

CDC GUIDANCE EXPANDS “CLOSE CONTACT”

Oct 23, 2020

On October 21, 2020, the Centers for Disease Control and Prevention (“CDC”) broadened the definition of “close contact” for purposes of COVID-19 contact tracing and quarantining requirements.

Since many state and local government COVID-19 orders rely on the CDC definition of “close contact” to determine who should stay home, monitor, and be tested, the expanded definition will have repercussions across the country. Businesses may need to re-train their employees so that they follow the correct contact tracing protocols, and additionally, businesses may need to re-write COVID-19 protocols and standard operating procedures to reflect the new definition.

Contacts Are Now Cumulative Over a 24-Hour Period

Originally, the CDC defined a “close contact” as a person who spent 15 consecutive minutes within six feet of an infected person starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.

The revised definition is now as follows: “[s]omeone who was within 6 feet of an infected person for a cumulative total of 15 minutes or more over a 24-hour period starting from 2 days before illness onset (or, for asymptomatic patients, 2 days prior to test specimen collection) until the time the patient is isolated.”

The key change is that the 15 minutes of exposure is now cumulative over a 24-hour period. To use the workplace as an example, even if employees are only in the same space for a few minutes at a time, those relatively short events can cumulatively add up to more than 15 minutes and constitute a “close contact.”

How Does this Affect Your Business?

Businesses in jurisdictions which require social distancing measures to prevent “close contacts” as defined by the CDC will now need to think about how to maintain the six foot spacing, but also how to ensure that they manage employee interactions to prevent interactions within six feet that cumulatively add up to more than 15 minutes of contact. Solutions can include limiting the number

of employees allowed in shared spaces at one time, staggering breaks and shifts, and limiting access to things such as elevators and entry and access points.

In addition, many states require businesses to identify employees who were in close contact with a confirmed or suspected COVID case for quarantining and contract tracing purposes. Those close contacts are usually required to quarantine, and may need to receive a negative test result before returning to work, or to otherwise wait up to 14 days. Managers and employees who conduct the contact tracing review need to be trained on the new definition of “close contacts,” and company policies may also need to be revised to reflect the new definition.

Conclusion

Monitoring for changes like the CDC’s revision to the definition of “close contacts,” and revising company policies to reflect the latest information is a key component to ensuring employee safety, and mitigating COVID-19 risk. Our [COVID-19 Reopening Team](#) is tracking those changes, and BCLP would be happy to discuss any questions regarding your particular business.

MEET THE TEAM



Thomas S. Lee

San Francisco

tom.lee@bclplaw.com

+1 415 675 3447



John R. Kindschuh

St. Louis

john.kindschuh@bclplaw.com

+1 314 259 2313

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon (kathrine.dixon@bclplaw.com) as the responsible attorney.