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Question of the Day: Iowa Department of Public Health Departs from CDC Guidance on Quarantining

Legal Update

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Question

What is the new Iowa guidance on when to quarantine due to COVID-19 if masks/face coverings were worn?

Answer

Iowa initially adopted the CDC guidance that recommends all close contacts quarantine for 14 days after exposure to someone who has COVID-19, regardless of whether face coverings were worn.

On Monday, September 28, however, the Iowa Department of Public Health (IDPH) departed from the CDC guidance on quarantining, adopting its own guidance. IDPH based this new guidance on data and focused feedback from community and school leaders over the past month, which indicated that transmission is not frequently occurring when both parties are wearing face coverings consistently and correctly, as well as on changes in other jurisdictions (Nebraska and Wyoming) that have made similar changes based on experiences in their states. On Tuesday, September 29, the change was announced during Governor Reynolds's press conference and the new guidance pictograph was posted on the IDPH website.

Per IDPH's new guidance, in non-healthcare, non-residential settings:

- Quarantine is no longer recommended if a potential exposure occurs while both the infectious individual and close contacts wore face coverings consistently and correctly.
- While the positive individual must isolate, the close contacts should self-monitor.
- If the positive individual wore a face covering, but any close contacts did not, those close contacts must quarantine for 14 days.
- If the positive individual did not wear a face covering, all close contacts must quarantine whether or not they wore a face covering.

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- People currently in quarantine may be released from quarantine if a face covering was worn consistently and correctly by the positive individual and close contacts during exposure.
- Quarantine of all close contacts (regardless of face coverings) is still necessary in residential and healthcare settings.

IDPH still follows the CDC definition of “close contact”: someone who was within 6 feet for 15 minutes or longer with someone who has COVID-19.

Self-monitoring entails close monitoring for COVID-19 symptoms over the subsequent 14 days, staying home if any symptoms develop, and speaking with a healthcare provider about COVID-19 testing in the case of any illness. If people who are self-monitoring become ill but do not get tested, they should remain home until 10 days after symptom onset.

Iowa employers whose policies or practices follow the CDC guidance are not required to make any changes as a result of this guidance. However, employers who elect to follow the new IDPH guidance and permit employees who were exposed while both parties were wearing face coverings to continue reporting to work arguably will remain protected under the Safe Harbor provision of Iowa’s COVID-19 Response and Back-to-Business Limited Liability Act.

The guidance does not flesh out all the consequences of making such a change in practice, such as how to handle notification and contact tracing, ramifications under Iowa’s unemployment law, or leave requests under the FFCRA for employees who would rather follow the CDC quarantine rules instead of Iowa’s. Iowa employers are encouraged to consult with their employment law attorneys for advice on specific situations.

It is understandably frustrating to Iowa employers and employees when the rules continue to change, particularly when local, state, and federal guidance conflict at times. Iowa employers should be as transparent as possible with employees, reminding them that additional changes will likely occur as the pandemic progresses.

If you have questions regarding these obligations or others related to COVID-19, contact your Fredrikson Employment attorney.