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Cheryl Subler, Executive Director

July 2, 2020

TO: ALL COUNTY COMMISSIONERS, COUNTY EXECUTIVES, COUNTY COUNCIL MEMBERS,
COUNTY ADMINISTRATORS AND COUNTY CLERKS

FROM: CHERYL SUBLER, EXECUTIVE DIRECTOR
RACHEL MASSOUD, POLICY ANALYST
ADAM SCHWIEBERT, POLICY ANALYST

RE: JULY 2, 2020 COVID-19 UPDATES

Key Resources

1. [CCAO CARES Act Funds Resources Webpage](#)
2. [CAB: Employees Returning to Work FAQs](#)
3. [CAB: Layoffs and Furloughs Under Civil Service Law](#)
4. [Treasury Guidance CARES Act Funds 4.22.2020](#)
5. [Treasury CARES Act Funds FAQs 6.30.2020](#)
6. [Reopening Information](#)

[CCAO COVID-19 Resources Page](#)

Gov. DeWine announces new statewide Public Health Advisory System for COVID-19; K-12 school reopening guidance

Gov. DeWine announced a new statewide [Public Health Advisory System](#) for COVID-19 today. Below is the information we currently have on this new system. As we receive more information and documents, we will distribute them. Please direct your questions to Rachel Massoud, rmassoud@ccao.org, (513) 543-3723.

The Public Health Advisory System is a four-level, color-coded system that supplements statewide public health orders. Gov. DeWine said the state will maintain existing baseline orders for all Ohioans. The new advisory system has four levels of severity to information on the status of the COVID-19 outbreak in each county. The levels are determined by seven data alert indicators that identify the risk level for each county and a corresponding color code to represent the county's risk level. The data will be updated once a week on Wednesdays by the state's Comprehensive Data Management Team.

The seven alert indicators are grouped into three categories: cases, symptoms and hospitalizations. Each indicator will be "flagged" at a certain threshold. The indicators and their trigger thresholds are:

1. **New cases per capita** – flagged if there is an average of more than 50 cases per 100,000 residents in a county over the last two weeks.



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2. **Sustained increase in new cases** – flagged if there is an increasing trend in new cases for at least five consecutive days based on the onset date.
3. **Proportion of cases *not* in a congregate setting** – flagged if over 50% of cases are outside of a congregate setting in one of the last three weeks.
4. **Sustained increase in emergency room visits** – flagged if there is an increase in ER visits for COVID-19 symptoms over a five-day period
5. **Sustained increased in outpatient visits** (primary care, urgent care, telehealth assessments etc.) – flagged if an increase in outpatient visits for COVID-19 symptoms over a five-day period.
6. **Sustained increase in new COVID-19 hospital admissions** – flagged if there is an increase over a five-day period. This measure looks at the county of residence, not the county of hospitalization.
7. **Intensive Care Unit (ICU) bed occupancy** – flagged if regional ICU occupancy exceeds 80 percent of ICU capacity at least three of the last seven days.

The state plans to add the following data indicators to this list once the data is available: contact tracing, tests per capita and percent positivity. A more detailed explanation of the alert indicators can be found [here](#).

The risk level and corresponding color of a county will depend on how many data indicators are “flagged.” An overview of the guidelines for each risk level can be found [here](#).

The graphic for Level 1 (Yellow) is titled "Ohio Public Health Advisory System Alert Levels". It features the logos for Governor Mike DeWine, the Department of Health, and the Development Services Agency, along with the slogan "We're This Together Ohio" and the website "coronavirus.ohio.gov". The Level 1 section is highlighted in yellow and lists two bullet points: "Active exposure and spread." and "Follow all current health orders."

If zero or one data indicator is triggered, the county is Level 1 – Yellow. There are currently 53 counties at this level.

The graphic for Level 2 (Orange) is titled "Ohio Public Health Advisory System Alert Levels". It features the logos for Governor Mike DeWine, the Department of Health, and the Development Services Agency, along with the slogan "We're This Together Ohio" and the website "coronavirus.ohio.gov". The Level 2 section is highlighted in orange and lists three bullet points: "Increased exposure and spread.", "Exercise high degree of caution.", and "Follow all current health orders."

