



**ORDER FOR QUARANTINE OF INDIVIDUAL
PURSUANT TO KRS 212.245(6)**

Case No. _____
Court _____
County _____
Division _____

IN RE: QUARANTINE OF _____,
[Individual's Name]

The COURT, having received evidence in this matter, and being otherwise sufficiently advised, now FINDS:

1. The _____ *[local health department name]* has received reports of increasing numbers of ill people exhibiting symptoms of a disease that has in its common course severe disability or death.
2. That since _____, 2 _____ until the date of this Order, over _____ people have been stricken with this disease in Kentucky and _____ people have died.
[date of first case report] *[applicable number]* *[applicable number]*
3. 2019-novel Coronavirus (2019-nCoV) is a new communicable disease that has not been previously identified in the world. 2019-nCoV meets the definition for "severe acute respiratory syndromes" as set forth in federal Executive Order 13295, as amended by Executive Order 13372 and 13674, and is a federally quarantinable communicable disease. It is characterized by fever, cough, and shortness of breath and can progress to severe respiratory illness requiring hospitalization and mechanical ventilation and can lead to death.
4. 2019-nCoV is spread from person-to-person among close contacts. According to the Center for Disease Control and Prevention, person-to-person spread is thought to occur mainly via respiratory droplets produced when an infected person coughs or sneezes. These droplets can be inhaled into the lungs and in the mouths or noses of people who are in close contact. Further, this disease may be spread from contact with contaminated surfaces or objects.
5. Clear and convincing evidence shows that those people who are in physical contact with or in the proximity of less than 6 feet of an individual infected with this disease, or have had contact with a surface or object that is contaminated with 2019-nCoV, are likely to exhibit symptoms within 2 to 14 days, which period of time is referred to herein as the "incubation period". Thus, the clear and convincing evidence suggests that this disease is easily transmissible from person-to-person.
6. There are no known preventive medications for this disease at this time.
7. The most effective method currently known to medical science to contain and curtail the spread of this disease is the isolation of anyone who has the symptoms identified above at Paragraph 3, and the quarantine of those who have been exposed to a person infected with this disease for the duration of the incubation period, as identified above at Paragraph 5.
8. The affidavit and/or testimony of qualified witnesses, including _____ *[names and titles of relevant witnesses and describe their association with the individual]*, has indicated that _____ *[names and titles of relevant witnesses and describe their association with the individual]* has come into contact with _____ *[individual's name]* who, it has been confirmed, is infected with 2019-nCoV. *[identify individual(s) infected with 2019-nCoV]*
This contact occurred on _____ *[date(s) of contact]*, and in the following manner:

[list means of contact in detail]
This contact was sufficient for _____ *[identify individual(s) infected with 2019-nCoV]* to have transmitted this disease to _____ *[individual's name]*.

9. The affidavit and/or testimony of qualified witnesses, including _____,
 [names of relevant witnesses]
 has indicated that _____
 [individual's name]
 comes into contact with numerous individuals on
 a regular basis through his/her activities as _____ and that
 [list applicable profession or personal undertakings]

 [individual's name]
 has undertaken these activities since coming into contact with

 [identify individual(s) infected with the disease]

10. Due to _____'s exposure to 2019-nCoV, as described in Paragraph 8,
 [individual's name]

 [individual's name]
 requires quarantine in his/her home or other appropriate facility.

11. Quarantine of _____ in his/her home or other appropriate facility will
 [individual's name]
 reasonably protect those with whom _____ would otherwise come in contact
 [individual's name]
 from acquiring this disease, in the event _____ is infected with 2019-nCoV.
 [individual's name]

12. The _____ is the agency with the authority to control the spread
 [local health department name]
 of infectious diseases and the responsibility to provide medical care, supervision, and other necessities for
 _____ pursuant to exercises of such authority.
 [individual's name]

13. Pursuant to such authority and in an attempt to prevent _____ from undertaking
 [individual's name]
 activities potentially harmful to the public's health, the _____ issued
 [local health department name]
 an order of quarantine to _____ on _____, 2020,
 [individual's name] [date of order's issuance]
 which the COURT has received as Exhibit _____
 [exhibit number]

14. The affidavit and/or testimony of qualified witnesses, including _____
 [names and titles of relevant witnesses]
 _____, has indicated that
 [names and titles of relevant witnesses]
 _____ has failed to comply with this order, as evidenced by:
 [individual's name]

 [list activities demonstrating noncompliance in detail]

The COURT now MAKES the following conclusions:

1. The _____ had the authority to issue an order of quarantine to
 [local health department name]
 _____ pursuant to KRS 212.040, 212.245(5), and 902 KAR 2:050.
 [individual's name]

2. This CIRCUIT COURT has jurisdiction over this action pursuant to KRS 212.245(6).

3. Pursuant to KRS 212.245(6), this COURT has the power to issue an injunction compelling _____
 [individual's name]
 _____ to comply with the _____'s quarantine
 [local health department name]
 order.

4. The nature of the disease at issue (as recited above Paragraphs 1, 3, and 4), _____
[individual's name]
_____ 's contact with _____
[identify individual(s) infected with 2019-nCoV]
(as recited above at Paragraph 8), and the conduct of _____ (as recited above
[individual's name]
at Paragraphs 9 and 14), constitute clear and convincing evidence that _____
[individual's name]
must be placed under an order of quarantine so as to protect the public's health.

Therefore, it is **ORDERED, ADJUDGED, and DECREED** that _____ be confined
[individual's name]
to _____ for a period of 14 days.
[address for appropriate site of confinement]
_____ is enjoined from leaving _____
[individual's name] [address for appropriate site of confinement]
_____ until this period of time has elapsed, on _____, 2020.

It is further **ORDERED, ADJUDGED, and DECREED** that upon the expiration of the 14 days, _____
[individual's name]
_____ shall be released from confinement and the _____
[local health department name]
shall file a final report regarding disposition of this matter with this COURT. In the event the _____
[local health department name]
_____ believes further confinement of _____ will be
[individual's name]
necessary, it shall commence appropriate proceedings to that effect in this COURT prior to the expiration of the 14 days.

It is finally **ORDERED, ADJUDGED, and DECREED** that the _____ Sheriff shall arrange for transportation
[county]
of _____ to _____,
[individual's name] [site of confinement]
if necessary. The _____ bears the logistical and financial responsibility
[local health department name]
for all necessary expenses related to confinement or measures necessary to ensure compliance with this Order.
The _____ shall also ensure that _____
[local health department name] [individual's name]
and his or her dependents residing at _____
[address for appropriate site of confinement]
have adequate provisions of food, medicine, or other necessities during the period of confinement.

This order shall expire 14 days after its issuance.

*** Violation of this Order may result in a finding of CONTEMPT by this COURT.

_____, 2_____
Date

Judge's Signature

Time: _____ a.m. p.m.

Distribution: County Attorney
Local Health Department
Individual subject to this Order