



## **CLASS ORDER**

**Made Pursuant to Section 22 (5.0.1) of the  
*Health Protection and Promotion Act, R.S.O. 1990, c.H.7, as amended***

**THIS CLASS ORDER ISSUED AND EFFECTIVE FEBRUARY 9, 2021 AT 8:00 A.M.**

**DATE: February 8, 2021**

**TO: All Individuals being released from the Thunder Bay District Jail (285 MacDougal Street, Thunder Bay, Ontario)**

**I, Dr. Janet DeMille, Medical Officer of Health for the Thunder Bay District Health Unit,  
ORDER YOU TO TAKE THE FOLLOWING ACTIONS:**

1. Upon your release, go directly to the Isolation Shelter (17 North Cumberland Street, Thunder Bay) and stay there so you can be fully assessed by a Public Health Nurse and, if needed, by a health care provider. Use the transportation arranged by the Thunder Bay District Jail to get to the Isolation Shelter.
2. At the Isolation Shelter, submit to a test for COVID-19 if required by a Public Health Nurse or another health care provider.
3. Provide information and answer all the questions asked by a Public Health Nurse (or their designate) so the nurse can assess your COVID-19 status, your risk of having been exposed to COVID-19, the risk that you could pass it on to someone else, and the accommodations and supports you may have available to you to ensure that you can effectively isolate for the required amount of time if you are required to isolate due to COVID-19 related risk.
4. If the Public Health Nurse determines that you need to isolate because you have COVID-19 or because you could be infected and therefore could develop COVID-19 and be a risk to others, you are required to isolate and remain in isolation for the amount of time prescribed by the Public Health Nurse. The isolation period for a person with COVID-19 will be up to 10 days, and for a person at high risk of exposure but not yet diagnosed with COVID-19, the isolation period will be up to 14 days. Under some circumstances, the period of isolation may be longer.
5. If you do not have an alternative and reasonable place to isolate as may be determined by the Public Health Nurse, you are to stay at the Isolation Shelter at 17 North Cumberland Street, Thunder Bay, for the required isolation period prescribed by the Public Health Nurse.

6. Follow the rules and direction of the Public Health Nurse while you isolate.
7. Follow the rules of the Isolation Shelter while you are there.

**THE REASONS for this ORDER are that:**

1. COVID-19, a disease caused by a novel coronavirus, is a designated disease of public health significance and a communicable disease pursuant to Ontario Regulation 135/18 under the *Health Protection and Promotion Act*.
2. COVID-19 can cause acute and severe respiratory illness and death in humans.
3. While most people with COVID-19 will recover on their own, complications from COVID-19 can also include serious conditions like pneumonia, cardiovascular disorders or kidney failure and, in some cases, death. People at high risk of such complications include seniors and people with chronic medical conditions, e.g., diabetes, lung problems, immune deficiency and cardiovascular disease.
4. The COVID-19 virus is spread from an infected person to another person by direct contact or when respiratory secretions from the infected person enter the eyes, nose or mouth of another person. It is now understood to be easily transmitted between people in close and prolonged contact when they are unprotected by appropriate PPE (personal protective equipment).
5. COVID-19 may be transmitted from persons who have minimal or no signs or symptoms of illness.
6. To contain the spread of COVID-19, individuals with COVID-19 or who are infected with the COVID-19 virus regardless of whether they have symptoms or not, as well as anyone they might have been in close contact with when they were infectious, are required to isolate themselves from other people and remain in isolation until they are no longer infectious or potentially infectious. This isolation reduces the risk that these people will spread their infection to others.
7. The spread of COVID-19 is of immediate and compelling public health importance in the Thunder Bay District Health Unit.
  - a. As of the end of the day on February 6, 2021:
    - i. There have been 1,062 persons diagnosed with COVID-19 in the Thunder Bay District Health Unit since March 2020
    - ii. There have been 27 COVID-19 related deaths in the Thunder Bay District Health Unit.
    - iii. Since October 1, 2020, there have been 955 persons diagnosed with COVID-19 in the Thunder Bay District Health Unit.
  - b. From January 1 to 31, 2021, there have been 391 persons diagnosed with COVID-19 in the Thunder Bay District Health Unit.

COVID-19 is therefore now present in Thunder Bay District Health Unit region and poses a risk to the health of the residents of Thunder Bay District Health Unit region.

8. On January 6, 2021, Thunder Bay District health Unit declared an outbreak of COVID-19 at the Thunder Bay District Jail after two inmates were diagnosed with COVID-19.
9. As of end of day on February 6, 2021:
  - a. There have been 74 additional inmates diagnosed with COVID-19 at the Thunder Bay District Jail, including 26 inmates diagnosed with COVID-19 at the Thunder Bay District Jail during the week of January 31 to February 6, 2021.
  - b. There were 24 inmates with COVID-19 in the Thunder Bay District Jail who were considered active COVID-19 cases (i.e. not yet resolved) and 4 individuals recently released from the jail who were considered active cases. (Active cases are considered infectious and pose a risk to persons they are in contact with.)

**I am of the opinion, on reasonable and probable grounds, that:**

1. A communicable disease, COVID-19 exists, or may exist or that there is an immediate risk of an outbreak of a communicable disease in the health unit served by me;
2. This communicable disease presents a risk to the health of persons in the health unit served by me; and
3. That the requirements specified in this Order are necessary in order to decrease or eliminate the risk to health presented by the communicable disease.

**The following definitions apply to this Order:**

**Public Health Nurse:** A nurse employed by the Thunder Bay District Health Unit who is involved in the follow-up and management of individuals who have COVID-19, individuals who have been exposed to a person with COVID-19, and outbreaks of COVID-19.

**Designate:** The designate for a Public Health Nurse is a person supported by that nurse to gather information from an individual to inform the Public Health Nurse's assessment. For the purposes of this order, the designate can be a person who is staffing the Isolation Shelter or a person that is providing supportive services to an individual in isolation, as examples.

**Isolation Shelter:** This is the name for the location set up by the Isolation & Overflow Operations Task Team of the Vulnerable Populations COVID-19 Planning Table to support individuals who may be homeless or precariously-housed or others at risk to safely and effectively isolate due to COVID-19 related risks. Accommodations and meals are provided as well as other supportive services including health care and harm reduction services to meet the needs of individuals who are isolating.

## NOTICE

**TAKE NOTICE THAT** each member of the class to whom this Order is directed is entitled to a hearing by the Health Services Appeal and Review Board if the member has delivered notice in writing to me and to the Health Services Appeal and Review Board, (Health Boards Secretariat, 151 Bloor Street West, 9th Floor, Toronto, Ontario, M5S 2T5), requesting a hearing within 15 days after service of this Order. *In the context of the COVID-19 Outbreak*, all requests for appeals, reviews, submissions, materials and inquiries must be sent by email to [hsarb@ontario.ca](mailto:hsarb@ontario.ca) or faxed to the Health Services Appeal and Review Board at 416-327-8524.

**AND TAKE FURTHER NOTICE THAT** although a hearing may be requested this Order takes effect when it is delivered to a member of the class or brought to the attention of a member of the class.

**FAILURE TO COMPLY WITH THIS ORDER** may result in further legal action being taken against you under sections 36(2), 35, 102 and other relevant provisions of the Health Protection and Promotion Act.

**FAILURE TO COMPLY WITH THIS ORDER** is an offence under sections 100 and 101 of the Health Protection and Promotion Act for which you may be liable, on conviction, to a fine of not more than \$5,000.00 (for a person) or \$25,000 (for a corporation) for every day or part of each day on which the offence occurs or continues.



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