If two or three data indicators are triggered, the county is Level 2 – Orange. There are currently 28 counties at this level.

The graphic for Level 3 is a vertical rectangle. The top half has a dark blue background with the text "Ohio Public Health Advisory System" in white. Below this is a white horizontal line, followed by the text "Alert Levels" in dark blue. The bottom half of the graphic is split into two columns. The left column has a dark blue background and contains the logos for "MIKE DEWINE GOVERNOR OF OHIO", "Ohio Department of Health", and "Ohio Development Services Agency", along with the slogan "OHIO GETTING TOGETHER" and the website "coronavirus.ohio.gov". The right column has a red background at the top with "LEVEL 3" in white, followed by a blue background with "Public Emergency" in white and a list of three bullet points: "Very high exposure and spread.", "Limit activities as much as possible.", and "Follow all current health orders."

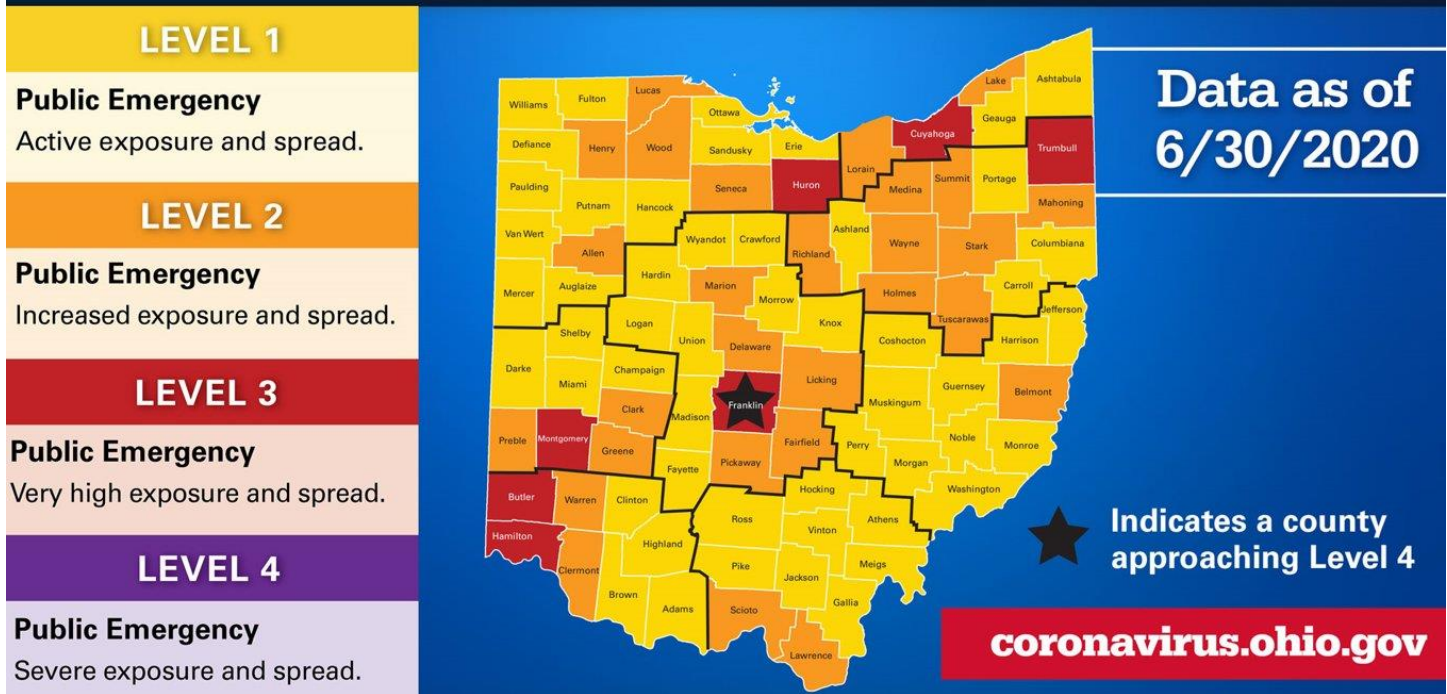
If four or five data indicators are triggered, the county is Level 3 – Red. There are currently 7 counties at this level.

