



LEE HARRIS  
MAYOR

# SHELBY COUNTY HEALTH DEPARTMENT

ALISA R. HAUSHALTER, DNP, RN, PHNA-BC  
DIRECTOR

BRUCE RANDOLPH, MD, MPH  
HEALTH OFFICER



**Public Health**  
Prevent. Promote. Protect.

December 18, 2020

(effective December 21, 2020 at 12:01 am and expiring January 3, 2021 at 11:59 pm)

## **FORMAL ISSUANCE OF SAFER AT HOME HEALTH ORDER AND DIRECTIVE NO. 16**

Pursuant to the Declarations of a State of Emergency  
by Shelby County Mayor Lee Harris  
and the Necessity of a Communicable Disease Control Threat Procedure  
by the Shelby County Health Department

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**TO:** Residents, Visitors, and Owners/Operators of Services, Facilities, and/or Businesses in Shelby County, Tennessee

**FROM:** Lee Harris, Shelby County Mayor  
Bruce Randolph, M.D., M.P.H, Shelby County Health Officer  
Alisa Haushalter, DNP, RN, PHNA-BC, Shelby County Health Director

**RE:** Public Health Announcement on COVID-19 Response

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Pursuant to the emergency management authority vested in Shelby County, Tennessee, for coordination of relief efforts in the event of a countywide emergency that may result in substantial injury or harm to the population, and the necessity to respond to public health emergencies vested in the Shelby County Public Health Department (“the Department”), this Health Order and Directive (“Directive”) is being issued to protect the public health for all citizens and businesses in Shelby County, Tennessee. This Directive incorporates by reference the Shelby County Face Mask Directive No. 4 (“Face Mask Directive”), issued this same day, December 18, 2020, and together, both documents supersede all other written or oral Health Directives. This Health Directive will be modified as needed to account for current and relevant Shelby County health data.

Both documents are located here:

1) Health Directive: [www.shelbytnhealth.com/healthdirectives](http://www.shelbytnhealth.com/healthdirectives).

2) Face Mask Directive: [www.shelbytnhealth.com/FaceMaskDirective](http://www.shelbytnhealth.com/FaceMaskDirective).

3) For more information on contact tracing definitions, obligations, and the confidentiality of your personnel health information, please select the “Contact Tracing FAQ” link located in the top blue bar here: [www.shelbytnhealth.com/healthdirectives](http://www.shelbytnhealth.com/healthdirectives).

SARS-CoV-2, the virus that causes COVID-19, is thought to be mostly spread by respiratory droplets released when people talk, cough, sneeze, or sing. There is evidence that under certain conditions, people with COVID-19 seem to have infected others who were more than 6 feet away. These transmissions occurred within enclosed spaces that had inadequate ventilation. Sometimes the infected person was breathing heavily, for example while singing or exercising. It is thought that the virus may also spread to hands from a contaminated surface and then to the nose, mouth, or eyes, causing infection. Therefore, the **important personal practices** to prevent the virus’s spread are:

- Wearing a cloth face covering or mask (or face shield if) over your nose and mouth when in public settings, like on public and mass transportation, at events and gatherings, and anywhere you will be around other people.
- Staying home when sick
- Cooperating with the Department on contact tracing and case investigation
- Limiting close contact with others
- Maintaining at least 6-feet of distance from other people
- Avoiding crowds and large gatherings
- Avoid enclosed spaces that inadequate ventilation
- Frequently washing hands with soap and water, or using hand sanitizer (60% alcohol)
- Cleaning and disinfecting frequently touched surfaces and objects

The goal is safety while balancing the needs of citizens to receive the necessities of life, i.e., food and shelter, allowing people to work in a safe manner, and further ensuring the availability of resources to the community. Every effort should be made by individuals, businesses and services to take steps to stop the spread of this deadly disease. These actions are meant to protect everyone.

