



October 5, 2020

Barry-Eaton District Health Department Statement on Michigan Supreme Court COVID-19 Decision

On Friday, October 2, 2020, the Michigan Supreme Court held that "the executive orders issued by the Governor in response to the COVID-19 pandemic lack any basis under Michigan law." The Court's order does not affect the Michigan Department of Health and Human Services (MDHHS) orders, which require organizations to have many of the same health and safety protocols in place as required by the Governor's executive orders.

In light of the recent Court ruling, the Barry-Eaton District Health Department has received a number of questions as to how this will affect any organizational or local community plans and protocols. The Barry-Eaton District Health Department urges patience and continuity of mitigation strategies as local health departments work to understand the impact of the Supreme Court ruling. BEDHD will be reviewing any current and future orders issued by the MDHHS. Furthermore, private businesses and the public sector have the authority, rights and responsibility to require masks and other policies to assure the safety and health of their staff and clients. BEDHD encourages and recommends that they continue the same practices and policies established under the Executive Orders.

BEDHD is considering the efficacy of issuing orders within our district using authority granted through the Michigan Public Health Code to protect the public's health. One of the challenges of addressing the pandemic through county-level actions is clarity and consistency for residents, organizations, and businesses, particularly for those which operate across multiple counties. BEDHD will endeavor to work regionally when possible to develop any necessary local protocols or orders.

As of October 5, 2020, Eaton County's 7-day average of 75.4 new COVID-19 cases per million has increased 241% compared with a month ago (7-day average of 22.1 cases per million on 9/5). As of October 5, 2020, Barry County's 7-day average of 55.9 new COVID-19 cases per million has increased 207% compared with a month ago (7-day average of 18.2 cases per million on 9/5). Colette Scrimger, BEDHD's Health Officer stated, "Clearly, these increases are concerning and provide yet another reason for the Barry and Eaton County communities to stay the course to curtail this spread. We cannot risk losing control of viral transmission at this critical time, and have only a few basic tools to manage this risk."

The Barry-Eaton District Health Department stresses the importance of keeping core COVID-19 mitigation strategies in place. At a minimum, these strategies include proper mask use, workplace safety protocols, keeping in-person gatherings small, social distancing, frequent handwashing, and staying home if sick. BEDHD will continue to provide updated information as it becomes available.

For more information on COVID-19, please visit BEDHD's page at <https://www.barryeatonhealth.org/coronavirus> or MDHHS' page at <https://www.michigan.gov/coronavirus/>.