

Michigan MDHHS Director Issues Revised Gatherings and Face Mask Order

November 2, 2020

On Thursday, October 29, 2020, Robert Gordon, Director of the Michigan Department of Health and Human Services, issued "Emergency Order Under MCL 333.2253 – Gatherings and Face Mask Order" ("Oct. 29 Order"). The Oct. 29 Order rescinded the Director's previous Oct. 5 Gathering Prohibition and Face Covering Order ("Oct. 5 Order") which was scheduled to expire Oct. 30. The Oct 29 Order will remain in effect until rescinded.

The Oct. 29 Order further defines requirements for face masks, reduces the maximum capacity limit for indoor non-residential venues *without fixed seating* to 50 persons, adds table seating limitations and distancing requirements for non-residential gatherings, expands mandatory contact tracing requirements, deletes certain workplace protections and posting requirements, and treats Region 6 the same as the rest of the Michigan (deleting Region 6 differences in the Oct. 5 Order).

Otherwise, the Oct. 29 Order retains the capacity and attendance limitations and face mask (covering) requirements, additional requirements applicable to food service establishments and organized sports, and contact tracing requirements of the Oct. 5 Order.

This alert summarizes important changes implemented by the Oct. 29 Order. Please see our alert discussing the Oct. 5 Order [here](#) and a full copy of the Oct. 29 Order [here](#).

* Region 6 consists of the following Michigan counties: Manistee, Wexford, Missaukee, Roscommon, Benzie, Grand Traverse, Kalkaska, Crawford, Leelanau, Antrim, Otsego, Montmorency, Alpena, Charlevoix, Cheboygan, Presque Isle, and Emmet.

** Food service establishments (as defined in section 1107(t) of the Michigan Food Law) include "any fixed or mobile restaurant, coffee shop, cafeteria, tavern, bar, ... theater, or similar place in which food or drink is prepared for direct consumption through service on premises or elsewhere, and any other eating or drinking establishment or operation where food is served or provided to the public."

If you have questions about the MDHHS Oct. 29 Order, please contact your Miller Canfield attorney or the authors of this alert.