The graphic for Level 4 is a vertical rectangle. The top half has a dark blue background with the text "Ohio Public Health Advisory System" in white. Below this is a white horizontal line, followed by the text "Alert Levels" in dark blue. The bottom half of the graphic is split into two columns. The left column has a dark blue background and contains the logos for "MIKE DEWINE GOVERNOR OF OHIO", "Ohio Department of Health", and "Ohio Development Services Agency", along with the slogan "OHIO GETTING TOGETHER" and the website "coronavirus.ohio.gov". The right column has a purple background at the top with "LEVEL 4" in white, followed by a blue background with "Public Emergency" in white and a list of three bullet points: "Severe exposure and spread.", "Only leave home for supplies and services.", and "Follow all current health orders."

If six or seven data indicators are triggered, the county is Level 4 – Purple. There are currently 0 counties at this level, though one county is approaching it.

The current Public Health Advisory System map as of June 30, 2020 is below.

Ohio Public Health Advisory System



The state plans to release county profiles detailing the current county data and alert indicators that have been flagged. These county profiles, updates maps, and other information on the Public Health Advisory System can be found [here](#).

Additionally, Gov. DeWine announced K-12 school guidelines for schools to follow when developing their reopening plans. The school reopening guidance and materials will be available [here](#) later today. There are five guiding principles: vigilantly assess for symptoms; wash and sanitize hands to prevent spread; thoroughly clean and sanitize school environment to limit spread on shared surfaces; practice social distancing; and implement face coverings policy. Gov. DeWine stated that he intends to work with the General Assembly to send some CARES Act funds to schools for costs related to COVID-19.

Due to a technical issue, the current COVID-19 numbers are not available yet. They will be updated on the website as soon as the issue is resolved.

A video of the governor's July 2nd press conference can be found [here](#). **The next COVID-19 press conference is scheduled for Tuesday, July 7th at 2 p.m.** Press conferences can be viewed on www.ohiochannel.org.

State and Federal agencies release additional CARES Act Guidance

Both the Auditor of State and the U.S. Department of the Treasury released additional guidance related to the CARES Act Coronavirus Relief Fund for states and local governments. The Auditor's guidance came in the form of a Frequently Assistance Question regarding the use of CARES Act funds for the payroll costs of public health and public safety employees. This statement copied below is on pages 8 and 9 of a much larger FAQ document that is posted on the [Auditor's COVID-19 website](#). To read the full FAQ document, click [here](#).

AOS Guidance

5. Should the entire payroll costs for public health and public safety employees, (which for administrative convenience, are payments for services substantially dedicated to mitigating or responding to the COVID-19), by default, be considered to be payments that “were not accounted for in the budget most recently approved as of the date of enactment” because of the nature of the activities of mitigating or responding to COVID-19?

The Guidance and the FAQs issued by Treasury can lead to alternative understandings of what the CARES Act permits. One interpretation is to say that the budget element has been satisfied for all states and local governments by the issuance of the presumption that public safety and healthcare workers are substantially dedicated to mitigating COVID-19. Under this interpretation, at the time the budget was adopted the local government or state had not anticipated that employees would be required to mitigate or respond to COVID-19. Accordingly, public safety and healthcare employees are performing a substantially different function due to COVID-19. The presumption operates to satisfy the budget requirement because the amounts that were budgeted for have been repurposed.

