



Missouri Department of Health and Senior Services

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RELAY MISSOURI for Hearing and Speech Impaired and Voice dial: 711

Donald G. Kauerauf
Director



Michael L. Parson
Governor

November 30, 2021

Local Public Health Agency Administrator:

On November 22, 2021, Judge Daniel Green of the Cole County Circuit Court entered a judgment in the matter of *Shannon Robinson, et. al., v. Missouri Department of Health and Senior Services*. Although Missouri Department of Health and Senior Services (DHSS) is still assessing the extent and impact of this court opinion, I wanted to send a letter to all Local Public Health Agency (LPHA) administrators as an update on where we stand on November 30, 2021.

First, I want to thank all of you for your unwavering work to protect the health and safety of all Missourians prior to and during the COVID-19 outbreak. The continued commitment to duty by the public health workforce will undoubtedly allow us to prevail and prevent disease in the future. The efforts of the public health workforce is a success story through the implementation of measures to ensure the public's safety in the face of both personal and professional sacrifices. You are truly heroes to your community because of your work that has saved lives.

The court opinion released on November 22, 2021 has a significant effect on how public health officials will conduct public health matters in accordance with regulations found under 19 CSR 20-20. Through the court opinion, the judge limited the authorities of LPHA to order isolation or quarantine. However, the ruling didn't address the existing regulatory requirement for the department and local public health authorities to require isolation of a patient or quarantine of a contact, pursuant to 19 CSR 20-20.050(1). We suggest that LPHAs confer with your legal counsel on the impact the court opinion has on your local authorities and prior orders. As it stands right now, the court opinion will become a final judgment on December 22, 2021, pursuant to Missouri Supreme Court Rules. Although media reports indicate that the Attorney General's Office will not seek an appeal in this case, we are still waiting for confirmation of that fact directly.

Finally, DHSS is continuing to review and assess the impact that this decision has on how the Missouri DHSS conducts future public health activities as well as its relationship with LPHAs. We will share additional updates as we know more about the ruling. Although we cannot provide legal advice in the interpretation of the decision, we will do our best to provide clarity on the numerous questions that will arise.

Sincerely,

A handwritten signature in black ink that reads "Donald G. Kauerauf".

Donald G. Kauerauf
Director

www.health.mo.gov

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The Missouri Department of Health and Senior Services will be the leader in promoting, protecting and partnering for health.

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