

**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC)**

**ORDER FOR QUARANTINE
UNDER SECTION 361 OF THE PUBLIC HEALTH SERVICE ACT
42 CODE OF FEDERAL REGULATIONS PART 70 (INTERSTATE)
AND PART 71 (FOREIGN)**

SECTION A: SUBJECT PERSON

[NAME OF SUBJECT PERSON], WHO WAS DETERMINED TO HAVE BEEN IN HUBEI PROVINCE, PEOPLE'S REPUBLIC OF CHINA, (CHINA) IN THE LAST 14 DAYS, WHO WAS ONBOARD [AIRLINE] FLIGHT #[X] ARRIVING AT [NAME OF AIRPORT].

SECTION B: FINDINGS

Based on the attached medical declaration, I find:

1. Based on the scientific evidence collected concerning COVID-19, the disease meets the definition of "severe acute respiratory syndromes" as specified under Executive Order 13295, as amended by Executive Orders 13375 and 13674.
2. The Director General of the World Health Organization has declared that the 2019-nCoV/COVID-19 constitutes a Public Health Emergency of International Concern. The Secretary of the U.S. Department of Health and Human Services has declared that 2019-nCoV/COVID-19 constitutes a public health emergency.
3. CDC reasonably believes that the subject person arriving into the United States is infected with or has been exposed to COVID-19.¹ 42 C.F.R. §§ 71.32(a), 71.33.
4. COVID-19 is a quarantinable communicable disease in the United States, meaning that CDC may quarantine and restrict the movement of individuals who are arriving into the United States and have been infected with or exposed to the disease.

¹ For the reasons set forth in this Declaration, the individual listed in this order additionally meets the standards for quarantine under 42 C.F.R. § 70.6 because the subject person is reasonably believed to be in a qualifying stage of the disease and if released from the place of quarantine would be moving or are about to move from one State into another or constitute a probable source of infection to others who may be moving from one State into another.

Qualifying stage is defined under 42 U.S.C. § 264(d)(2) and 42 C.F.R. § 70.1 to mean:

- (1) The communicable stage of the of a quarantinable communicable disease; or
- (2) The precommunicable stage of the quarantinable communicable disease, but only if the quarantinable communicable disease would be likely to cause a public health emergency if transmitted to other individuals.

5. Quarantine² is authorized by section 361 of the Public Health Service Act (42 U.S.C. § 264) and federal regulations at 42 CFR §§ 70.6, 71.32(a) and 71.33. The facts listed in the attached medical declaration support the conclusion that quarantine is appropriate. This order meets the requirements of 42 CFR §§ 70.14, 71.37.

6. Based on these reasonable beliefs, I find that the subject person meets the standard for federal quarantine under 42 U.S.C. § 264 and 42 CFR §§ 70.14, 71.37.

7. CDC may legally detain you until it finds that you are no longer at risk of becoming ill and spreading the disease to others. This is commonly referred to as the incubation period for the disease. The incubation period for COVID-19 is currently believed to be up to 14 days. You will be reassessed while you are detained. CDC will count the beginning of the incubation period from when you left Hubei Province, China.

8. This order will take effect immediately.

SECTION C: PLACE OF QUARANTINE

You will be housed at [Location, City, State].

SECTION D: REQUIREMENTS

1. While under quarantine, you must take precautions, as directed by healthcare staff and CDC personnel, to prevent the possible spread of the quarantinable communicable disease to others.

2. You must cooperate with the efforts of federal and state or local health authorities to contact other exposed people to prevent the possible spread of the quarantinable communicable disease. This includes providing information regarding people you had contact with, places you visited or traveled to, and your medical history.

3. This order prohibits you from traveling in any manner onboard any type of transportation without a written travel permit issued by the CDC Director under 42 C.F.R. § 70.5. Contact information for questions about travel permits is provided under “How to Obtain More Information about This Order” below.

SECTION E: NOTICE OF LEGAL RIGHTS

² Quarantine means separation of an individual or group reasonably believed to have been exposed to a quarantinable communicable disease, but who is/are not yet ill, from others who have not been so exposed, to prevent the possible spread of the quarantinable communicable disease.

