



July 2, 2020

New York Issues Guidance Through FAQ on Travel Advisory

On June 24, 2020, New York State issued a travel advisory requiring that anyone returning from a travel to states that have a significant degree of community-wide spread of COVID-19 must quarantine for a period of 14 days, consistent with the Department of Health (“DOH”) regulations for quarantine. The travel advisory went into effect at 12:01 a.m. on June 25, 2020.

On July 2, 2020, in response to frequently asked questions concerning the travel advisory, New York provided the following additional guidance.

- **The travel advisory is not a mandatory quarantine order.** The travel advisory requires all New Yorkers, as well as those visiting from out of state, to take personal responsibility for complying with the advisory. However, DOH and the local health departments reserve the right to issue a mandatory quarantine order, if needed. Individuals who would like an order for purposes of applying for sick leave benefits should contact the local health department. However, pursuant to Executive Order 202.45, any New York State resident who voluntarily travels to a restricted state will not be eligible for benefits under New York’s COVID-19 paid sick leave law.
- **Special protocols for first responders and essential workers.** As set out in DOH’s June 24, 2020 [interim guidance](#) for quarantine restrictions on travelers arriving in New York from restricted states, specific protocols must be followed by essential workers to allow such workers to work upon their return to New York, while taking steps to mitigate risk of transmission of COVID-19, including the following:

- Short Term - essential workers traveling to New York State for less than 12 hours (e.g., passing through, delivering goods, and other short duration activities) should:
 - stay in their vehicle and limit exposure to the public as much as possible;
 - monitor temperature and signs of symptoms, wear a face covering in public, maintain social distance, and clean and disinfect workspaces;
 - avoid extended periods in public, contact with stranger, and large congregate settings, for 14 days.

- Medium Term - essential workers traveling to New York State for less than 36 hours (e.g., delivering goods in New York, and other medium duration activities) should:
 - monitor temperature and signs of symptoms, wear a face covering in public, maintain social distance, and clean and disinfect workspaces;
 - avoid extended periods in public, contact with stranger, and large congregate settings, for 14 days.

- Long Term - essential workers traveling to New York State for greater than 36 hours (e.g., working on longer projects, fulfilling extended employment obligations, and other longer duration activities) should:
 - Seek diagnostic testing for COVID-19 as soon as possible upon arrival (within 24 hours) to ensure they are not positive;
 - monitor temperature and signs of symptoms, wear a face covering in public, maintain social distance, and clean and disinfect workspaces;
 - avoid extended periods in public, contact with strangers, and large congregate settings, for 14 days.

- **Special protocols for healthcare personnel.** Entities may allow healthcare personnel (“HCP”) who have traveled to a restricted state to work as essential workers if all the following conditions are met:
 - Furloughing the HCP would result in staff shortages that would adversely impact operation of the healthcare entity, and all other staffing options have been exhausted
 - HCP is asymptomatic
 - HCP received diagnostic testing for COVID-19 within 24 hours of arrival in New York
 - HCP is self-monitoring twice a day for temperature and symptoms, and receiving temperature and symptoms checks at the beginning of each shift, and at least every 12 hours during a shift
 - HCP is wearing a facemask while working
 - HCP should be assigned to patients at lower risk for severe complications, where possible
 - HCP should maintain self-quarantine when not at work
 - If HCP develops symptoms consistent with COVID-19, they should immediately stop work, isolate at home, and be referred for diagnostic testing for COVID-19.

- **Special protocols for students enrolled in New York State health care education programs who reside out-of-state.** Out-of-state students who are currently enrolled in a New York State health care education program are required to adhere to *essential worker* guidance upon their arrival to New York.
- **Special protocols for people traveling for a medical appointment or procedure.** Anyone traveling to New York State for a health care procedure or appointment that cannot be postponed can maintain the appointment, but must otherwise remain quarantined. In addition, individuals and their companions must abide by the following conditions, as set forth in the DOH's June 28, 2020 [interim guidance](#), and additionally:
 - if the procedure is more than 5 days from arrival to New York, seek diagnostic testing for COVID-19 as soon as possible upon arrival (within 24 hours) to ensure they are not positive;
 - monitor temperature and signs of symptoms, wear a face covering in public, maintain social distance;
 - avoid extended periods in public, contact with strangers, and large congregate settings, for 14 days.
- **Special protocols for Professional sports teams.** Individuals traveling from restricted states to New York for a professional sports activity may travel to the extent necessary to participate in the professional sports activity, but must otherwise remain quarantined and avoid all public places and settings while in New York, consistent with the guidance for quarantine. In addition, as set forth in the DOH's June 28, 2020 [interim guidance](#), any player, coach, or staff otherwise associated with the professional sports team or league must:
 - Seek diagnostic testing for COVID-19 as soon as possible upon arrival (within 24 hours) to ensure they are not positive;
 - monitor temperature and signs of symptoms, wear a face covering in public, maintain social distance, and clean and disinfect workspaces, equipment, and playing areas for a minimum of 14 days;
 - avoid extended periods in public, contact with strangers, and large congregate settings, for 14 days.
- **Travelers visiting New York State for less than 14 days.** Those travelers must quarantine for the entire time of their stay in New York, and should complete the remainder of the 14-day quarantine period in their return to their home state.
- **The travel advisory is not retroactive.** If travelers arrived in New York from a restricted state prior to June 25, 2020, they do not need to quarantine.
- **Costs of quarantine and lost wages.** Travelers are responsible for their own expenses during quarantine.

- **Clinical Testing.** Obtaining a negative COVID-19 diagnostic test does not mean an individual traveling to New York from a restricted state may come out of quarantine, as symptoms may appear as late as 14 days after exposure. The full 14 day quarantine is still required.
- **Law Enforcement.** The travel advisory does not direct law enforcement to stop people solely due to an out-of-state license plate.

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

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