



ANDREW M. CUOMO
Governor

PATRICK A. MURPHY
Commissioner

May 7, 2020

Mr. Thomas Von Essen
Regional Administrator
Federal Emergency Management Agency – Region II
One World Trade Center, 52nd Floor
New York, New York 10007

RE: First Request for Extension, Non-Congregate Sheltering
Disaster: DR-4480

Mr. Von Essen,

I respectfully submit this time extension request on behalf of New York State and all eligible applicants regarding the use of non-congregate sheltering during the Coronavirus Disease 2019 (COVID-19) pandemic under major disaster declaration FEMA-4480-DR-NY. The initial approval granted to New York State on April 9, 2020 is set to expire on May 10, 2020. New York requests the current authorization be extended to July 25, 2020, the statutorily recognized expiration date of the current federal public health emergency for COVID-19. This extension request is reasonable and necessary to address the continued need to reduce the spread of the disease.

In accordance with the Public Health Order issued by the Commissioner of Health, New York State, on behalf of the State and eligible applicants, requests the continued use of non-congregate sheltering for the previously approved populations, and expanded to the following population:

- Individuals who have been exposed to COVID-19, including those individuals identified as part of contact tracing efforts within New York State, who do not have an appropriate home setting for isolation.

New York continues to test more individuals daily than any other state to identify individuals and populations at risk. Governor Cuomo recently announced the launch of a nation-leading COVID-19 contact tracing program to continue the suppression of the infection rate as summer approaches. A large-scale contact tracing program is critical to safely and responsibly reopening communities while preserving the public health.



**Homeland Security
and Emergency Services**

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The ability to use non-congregate sheltering for individuals unable to shelter at home will remove a significant impediment to the success of the program and sustained efforts to mitigate spread.

New York State and its applicants will continue non-congregate sheltering in accordance with the terms, conditions and certifications specified in the statewide plan approved by FEMA on April 9, 2020.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Bink", written over a horizontal line.

Anne Bink
Deputy Commissioner for Recovery Programs
Alternate Governor's Authorized Representative

Enclosure

STATE OF NEW YORK
STATE DEPARTMENT OF HEALTH

In the Matter of

The Provision of Non-congregate Shelters

Pursuant to PHL § 206 and 10 NYCRR Part 2.

**NON-CONGREGATE
SHELTER
ORDER**

WHEREAS, 2019-Novel Coronavirus (COVID-19) is an infection associated with fever and signs and symptoms of pneumonia or other respiratory illness, appears to be transmitted from person-to-person predominantly through droplet transmission and, if spread in the population, could have significant public health consequences; and

WHEREAS, on January 30, 2020 the World Health Organization designated the COVID-19 outbreak as a Public Health Emergency of International Concern, advising that further cases may appear in any country; and

WHEREAS, on January 31, 2020, Health and Human Services Secretary Alex M. Azar II declared a public health emergency for the entire United States to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, 10 NYCRR Part 2 establishes requirements related to the isolation of cases and suspected cases of communicable disease, and for the quarantine of persons reasonably determined to have been exposed to a communicable disease; and

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo, issued an Executive Order declaring a State disaster emergency and that COVID-19 poses a threat to the health and welfare of New York State

residents and visitors, with subsequent Executive Orders being issued since aimed to further limit the spread of COVID-19 and/or mitigate the impact thereof; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a national emergency pursuant to Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act; and

WHEREAS, the spread of COVID-19 in New York State constitutes a significant public health threat, with widespread transmission in several areas of the State, resulting in over 300,000 positive cases and nearly 20,000 death to date, which makes New York State the most impacted state in the nation; and

WHEREAS, the federal Centers for Disease Control (CDC) and New York State Department of Health (NYSDOH) have issued guidance for risk assessment and public health management of persons with potential or diagnosed COVID-19;

NOW, THEREFORE, by virtue of the authority vested in me by section 206 of the Public Health Law of the State of New York and 10 NYCRR Part 2, I do hereby:

FIND that non-congregate sheltering is needed for: individuals who have been exposed to COVID-19, including those individuals identified as part of contact tracing efforts within New York State, who do not have an appropriate home setting for isolation; individuals that have tested positive for COVID-19 and require isolation but not hospitalization and who do not have an appropriate home setting, or who have a medically vulnerable individual in the home setting where they would otherwise be isolated; healthcare and first responders interacting with presumptive or confirmed positive COVID-19 patients in an occupational setting, to include testing sites; and individuals that are or were supported by a congregate care shelter facility, to include but not limited to, homeless persons, domestic violence and elder abuse survivors;

DETERMINE that immediately available non-congregate sheltering, such as a hotel or motel, is necessary to minimize the spread of COVID-19 and protect the populations disproportionately impacted by this disease; and

ORDER the use of non-congregate shelter isolation and quarantine measures are reasonable, necessary, and appropriate and may be implemented by state and local agencies, local officials or healthcare private-not-for-profit organizations to minimize the spread of COVID-19; and

ORDER that non-congregate shelters shall provide adequate supports and services to enable a person to remain in isolation or quarantine, including but not limited to groceries, toiletries, laundry services, and access to medications.

DATED: _____, NEW YORK
May 6, 2020

Howard A. Zucker, M.D., J.D.
Dr. Howard A. Zucker, M.D., J.D.
COMMISSIONER OF HEALTH OF THE STATE OF NEW YORK