

**PUBLIC HEALTH ORDER
NAVAJO DEPARTMENT OF HEALTH
NAVAJO OFFICE OF ENVIRONMENTAL HEALTH & PROTECTION PROGRAM**

April 5, 2022

Public Health Emergency Order No. 2022-004

Public Health Emergency Order Declaring “Yellow Status” for Businesses

- I. Paragraphs I – IX from Public Health Emergency Order No. 2020-004 are incorporated herein, addressing the various Navajo Nation (Nation) authorities related to the current COVID-19 Public Health Emergency as well as escalating incidents and community spread of COVID-19 on the Nation.
- II. In response to COVID-19, the Navajo Nation has established the “Navajo Nation Reopening Plan,” to declare the Nation’s “status” according thereto, and to guide businesses in proper compliance with the plan. All provisions of this Order are to be interpreted to effectuate this intent. Failure to comply with any provision of this Order constitutes an imminent threat and menace to public health.
- III. The Navajo Nation is experiencing a downward trajectory (decreasing) of cases.; therefore, the Nation is continuing declaring “Yellow” status for businesses. The Navajo Nation remains vigilant as neighboring states are lifting mitigation strategies to reduce the spread of COVID-19. The Navajo Nation has documented new cases of COVID-19 Omicron sublineages (BA.1.1, B.1.1.529 and BA.2) and Delta within the Navajo Nation. According to the CDC, the Omicron variant seem to spread more easily and quickly than the other previous variants, including Delta. CDC continues to identify Omicron and Delta as variants of concern. Breakthrough infections are expected and some treatments are not as effective against infection with Omicron. As coronavirus vaccines continue to be made available on the Navajo Nation, all preventative precautions should continue to be adhered to after receiving the vaccine.
 - I. According to the Centers for Disease Control and Prevention, **“delay travel until you are up to date with your vaccines” and “Getting vaccinated is still the best way to protect yourself from severe disease, slow the spread of COVID-19, and reduce the number of new variants.”**
- IV. Pursuant to Navajo Nation Resolution No. CJN-36-21, signed into law on July 6, 2021, the Nation’s roads are reopened to Visitors and Tourists, all Navajo Nation enterprises and Navajo businesses are open to Navajo citizens and non-Navajo tourists and visitors, in compliance with COVID-19 safety protocols and applicable Public Health Orders.


THEREFORE, NOTICE IS GIVEN that pursuant to the power and authority set forth in the NDOH enabling legislation (NNC Resolution No. CO-50-14) and in conjunction with the Navajo Nation Public Health State of Emergency Declaration (CEM Resolution No. 20-03-11):

- A. The Navajo Nation Reopening Plan (updated August 12, 2021) is declared binding on all businesses on the Navajo Nation. Available at <https://www.navajoreopening.navajonnsn.gov/>.
- B. Per the Plan's "reopening status schedule," the Navajo Health Command and Operations Center ("NHCOC"), having evaluated the current state of the Navajo Nation per the gating criteria and public health considerations provided in the Plan, declares the Nation to be **Yellow status**. All businesses shall be bound to the conditions and requirements of Yellow status. The NHCOC will announce any future status changes by Public Health Emergency Order.
- C. Yellow status is defined as: 75% of maximum occupancy allowed for all businesses to be open, including:
 - Restaurants.
 - Navajo casinos.
 - Lodging and hotels including campgrounds and RV parks.
 - Museums and zoos.
 - Marinas and parks. Tour businesses must follow the HCOC Reopening Guidelines for Tour Businesses.
 - Movie theaters.
 - Personal Care and Services.
- D. Flea markets and roadside markets are allowed in accordance with guidelines issued by the HCOC.
- E. Gathering of 25 or fewer people are permitted for youth programs, consistent with guideline from the Health Command Operations Center. Per guideline, report all COVID-19 cases to local health care facility, and to the HCOC COVID-19 Report Exposure Portal. For questions about reporting cases, call the Health Command Operations Center at (928) 871-7014.
- F. Gyms, wellness centers, and recreation facilities will be allowed at 25% of maximum occupancy or less dependent on 6 feet physical distancing, consistent with Navajo Health Command Operations Center guidelines.
- G. All businesses are required to submit a COVID-19 Reopening Plan to the Navajo Nation Division of Economic Development before reopening in Yellow Status. Reopening plans can be emailed to: navajoeconomy@navajonnsn.gov

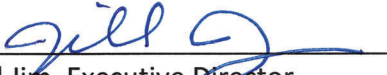
NOTICE IS FURTHER GIVEN that this Order shall not abrogate any disease-reporting requirements (consistent with HIPAA privacy standards).

NOTICE IS FURTHER GIVEN that this Order shall take effect Tuesday, April 5, 2022 at 5:00 A.M. MDT, and shall remain in effect until amended or rescinded by the Health Command Operations Center.

ADDITIONAL ADVISORIES AND ORDERS WILL FOLLOW AS CONDITIONS WARRANT. SO ORDERED THIS 5th Day of April, 2022.



Geraldine Thompson, Delegated Program Supervisor III
Navajo Office of Environmental Health &
Protection Program
Navajo Department of Health



Dr. Jill Jim, Executive Director
Navajo Department of Health
Health Command Operations Center