For the period beginning December 21, 2020, at 12:01 am, to January 3, 2021, at 11:59 pm:

- 1) All residents not serving in positions designated as essential services should shelter at home (“safer at home”) as much as possible;

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- 2) All owners and operators of businesses that do not provide essential services to the community must cooperate with health authorities' efforts to prevent and control the spread of COVID-19.
- 3) Only those individuals serving as essential personnel should be traveling to work. Essential personnel should not be allowed in any workplace if they have any symptoms of COVID-19.
- 4) All businesses not deemed to be essential are required to close their physical locations to the public. Minimum basic operations may continue for purposes of maintaining the value of the business's inventory, ensure security, process payroll, and employee benefits, or other related functions.
- 5) "Essential services" means services and/or businesses that the interruption of which would endanger the life, health, or personal safety of the whole or part of the population. Everyone should use their best judgment about determining what is "essential" with a mind toward keeping our community safe and ending the surge of COVID-19 cases that we are currently experiencing in Shelby County and the State of Tennessee. By way of example, essential services shall include the following:
  - Any services deemed essential by federal, state, city, or county offices and services, including law enforcement, legal/judicial/court services, transportation, and businesses that provide government programs and services.
  - Places of worship and services therein as provided for in Governor Bill Lee's Executive Orders.
  - Sporting events as permitted and directed by Governor Lee's Executive Orders.
  - Businesses and organizations that provide social services, educational services, and other necessities of life for seniors, adults, children, or people with disabilities, substance abuse disorders, or mental illness. This includes residential facilities and shelters, and includes schools and other education organizations.
  - Grocery and retail stores that provide items of human necessity or that directly support the food supply for people and/or animals.
  - Legally permitted businesses that provide goods or services exclusively through curbside pick-up, drive-thru, shipment, delivery, or virtual. On-site dining is not permitted.
  - Health care, mental and behavioral health, and biomedical research and businesses that directly support the healthcare industry including health information technology, staffing and supplies.
  - Sanitation/waste removal, energy, water, and sewage businesses and services, including laundry/cleaning services.

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- Pharmacies and medical supply businesses, and other related-businesses that directly support the drug and medical supply pipeline.
- Vehicle fuel, support, service stations and businesses.
- Banks, savings and loans, insurance companies, accounting businesses, and other business that directly support the insurance and financial services sector.
- Home and business repair, cleaning, maintenance, and hardware supply.
- Construction and facilities design businesses.
- Personal care businesses, such as ones that provide for necessary grooming services.
- Product, parcel, logistics, transport, and delivery and distribution businesses.
- Transportation services including buses, taxis, and other private transportation providers.
- Veterinary and pet supply business and services including agricultural services and the caring and feeding of all livestock and farm animals.
- All businesses which rely upon deliveries.
- Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).
- Print, online and broadcast media.
- Funeral and burial services
- Certain other business and services that the Shelby County Health Department in coordination with the Shelby County Mayor's Office and Shelby County Attorney's Office determines are essential for the continued safety and security of Shelby County as provided in any FAQ issued during the safer-at-home period.

In addition, the following businesses may continue to operate only as recommended by CDC and Tennessee guidelines. Because such services require close contact, patrons must not have a fever or any other symptoms of COVID-19, and these establishments must ensure additional steps are taken to enhance personal hygiene of employees and to provide extraordinary sanitization efforts within the facilities themselves:

- Daycare and childcare business will remain open, but will prioritize children of parents working in essential services.
- Hotels and commercial lodges will remain open, but must end entertainment or dining services in restaurants or group settings. Pick-up and room-service food services may continue.
- Housing and rental services may continue, but agents should practice social distancing and hold no open houses.

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As much as possible, citizens of Shelby County, Tennessee should remain at home, leaving for essential services only and avoid public spaces with the exception of outdoor spaces where there are limited people. All gatherings are strongly discouraged. Gatherings include any event or convening unrelated to essential services that brings together groups of individuals. These are the least restrictive means by which to slow the transmission of COVID-19.

All individuals and essential services business will adhere to requirements below.

