

**ORDER OF THE HEALTH OFFICER**  
**ABATEMENT OF UNLAWFUL CONDITION**

The Delaware County Health Officer hereby issues the following order of abatement:

1. During the current COVID-19 pandemic, the President, Governor and Board of Commissioners have enacted Emergency Declarations to protect the health and well being of residents of Delaware County, IN; and,
2. The Delaware County Health Officer has learned of a condition that may transmit, generate or promote the spread of the novel Coronavirus (COVID-19) among the most vulnerable of our population, people over 65 years of age or with compromised health issues that require that they reside permanently in nursing homes, assisted living facilities or other similar type living arrangements; and
3. Pursuant to I. C. 16-20-1-25(b) the Delaware County Health Officer has the power and obligation to issue an order to abate and prevent an unlawful condition which may transmit, generate or promote disease in this county; and
4. The Delaware County Health Officer has received notification that nursing home, assisted living or other similar providers may be moving residents into facilities in Delaware County from facilities out of county where some of the population has tested positive for the COVID-19 virus; and
5. These same residents that could be moved are not being tested, testing is inadequate or inconclusive which may contribute to transmitting, generating or promoting the novel Coronavirus disease among the residents of these facilities in Delaware County.

IT IS THEREFORE ORDERED BY THE DELAWARE COUNTY HEALTH OFFICER THAT AN ORDER OF ABATEMENT SHALL BE ISSUED IMMEDIATELY AND SHALL REMAIN IN EFFECT UNTIL RESCINDED BY THE HEALTH OFFICER AS FOLLOWS:

- A. No person shall be transferred from a nursing home, assisted living or similar facility in any other county, state or country into a facility located in Delaware County, IN.
- B. This order is being issued pursuant to I.C. 16-20-1-25.
- C. All nursing homes, assisted living or similar facilities that have received patients, wards or individuals from any other facility outside of Delaware County, IN shall have those patients, ward or individuals immediately removed and without delay.
- D. This order does not apply to IU/BMH Hospital.

Dated this 4<sup>th</sup> day of April, 2020 at \_\_2:15\_ o'clock \_p\_.m.

electronically signed 2:16 pm 4/4/2020

Dr. Donna Wilkins, MD

Delaware County Health Officer