



June 26, 2020

## Healthcare Worker Exemption to New York's COVID-19 Travel Advisory

According to the [Interim Guidance for Quarantine Restrictions on Travelers Arriving in New York](#) (the "Guidance") issued by the New York State Department of Health ("DOH") on June 24, 2020, healthcare workers, and other essential workers, are exempt from the quarantine restrictions on travelers from designated states. However, healthcare workers traveling from designated states are subject to certain conditions as well as the DOH's other protocol for individuals who have contracted or been exposed to COVID-19.

### **Conditions For Healthcare Workers under the Travel Advisory**

A healthcare worker traveling to New York from designated states is subject to certain conditions depending on the duration of time the worker spent in a designated state and the duration of time the worker intends to spend in New York.

Healthcare workers traveling from a designated state to New York for a period of less than 12 hours must:

- stay in their vehicle and/or limit personal exposure by avoiding public spaces;
- avoid extended periods of time in public, contact with strangers, and large congregate settings, to the extent possible;
- monitor their temperature and for symptoms of COVID-19;

- wear a face covering when in public;
- maintain social distance of at least six feet; and
- clean and disinfect workspaces.

Healthcare workers traveling from a designated state to New York for a period of less than 36 hours, but requiring an overnight stay in New York, are required to:

- avoid extended periods in public, contact with strangers, and large congregate settings, to the extent possible;
- monitor their temperature and for symptoms of COVID-19;
- wear a face covering when in public;
- maintain social distance of at least six feet; and
- clean and disinfect workspaces.

Healthcare workers traveling to New York for a period of greater than 36 hours must:

- avoid extended periods in public, contact with strangers, and large congregate settings, to the extent possible, for at least 7 days;
- monitor their temperature and for symptoms of COVID-19, wear a face covering when in public, maintain social distancing, and clean and disinfect workspaces for at least 14 days; and
- seek diagnostic testing for COVID-19 as soon as possible upon arrival (within 24 hours).

## **Return-to-Work Protocols for Healthcare Workers**

In addition to the Travel Advisory Conditions, healthcare workers must meet certain criteria after having been exposed to a confirmed or suspected case of COVID-19 or having a confirmed or suspected COVID-19 infection.

According to the [Protocols for Essential Personnel to Return to Work Following COVID-19 Exposure or Infection](#) updated by the DOH on March 31, 2020, a healthcare worker who has been exposed to a confirmed or suspected case of COVID-19 may only be permitted to work in the workplace if all of the following conditions are satisfied:

- Working from home would not be feasible for the healthcare worker's job duties;
- The healthcare worker is asymptomatic;
- The healthcare worker quarantines when not at work;

- The healthcare worker undergoes temperature monitoring and symptom checks upon arrival to work and at least every 12 hours while at work, and self-monitors twice a day when at home;
- The healthcare worker wears a facemask when required to interact with individuals within 6 feet for 14 days following the last exposure;
- Environmental controls are implemented to permit a separation of greater than six feet where the healthcare worker's job duties permit;
- The healthcare worker immediately stops working and isolated at home if he or she develops symptoms consistent with COVID-19 (e.g., fever, cough, or shortness of breath); and
- Testing is prioritized for healthcare workers with symptoms.

Additionally, a healthcare worker is a confirmed or suspected COVID-19 infection may only be permitted to work in the workplace if all of the following conditions are met:

- Working from home would adversely impact essential services or functions, including critical public health and public works infrastructure in New York or the response to the COVID-19 public health emergency;
- The healthcare worker has maintained isolation for at least 7 days after COVID-19 symptoms first appeared;
- The healthcare worker has not had a fever for at least 72 hours, without the use of fever-reducing medications, and his/her other symptoms are improving;
- The healthcare worker who is recovering from COVID-19 and returns to work wears a facemask for 14 days following onset of symptoms.

## **Takeaway For Employers**

Healthcare workers are not subject to the general quarantine requirements of the Travel Advisory, but they must follow the applicable conditions when traveling to New York from a designated state. Healthcare employers should require employees who travel from designated states to abide by the Travel Advisory conditions and should follow the DOH's Protocol for healthcare workers who are exposed to a confirmed or suspected case of COVID-19 or are confirmed or suspected of having a COVID-19 infection.

If you have any questions regarding this alert, please do not hesitate to contact us.

**[PUTNEY, TWOMBLY, HALL & HIRSON LLP](#)**

These materials have been prepared by Putney, Twombly, Hall & Hirson LLP for informational purposes only and are not intended as legal advice or advertisement of legal services. Transmission of the information is not confidential and is not intended to create, and receipt does not constitute, an attorney-client privilege. You should not act upon any of the information contained in these materials without seeking the advice of your own professional legal counsel.