1) Safety Measures for Individuals:

- Individuals must cooperate with health authorities' efforts to prevent and control the spread of COVID-19.
- Individuals who test positive for COVID-19 must report this information to the Department by calling 901-222-MASK (which is 901-222-6275) or by faxing the information to 901-222-8249. Individuals who test positive for COVID-19 must notify those who are known to have been in contact with them and otherwise comply with the Department on case investigations. Individuals who test positive for COVID-19 must remain in isolation for a minimum of 10 days, which means staying at home and avoiding contact with others until released by the Department. Individuals may use the State of Tennessee COVID calculator for additional guidance: <https://covid19.tn.gov/prevention/quarantine-isolation-calculator/>.
- Individuals should stay at home when possible and limit unnecessary activity. Although this Directive allows some individuals to return to work (as provided for below), the threat of COVID-19 remains very serious. Because avoiding unnecessary public interactions is critical to protecting the health and safety of everyone in Shelby County, all persons are still strongly encouraged to continue to stay at home and to minimize in-person contact with people not in the same household, except when engaging in essential activities such as employment or exercise or other activities as outlined in this Directive. Individuals should also be aware of the need to take extra precautions to protect those who are most vulnerable.
- Individuals must practice social distancing, which means keeping at least 6-feet of space between yourself and other people outside of your home. Please see additional, more specific guidance below for situations that involve increased vocalization (such as singing and shouting).

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- Individuals must comply with the Face Mask Directive on wearing cloth face coverings in public (or any other local order that is not inconsistent with the Face Mask Directive): [www.shelbytnhealth.com/FaceMaskDirective](http://www.shelbytnhealth.com/FaceMaskDirective).
- Individuals must avoid using communal items and products that are shared with people who are not of the same household; such items include writing utensils, condiment containers, and work-related devices.
- Individuals may engage in outdoor activities provided that persons adhere to the CDC, Tennessee Department of Health, and Department health guidelines, including, but not limited to physical activities that utilize public areas while maintaining the aforementioned safety precautions.
- Individuals may assist all businesses that are closed under this Directive with minimum basic operations consisting in performing activities at their own residences (i.e., working from home) or at their workplaces in order to maintain the value of the business's inventory, ensure security, process payroll and employee benefits, or for other related, necessary business functions.

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## 2) Safety Measures for all Services and Businesses

The following safety measures must be in place for services and businesses to remain open or to reopen. Services and Businesses that may not reopen should consider adopting these safety measures to prepare for reopening in the future.

- Cooperate with health authorities' efforts to prevent and control the spread of COVID-19.
- Request technical assistance from the Department when needed.
- Comply with all federal and state business COVID-19 safety requirements, whether industry-specific or not, such as the Occupational Safety and Health Administration (OSHA) requirements.
- Place prominent informational signs at entrances and high-traffic areas (such as entrances and restroom areas) to educate and encourage a partnership of safety for businesses and the public.

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- Signs must meet or exceed the requirements and safety guidelines outlined by the CDC at <https://www.cdc.gov/coronavirus/2019-ncov/downloads/stop-the-spread-of-germs.pdf>.
- Signs must state that masks are required within the business as provided for in the Face Mask Directive (or any other local order that is not inconsistent with the Face Mask Directive).
- Signs must state that employees, patrons, and all others must not enter if they are sick or currently have signs or symptoms of COVID-19. See, for example: <https://www.cdc.gov/coronavirus/2019ncov/downloads/StayHomeFromWork.pdf>.
- Ensure proper ventilation in all indoor areas of any business location.
- Require all employees, customers and visitors to wear a mask or cloth face covering while within their establishments. Employees are not required to wear masks when at their desk or workstation alone and so long as the workstation is not shared with any other employee.
- Continue promoting frequent and thorough handwashing by providing workers, customers, and visitors a place to wash their hands or use alcohol-based hand sanitizer at or near entrances to a facility and other high-traffic areas. It is strongly encouraged that CDC handwashing guides be placed in all bathrooms and near any handwashing sink as described at <https://www.cdc.gov/handwashing/pdf/wash-your-hands-poster-english-508.pdf>
- Drinking fountains should be cleaned and sanitized when in use. Customers, staff, or attendees of an event should be encouraged to bring their own water, as feasible, to minimize the use of water fountains.
- Require workers to stay home if they are sick pursuant to the following CDC guidance:
  - “How to Protect Yourself and Others”: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html> (as of September 22, 2020).
  - “What to Do if You are Sick”: <https://www.cdc.gov/coronavirus/2019-ncov/if-you-are-sick/steps-when-sick.html> (as of September 22, 2020).
- Health checks and screenings for fever (100.4 degrees Fahrenheit) or other signs and symptoms of COVID-19 must be performed at the start of each employee’s shift so that any employee that exhibits such symptoms may not enter any workplace. This includes taking the temperature of employees who are reporting to work and asking the following:

