

Michigan Extends COVID-19 "Three-Week Pause" Order through December 20th

December 8, 2020

On December 7, 2020, the Michigan Department of Health and Human Services (MDHHS) issued the latest **Gatherings and Face Mask Order**. This new order effectively extends the gathering restrictions, the face mask mandate, and the contact tracing requirements in MDHHS' **November 18 Order** (scheduled to expire December 8) to December 20.

The December 7 Order made very few changes to the restrictions and requirements of the November 18 Order. The changes include:

- A new definition of "indoor" to include:
 - any part of the space that is fully or partially enclosed on top and two adjacent sides; and
 - any part of the space more than 8 feet from an open side if the space is fully or partially enclosed on top and two nonadjacent sides.
- Additional limited exceptions to the gathering restrictions, including:
 - Gatherings to provide in-person instruction at "closed-campus boarding schools," subject to decisions as to remote learning by local health departments and school districts. A closed-campus boarding school is a boarding school (as defined in the MCL380.3(4)) where: (a) at least 90% of students reside on campus and are prohibited from traveling off campus during the term; (b) the campus is closed to visitors; and (c) all staff and students who travel to and from the campus are regularly tested for COVID-19;
 - Gatherings to provide technical education services at trade and career schools, to the extent the activities cannot be completed remotely;
 - Gatherings to deliver career and technical education services at public and nonpublic schools for grades 9-12, to the extent necessary to complete requirements for a recognized postsecondary credential and if the activities cannot be completed remotely;
 - Proctored, nationally administered admissions and certification examinations not available remotely;
 - Cardiopulmonary resuscitation and swimming instruction courses; and
 - Gatherings at ice skating rinks for individual exercise or one-on-one instruction with limited occupancy of up to 20 persons per 1,000 square feet; and
 - Gatherings for open skating at outdoor rinks.
- Closure of indoor dining at retail stores, libraries and museums, including food courts.

The MDHHS also provided additional guidance, including **FAQs**, an **infographic** summarizing what is open and not open, and **Social Gathering Guidance** along with its December 7 Order.

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

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This information is based on facts and guidance available at the time of publication and may be subject to change