

**ORDER OF THE COMMISSIONER OF HEALTH OF THE CITY OF CHICAGO
No. 2020-2 –SEVENTH AMENDED AND RE-ISSUED**

**(DUTIES OF HOSPITALS, OTHER CONGREGATE FACILITIES, SCHOOLS AND
BUSINESS ESTABLISHMENTS)**

Issued and Effective: January 1, 2023

WHEREAS, The Municipal Code of Chicago (“Code”) authorizes the Commissioner of Health of the City of Chicago to implement emergency measures to stop the spread of communicable diseases, and to protect the health, safety, and welfare of the City’s residents, including but not limited to authority granted in Sections 2-112-030, 2-112-080, 2-112-160(a)(4), and 2-112-170 of the Code, and 77 Ill. Adm. Code 690.1310(c); and

WHEREAS, COVID-19 is a communicable disease that presents an extraordinarily severe and unprecedented threat to the residents of Chicago. It is necessary and appropriate for the Commissioner of Health to take immediate measures to protect the health, safety, and welfare of the City’s residents; and

WHEREAS, The Chicago Department of Public Health (“CDPH”) is a public authority authorized pursuant to Section 2-112-160(a)(7) to request, collect, receive and maintain confidential information, records and data, including protected health information (“PHI”) consistent with the Health Insurance Portability and Accountability Act (“HIPAA”) Privacy Standards set forth in 45 C.F.R. §164.512(b)(1)(i), for the purpose of preventing or controlling disease; now, therefore,

The Commissioner of Health of the City of Chicago hereby orders as follows:

SECTION 1. All acute care hospitals located within the City shall submit daily reports to CDPH, via an online query established by CDPH reporting COVID-related patient data, e.g. daily counts of COVID-19-related (both diagnosed and persons under investigation (“PUI”)) intensive care unit (“ICU”) admissions and medical, non-ICU admissions; COVID-19 and PUI patients receiving mechanical ventilation; and COVID-19-related deaths that occurred at the hospital during the preceding 24 hours.

SECTION 2. All jails, correctional facilities and adult transition centers (halfway houses), and all persons licensed or required to be licensed under Title 4 of the Municipal Code of Chicago to engage in the business of a child care institution, adult family care center, assisted living establishment, long-term care facility or adult family care home, and all community living facilities as defined in 210 ILCS 35 and life care facilities as defined in 210 ILCS 40 (collectively, “congregate facilities”) shall: (1) immediately report to CDPH, via a mechanism to be detailed and described on the CDPH website, clusters of COVID- 19 patients, defined as two or more confirmed cases of COVID-19 occurring within 14 calendar days of each other at such congregate facility; and (2) designate an agent whose responsibility it shall be to file such report with CDPH within 24 hours of identifying the cluster.

SECTION 3. All schools that serve students up to grade 12 and all persons licensed or required to be licensed under Title 4 of the Municipal Code of Chicago to engage in the business of a children’s services facility shall: (1) immediately report to CDPH, via a mechanism to be detailed and described on the CDPH website, suspected COVID-19 outbreaks in a core group—which is defined as all individuals who regularly interact with each other as part of a school-sponsored program, among which include sanctioned extracurricular activities, cohort

groups, classrooms, and before/after school care—that involve at least 20% of the core group OR at least five cases (including those identified via home testing) within seven days of each other; and (2) designate an agent whose responsibility it shall be to file such report with CDPH within 24 hours of identifying the potential outbreak.

SECTION 4. Except as otherwise provided in Section 2 or Section 3 of this Order, any business or establishment licensed or required to be licensed under Title 4 of the Municipal Code of Chicago shall immediately report the following to CDPH: (1) any suspension in operations due to COVID- 19 cases among employees or patrons; or (2) any instance in which the business learns that five or more employees or patrons have tested positive for COVID-19 occurring within 14 calendar days of each other. The requirements of this Section shall be reported via a mechanism to be detailed and described on the CDPH website.

SECTION 5. In addition to any other penalty provided by law, any person who violates this Order shall be subject to the fines set forth in Section 2-112-340 of the Code.

SECTION 6. This Order shall remain in effect until the Commissioner of Health makes a written determination that the threat to public health posed by COVID-19 has diminished to the point that this Order can be safely repealed.



Allison Arwady, M.D., M.P.H.
Commissioner of Health of the City of Chicago

Dated: January 1, 2023