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1. Have you been in close contact with a confirmed case of COVID-19?
2. Are you experiencing a cough, shortness of breath or sore throat?
3. Have you had a fever in the last 48 hours?
4. Have you had new loss of taste or smell?
5. Have you had vomiting or diarrhea in the last 24 hours?

Employees who exhibit COVID-19 symptoms (i.e., by answering yes to any of the screening questions or who are running a fever) should be directed to leave the premises immediately and seek medical care and/or COVID-19 testing. Alternatively, employees may self-validate their status at the beginning of each shift to their supervisor.

- Report to the Department any employee who has had contact with a person who tests or has tested positive for COVID-19 to notify the Department by calling 901-222-MASK (which is 901-222-6275) or by faxing the information to 901-222-8249. For employers needing after-hours assistance, please call 901-232-4036.
- If an employer is informed that an employee has tested positive for COVID-19, the area(s) where the employee worked should be closed for cleaning and disinfecting pursuant to CDC and OSHA guidance:

“Worker Safety and Support”: <https://www.cdc.gov/coronavirus/2019-ncov/community/worker-safety-support/index.html>

“Guidance on Preparing Workplaces for COVID-19”: <https://www.osha.gov/Publications/OSHA3990.pdf>

- Develop a plan on how to communicate with customers/patrons if they are exposed to someone (such as an employee or another patron) who tests positive for COVID-19.
- As determined by the employer and where feasible, allow employees to work from home or permit flexible worksites and hours (including staggered shifts) to increase physical distancing among and between employees.
- Discourage workers from using other employee’s phones, desks, offices or other work tools and equipment, when possible. When this is not possible, sanitizers should be used both prior to use of communal items and immediately after, and care should be taken not to touch the face.

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- Increase regular housekeeping practices for all areas to more than twice a day cleanings, including routine cleaning and disinfecting of surfaces, equipment, high-touch surfaces, work areas, break rooms, bathrooms, common areas, and any other areas of the work environment.
- Limit the number of people who can enter a facility at any time to no more than the number of people inside that can easily maintain a minimum 6-foot distance from each other at all times, except when necessary to complete a business transaction such as payment or delivery of goods.
- **Lessors of Residential Properties.** Property owners, landlords, or their hired agents must distribute the following notice concurrently with the service of process of a Forcible Entry and Detainer Action (or Summons & Complaint) to any individual against whom an FED or other eviction action is filed. This safety measure helps to prevent and control the spread of COVID-19 that could be associated with the eviction process. The notice must state:  
  
**“If you or anyone in your household are currently quarantined or are in isolation due to COVID-19 and are unable to secure housing at this time, please notify the Shelby County Health Department by calling 901-222-MASK (which is 901-222-6275) or by faxing the information to 901-222-8249. Temporary housing support may be available.”**

3. Safety Measures for Services and Businesses that require in-person interaction with the public or those who otherwise regularly welcome non-employees into their place of business

(The following measures are required in *addition* to the requirements listed above for all businesses.)

- Where feasible, implement contactless transactions.
- Close all self-service customer bulk-item food and/or supply bins.
- Place an employee at entrances to ensure customers are wearing masks prior to entering the establishment, including stores, gyms/fitness centers, and other services providers.
- Indicate where lines may form at a facility, marking 6-foot increments as guides for where individuals should stand to maintain social distancing.
- Consider installing plexiglass barriers at registers and other employee/customer points of contact.

