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Insights

CDC Makes Key Changes to COVID-19 Recommendations Impacting When Quarantine is Needed and the Length of Quarantine

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The Centers for Disease Control and Prevention ("CDC") made two key changes to its recommendations concerning COVID-19 on October 21, 2020 and December 2, 2020. These changes impact when an individual is required to quarantine after coming into "close contact" with someone who had COVID-19 and provides options for when the length of quarantine following a close contact exposure may be reduced.

These changes have wide ranging impacts but particularly affect employers, especially health care employers. As a result, all employers should carefully review these changes and ensure policies, procedures, and practices reflect the most updated guidance.

Changed Definition of "Close Contact"

The first key change occurred on October 21, 2020, when the CDC modified the definition of **"close contact"** for purposes of evaluating whether an individual needs to quarantine. Before the October 21, 2020, change, an individual was considered to have come into "close contact" with COVID-19, thus requiring quarantine, when the individual consecutively spent 15 minutes or more within a 6 foot radius of someone who was suspected as having or known to have COVID-19. The CDC changed this definition to better reflect the possibility that individuals were becoming exposed when having shorter, but more frequent interactions with individuals who were suspected as having or were known to have COVID-19.

Under this new definition, an individual comes into "close contact" when the individual was within 6 feet of someone who has COVID-19 for a total of 15 minutes or more over a 24-hour period. With this change, the following represent the circumstances that give rise to "close contact:"

- An individual was within 6 feet of someone who had COVID-19 for a total of 15 minutes or more over a 24-hour period;
- An individual provided care at home to someone who was sick with COVID-19;
- An individual had direct physical contact with a person who had COVID-19, such as kissing or hugging;
- An individual shared eating or drinking utensils with a person who had COVID-19; and
- A person with COVID-19 sneezed, coughed, or somehow got the person's respiratory droplets on another individual.

Documents providing guidance on COVID-19 issued before the October 21, 2020 change may still reference

the former definition, such as guidance from the CDC and Occupational Health and Safety Administration. Employers should keep this in mind when reviewing guidance issued before the definition changed.

Options for Reducing the Length of Quarantine Following Close Contact

The second change occurred on December 2, 2020, when the CDC provided two **options for reducing the requisite quarantine period** for individuals who may have been exposed to COVID-19. When an individual has come into close contact with someone who has COVID-19, the CDC recommends a 14-day quarantine period. On December 2, the CDC provided options for public health authorities to consider when reducing the 14-day quarantine period, reducing its length to 7 days or 10 days depending on the strategy used.

These options may help individuals return to work sooner and reduce the strain on the public health system. Public health officials may consider the following two options to reduce an individual's quarantine period: a 10-day period using a symptom-based strategy; and/or a 7-day period of quarantine using a testing-based strategy.

Takeaways

Although the reduced quarantine period may not have an impact unless adopted, the "close contact" definition change does. As a result, employers may need to update any policies that reference the prior definition of "close contact" when requiring employees to remain at home. Additionally, if employers have not yet appointed an individual to monitor updates to the CDC's recommendations, doing so could avoid potential issues with enforcing policies based on stale guidance. Further, employers should continue to monitor the recommendations for quarantine periods imposed by public health authorities.

If you have questions about how these changes impact your existing policies, or any other questions about COVID-19 quarantine issues, please contact **Shelley M. Jackson** or any other member of the Krieg DeVault LLP **Labor and Employment Law** team.

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