on page 2) to McHenry County residents and businesses to ensure it has the staff resources needed to maintain core functions and assist directly in the COVID-19 response.

MCDH expects a significantly greater demand on staff resources for case investigations of contact tracing as businesses and other activities return to a more normal level and contact numbers (exposures) increase. Moreover, the longer the pandemic continues, the higher likelihood that MCDH could experience higher numbers of COVID-19 cases among its own staff, reducing the number of staff available to provide necessary responses.

MCDH anticipates an escalation in the number of complaints of non-compliance with the current Executive Orders the longer that the Executive Orders remain in place. MCDH does not have sufficient capacity to take on additional responsibilities on behalf of other agencies. MCDH is identifying the following response to complaints:

When a communicable disease or outbreak is identified in a facility or community, the Public Health Administrator has the authority to issue orders for quarantine and isolation to protect the public from a dangerously contagious or infectious disease. MCDH can further order a place to be closed and made off limits to the public, and take other measures as it deems necessary, to control the spread of a dangerously contagious or infectious disease (Illinois Administrative Code, Title 77: Chapter 1: Subchapter k: Part: 690.1305, a-f). Law enforcement and the McHenry County State's Attorney are responsible to enforce the MCDH's orders.

The Division of Environmental Health will respond to concerns related to compliance with Governor Pritzker's Executive Orders related to any of our program responsibilities. However, it is highly likely that a joint response will be required. For example, the Division of Environmental Health has authority over the operation of a food establishment, but not the behavior of the customers after receiving the food. Events on private properties may fall outside the Department's authority. The Division of Environmental Health does not have the staff resources to enforce anticipated requirements including masking, social distancing, and indoor/outdoor capacity restrictions when food operations are allowed to resume onsite consumption of food or beverages.

The Division of Veterinary Public Health will respond to nuisance calls, potentially dangerous dog complaints, and all activities related to rabies control and prevention.

The Governor's executive orders name law enforcement agencies as the primary enforcement entity for essential and non-essential businesses. The Department will refer complaints regarding compliance with other essential and non-essential businesses including food manufacturing or processing, meat or egg processing, and packing facilities to the relevant authority for follow-up. Employee related concerns will be directed to the Attorney General's office complaint hotline: (844) 740-5076 and/or email: workplacerrights@atg.state.il.us.

In accordance with our mission to: *prevent disease and promote and protect health and safety within McHenry County*, the Department will continue to share data, provide educational messaging, and be available for consultation and guidance to all entities regarding the most current CDC and IDPH guidelines for the prevention of the spread of COVID-19.

MCDH Position Statement - continued

Mandated and Essential Services Responsibilities

The Administration Division is responsible for overall support to all Divisions of the Department. The Division provides public information by means of written and electronic media, conducts all budgeting and accounting functions for the department, assures that birth and death records are recorded and processed accurately, assures the Department maintains its certification status, and provides policy and guidelines for staff and their career development.

The Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH) establishes and maintains a list of infectious diseases that are mandated to be reported to local health departments. The Nursing Division is responsible for this mandated function of receiving these reports and conducting the public health investigation. The investigation includes confirming the case to be infectious, when the case was infectious, and identifying individuals that were exposed to the case during their infectious period. Guidance and education is provided to the case and case contacts on how to reduce and prevent further spread of the identified infectious disease, per the Illinois Administrative Code, Title 77: Chapter 1: Subchapter k: Part: 690. In addition, the Nursing Division provides essential services including WIC, immunizations, TB, STD, high risk infant and DCFS medical case management, emergency response and community health services using a tailored approach to keep clients and staff safe.

The Division of Environmental Health is responsible for the oversight of retail food establishments including fixed, mobile, seasonal, temporary and the vending of food or beverages; body art facilities, tanning facilities, non-community public water supplies, septage and portable toilet waste management, onsite wastewater and water well installation and operation, municipal solid waste haulers, IEPA permitted solid waste facilities, and public beaches in McHenry County as well as enforcement of Articles I-IV and VII of the McHenry County Public Health Ordinance.

The Division of Veterinary Public Health is responsible for the state mandated functions of rabies surveillance and investigation by such preventive and control measures deemed necessary; provides education on rabies and other animal related issues; oversight of animal bite investigations and dangerous/vicious dog investigations; and provides opportunities for vaccination and microchipping to the general population per the Illinois Animal Control Act, 510 ILCS 5/1, as well as, enforcement of Article I, VI and VII. The Division holds a wildlife license with the Illinois Department of Natural Resources and is responsible to assist the public with certain sick or injured wildlife. The Division is also responsible to act as Humane Investigators and protect animals from inhumane and cruel treatment per the Illinois Humane Care for Animals Act, 510 ILCS 70/1. Local law enforcement agencies are the primary enforcement agencies under the Illinois Humane Care for Animals Act but rely on the Division to provide a thorough case investigation.

Other agencies including the IDPH, the Food and Drug Administration, and the U.S. and Illinois Departments of Agriculture are responsible for oversight of food processing facilities, meat and egg production and packing facilities, and food operations that ship food across state lines.

The Illinois Department of Agriculture's Bureau of Animal Health and Welfare is responsible for the oversight of Illinois Humane Care for Animals Act, 510 ILCS 70/1 and the Illinois Animal Welfare Act, 225 ILCS 605/1 which regulates commercial pet dealers (kennels, breeders, and retail pet shops) and animal shelters.