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- If gloves are used by employees, they should be replaced every 30 minutes and discarded whenever an employee washes his/her hands. If at any time the gloves become contaminated with a foreign substance, the gloves are to be discarded and replaced with a new pair.
- Make best efforts to establish hours when they are only available to senior citizens age 55 and older, pregnant women, and otherwise vulnerable populations and consider implementing other measures to help serve vulnerable populations, such as offering delivery services.
- Where family unit groups are allowed and/or where close contact can occur between patrons and/or employees, the service provider or event planner must maintain a record of all patrons to include, at a minimum: first name, last name, time of service/attendance, and cell phone or other contact number to allow for contact tracing in the event a COVID+ case is identified. Records must be maintained for a minimum of 30 days after the date on which the service occurred. The only authorized use of this information is to provide it to the Department for contact tracing purposes. All businesses (including those with plans approved by the Department for an event) should prevent the unauthorized use of contact information collected from its patrons. The Department will provide technical assistance to any business upon request.
- Where practical, businesses are encouraged to use outdoor space for the provision of services.
- All communal use of items and products should be prevented, including, for example, writing utensils, store bags, condiment containers, self-service stations, and buffets. All literature should be disposable, single-patron usage, and/or accessible by personal electronic devices (e.g., internet website, QR Code, etc.).
- Patrons or facility personnel must clean equipment with disinfecting wipes before and after each use. Shared equipment that cannot be cleaned in between use is not allowed.
- High-touch areas, such as elevator buttons, door handles, and counters must be cleaned regularly throughout the day with disinfectant.
- If the layout of the facility is such that ingress/egress would often prompt encounters of less than 6 feet, facilities must use best efforts to make for one-way traffic flow and/or specific entrances and exits.

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- Owners/operators of playgrounds must ensure that the safety measures for services and businesses are followed.
- Communal showers and locker rooms must be closed. Enclosed, individual showers that are separated are permitted to remain opened. Restrooms should remain open with regular cleaning and disinfection as required for high-contact areas. Facilities that would normally require changing clothes prior to using their services should encourage all patrons to change prior to coming to the facility; where this is not practical, facilities may allow for a changing area.
- Hot tubs must remain closed.
- **Daycare and Childcare businesses** may operate, provided that they implement screening procedures, develop safe drop-off and pickup procedures, ensure additional steps are taken to enhance personal hygiene of employees, (including wearing face coverings that cover the nose and mouth), and provide extraordinary sanitization efforts within the facilities themselves. Activities that occur at any of these businesses must follow any applicable safety measures outlined in the current Health Directive and should follow any guidance or protocols recommended by the Tennessee Department of Health, the Tennessee Department of Education, and the CDC. To submit a reopening plan to the Department for review and technical assistance, visit [www.shelbytnhealth.com/healthdirectives](http://www.shelbytnhealth.com/healthdirectives) and follow the instructions.
- **Schools, School Systems, Colleges and Universities**, through their governing boards and presidents, retain sole responsibility in making decisions on providing instruction to their students while protecting the health and safety of their students, faculty, and staff. Nothing in this Directive should be construed to stipulate or require campuses to open or close. In all cases, colleges and universities should consult the guidance issued by OSHA, the CDC, and the State of Tennessee as well considerations outlined by the American College of Health Association:

“CDC indicators and thresholds for risk of introduction and transmission of COVID-19 in schools”: <https://www.cdc.gov/coronavirus/2019-ncov/community/schools-childcare/indicators.html#thresholds>.