A second, alternative interpretation is that the presumption is provided in order to satisfy only the first element of the statute (that the cost is a necessary expenditure due to the COVID-19 health emergency). By presuming that public safety and healthcare employees are substantially dedicated to mitigating COVID-19, a state or local government need not document every activity in which such an employee engages to demonstrate that the payroll for the employee is a necessary expenditure incurred due to COVID-19. Rather, the state or local government can presume that it is a necessary expenditure incurred due to COVID-19 because the activities are substantially dedicated to responding to the pandemic. However, in this interpretation, the state or local governments must still comply with the second element of the CARES Act. Meaning, the government must show that payroll expenses of public health and safety workers were not accounted for either because they exceed what was budgeted or the cost is for a substantially different use than the use that the amounts were budgeted for (repurposed).

When determining whether CRF moneys may be used to pay an expense, the local government must show that the expense satisfies the statute. Although FAQs and Guidance are intended to assist with understanding the requirements of a law, they cannot alter or conflict with the law. AOS encourages local governments to use the Coronavirus Relief Funds consistent with the law and guidance being issued and to consult legal counsel for advice on whether an expenditure is permitted. AOS will audit with maximum flexibility in accordance with the law and guidance issued at the time of the expenditure and any additional available guidance available at the time of audit.

Treasury Guidance

The U.S. Treasury updated its guidance issued originally issued on April 22. The updated guidance clarifies the concept of when a cost is incurred during the covered period of March 1 to December 30, 2020. [The new guidance](#) allows for payments to be made after the covered period as long as performance or delivery of the contract occurs within that time. Treasury generally expects payments to be made within 90 days of a cost being incurred. To view the guidance, click [here](#).

Members with questions should contact Senior Policy Analyst Jon Honeck, [jhoneyck@ccao.org](mailto:jhoneck@ccao.org), 614-600-8900.

Request for counties to share CARES Act spending plans with CCAO policy team

With CARES Act funds being distributed to local governments across the state, counties have a number of options for how they may utilize their funds. As your county decides how to spend its CARES Act funds, please share your ideas with the CCAO policy team. Your ideas can serve as valuable examples to other counties

considering different funding options. Please send any resolutions or spending plans to Jon Honeck at jhoneck@ccao.org.

Ohio Jobless Claims for Sunday, June 21, through Saturday, June 27, 2020

In a sign that Ohioans are heading back to work, statistics the Ohio Department of Job and Family Services (ODJFS) reported to the U.S. Dept. of Labor today show that for the ninth straight week, continued applications for unemployment benefits have declined. Those who remain jobless filed 332,681 fewer continued claims last week compared to the peak in April. In addition, for the week ending June 27, ODJFS reported 35,623 initial jobless claims to the U.S. Dept. of Labor. The total number of initial jobless claims filed in Ohio over the last 15 weeks (1,430,807) is more than the combined total of those filed during the last three years. To read more, click [here](#).

CDC Recommendations for Improving Building Ventilation Systems to Reduce Risk of Airborne COVID-19 Transmission

Since COVID-19 may be spread via droplets in the air by people with no symptoms, the Centers for Disease Control and Prevention (CDC) offers recommendations for improving building ventilation systems to help reduce the risk of airborne transmission of this disease. An Ohio Department of Health letter to building owners and managers outlines these recommendations. Read the letter [here](#).

No CCAO/CORSA/CEBCO briefing calls until further notice

CCAO/CORSA/CEBCO will **not** hold a weekly briefing call until further notice. We are working to provide other educational opportunities for our members and will update you as they are scheduled.

Other Resources

[ODJFS Updated FAQ Document 7.1.2020](#)

[Current Information Regarding Reopening](#)

[Editable #InThisTogetherOhio Logo](#)

[NACo COVID-19 webpage](#)

Visit <https://ccao.org/resources/coronavirus-updates/> for updates, FAQs and previous memos. Current information from the Ohio Department of Health can be found at www.coronavirus.ohio.gov. If you want to help Ohio's response to this pandemic, you can contact the state at together@governor.ohio.gov. If you have questions regarding this memo or best practice suggestions relating to COVID-19, please contact Adam Schwiebert, policy analyst, at aschwiebert@ccao.org, or Rachel Massoud, policy analyst, at rmassoud@ccao.org.