1. **Legal Authority.** CDC has ordered that you be quarantined because it reasonably believes that you arrived into the United States and have been infected with or exposed to COVID-19. Quarantine is authorized by section 361 of the Public Health Service Act (42 U.S.C. § 264) and 42 CFR §§ 70.6, 71.32(a) and 71.33.
2. **Conditions of Quarantine.** Components of the Department of Health and Human Services (HHS), together with state and local public health partners, will arrange for adequate food and water, a continued place to stay on [place of quarantine], medical treatment, and a way for you to communicate with a family member or another representative while you are held in federal quarantine.
3. **Medical Examination.** Under 42 CFR §§ 70.12, 71.36, CDC may require you to provide information and undergo such testing, as may be reasonably necessary, to diagnose or confirm the presence, absence, or extent of infection with COVID-19. Medical examination and other testing will be performed by authorized, licensed healthcare staff who will explain the process and ask for your consent to the examination and any procedures. The healthcare staff will also be responsible for your medical care. CDC will discuss with healthcare staff your diagnosis and management, and ways to prevent spread of the disease.
4. **Health Monitoring.** CDC or its cooperating partners at HHS or state and local public health who will monitor your health condition so that the time you remain under federal quarantine will not last longer than is needed to prevent the spread of the quarantinable communicable disease to others. You must cooperate with the instructions of healthcare staff and other authorized personnel during the time you are in quarantine.
5. **Automatic 72-Hour Reassessment.** As indicated by 42 CFR §§ 70.15, 71.38, CDC will reassess this quarantine order no later than 72 hours after it has been served. As part of this reassessment, CDC will review all the relevant data it considered in issuing this order, as well as any relevant new information. At that time, CDC will also determine whether less restrictive alternatives would adequately protect public health. After this reassessment, CDC will issue a written order directing that the quarantine be continued, changed, or ended.
6. **Request for Medical Review.** If after the reassessment described above, CDC orders you to stay in quarantine, 42 CFR §§ 70.16, 71.39 allows you to request a medical review at any time while you are still under quarantine. The medical review will not be automatic; you must specifically request a medical review and may do so by calling CDC's Emergency Operations Center at (770) 488-7100 and asking to speak to the Quarantine Medical Officer on duty. If you request a medical review, CDC will arrange for it to take place as soon as possible.
7. **Medical Review.** During the medical review, you may present medical facts or other evidence to a medical reviewer (a CDC official), call witnesses, give testimony, and be represented by an advocate (such as an attorney, family member, or doctor) at your own expense. If you qualify as indigent (unable to pay), CDC will appoint an attorney knowledgeable of public health practices and a medical professional qualified in the

diagnosis and treatment of infectious diseases for you at the government's expense. CDC will ask you to fill out a form to determine if you qualify as indigent (unable to pay).

8. **Penalties for Violating This Order.** You must cooperate with the requirements in this order to protect the public's health. As authorized by 42 U.S.C. § 271; 18 U.S.C. §§ 3559, 3571; and 42 CFR §§ 70.18, 71.2 or as otherwise provided by federal law, violations of this order may subject you to a criminal fine and/or up to one year in jail.

9. **Court Review.** This order does not affect any constitutional or statutory rights that you may have to ask a federal court to review your federal quarantine, including any rights to habeas review under 28 U.S.C. § 2241.

10. **Translation and Interpretation Services.** CDC will provide translation and interpretation services for this order and the medical review as needed.

11. **How to Obtain More Information about This Order.** If you have any questions about this order, you can call CDC's Emergency Operations Center at (770) 488-7100 and ask to speak to the Quarantine Medical Officer on duty.

SECTION F: AUTHORIZING OFFICIAL

Signature of Authorizing Official

[name and title]

Date

NOTICE TO U.S. CUSTOMS OFFICERS, U.S. COAST GUARD OFFICERS, OR OTHER FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICIALS:

Under 42 U.S.C. § 268, U.S. Customs and U.S. Coast Guard Officers are required to aid in the enforcement of federal quarantine rules and regulations. Under 42 U.S.C. § 243, the U.S. Department of Health and Human Services is authorized to cooperate with and aid state and local authorities in the enforcement of their quarantine and other health regulations and to accept state and local assistance in the enforcement of federal quarantine rules and regulations.

Violation of this order, in whole or in part, as well as other federal quarantine rules and regulations, constitutes a criminal misdemeanor, punishable by a fine and/or imprisonment pursuant to federal law, including 42 U.S.C. § 271 and 18 U.S.C. §§ 3559 and 3571, as may be amended from time to time.

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