“Colleges, Universities, and Higher Learning”: <https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/index.html>

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“Higher Education Guidelines”: <https://www.tn.gov/governor/covid-19/economic-recovery/higher-education-guidelines.html>

“Considerations for Reopening Institutions of Higher Education in the COVID-19 Era”: [https://www.acha.org/documents/resources/guidelines/ACHA\\_Considerations\\_for\\_Reopening\\_IHEs\\_in\\_the\\_COVID-19\\_Era\\_May2020.pdf](https://www.acha.org/documents/resources/guidelines/ACHA_Considerations_for_Reopening_IHEs_in_the_COVID-19_Era_May2020.pdf)

When there is the occurrence of a single confirmed COVID-19 infection at elementary and secondary schools, childcare facilities, or other in-person learning facilities, the leadership of the learning facility shall contact and coordinate with the Department to identify parents, students, and staff who are risk. Once identified, schools should notify the Department, parents, students, and staff who are at risk within 12 hours. Further, updates to the Department, parents, students, and staff at risk should be provided by schools, at a minimum, on a weekly basis. In the updates, schools and other in-person learning facilities shall include information on mitigating actions implemented to prevent or reduce the risk of transmission, including if normal operations in the buildings or facility will be altered.

- The **Shelby County Government Division of Corrections** shall follow all safety precautions as stated in any executive order by Mayor Lee Harris.
- **Detention facilities:** If not already established, facility administrators should adopt protocols that house new detainees separately from the inmate population in order to properly screen and care for the new inmate until such time as the new inmate can safely be placed in the same environment with the existing inmate population. If any detained person is released on their own recognizance (ROR) or makes bond, they should be provided with a copy of the current “Shelby County Health Order and Directive” and instructed to follow that directive upon release. Additionally, they shall be provided information (6<sup>th</sup> grade reading level) about COVID-19 and “How to Protect Yourself and Others” issued by the CDC: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>.

Nothing in this Directive is intended to delay or impede the release of detained individuals if they are eligible to be released.

- **County Courts and Court Buildings:** All county courts and county buildings where courts are located must follow the guidelines established by the Tennessee Supreme Court, which can be found at: <https://www.tncourts.gov/Coronavirus>.

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- **Long Term Care Facilities and Assisted Living Centers:**  
[https://www.tn.gov/content/dam/tn/health/documents/cedep/novel-coronavirus/LTCF\\_Visitation.pdf](https://www.tn.gov/content/dam/tn/health/documents/cedep/novel-coronavirus/LTCF_Visitation.pdf).

The Department shall have unrestricted access to the facility where such access is determined necessary by the Department for purposes of investigating COVID-19 cases and testing all personnel for COVID-19, and in such circumstances, the operator and administrator shall cooperate fully to facilitate such testing. Any positive test result shall be reported to the Department of Health by 5:00 p.m. of the day following receipt of such test result. Consistent with CDC guidance, facilities must inform residents and their representatives within 12 hours of the occurrence of a single confirmed infection of COVID-19, or three or more residents or staff with new-onset of respiratory symptoms that occur within 72 hours. Updates to residents and their representatives must be provided weekly, or each subsequent time a confirmed infection of COVID-19 is identified and/or whenever three or more residents or staff with new onset of respiratory symptoms occurs within 72 hours. Facilities will include information on mitigating actions implemented to prevent or reduce the risk of transmission, including if normal operations in the facility will be altered.

Please contact the Department if you require technical assistance regarding any safety parameters.

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In conclusion, the aforementioned guidelines set forth in this Directive present, at this time, the least restrictive means by which transmission of COVID-19 may be slowed while also permitting businesses to reopen and remain open. The Department, with the assistance of the Shelby County Sheriff's Office, is authorized to take emergent and immediate action to enforce this Directive.

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Requirement to Collect Demographic Data.

Any health care provider located in Shelby County, Tennessee that provides COVID-19 testing or clinical care shall provide to the Department, as requested by the Department, demographic data regarding individuals tested or cared for by the provider. Such data shall be in such forms, formats and/or schedules that the Department will reasonably specify to the provider by written guidelines, including by way of example and without limitation the following data: gender, race, ethnicity, date of

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birth or other indicia of age, and such other demographic-based clinical information that the Department deems relevant and necessary to respond to and serve the needs of Shelby County related to the COVID-19 pandemic.

Approved and adopted by:

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LEE HARRIS,  
SHELBY COUNTY MAYOR

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BRUCE RANDOLPH, M.D., M.P.H.,  
SHELBY COUNTY HEALTH OFFICER

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