

Governor to Exercise the Full Extent of His Authority to Protect Public Health and Safety
October 30, 2014

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AUGUSTA - Governor Paul R. LePage announced today that negotiations with a healthcare worker who had been quarantined in New Jersey and is now in Fort Kent have failed despite repeated efforts by State officials to work with an individual.

Since the arrival of a healthcare worker to the State of Maine, State health officials have worked diligently and tirelessly to address the safety and needs of the individual healthcare worker and all Mainers. The Governor's chief legal counsel together with the Attorney General was in hours of negotiation Wednesday in an attempt to reach agreement on how healthcare workers in Maine should meet the CDC guidelines for those in the "some risk" category. That category includes anyone who has had direct exposure to persons infected with Ebola within a 21-day incubation period. The agreement sought to identify how healthcare workers should conduct themselves, given the threat of exposure to the public, should symptoms develop.

"I was ready and willing-and remain ready and willing-to reasonably address the needs of healthcare workers meeting guidelines to assure the public health is protected," Governor LePage said.

CDC guidelines outlining what Maine considers an in-home quarantine require:

- a. Direct Active Monitoring;
- b. Any travel will be coordinated with the public health authorities to ensure uninterrupted direct active monitoring;
- c. Controlled movement to include exclusion from long-distance commercial conveyances or local public conveyances;
- d. Exclusion from public places and congregate gatherings;
- e. Exclusion from workplaces for the duration of a public health order (except to receive necessary healthcare);
- f. Non-congregate public activities while maintain a three-foot distance from others is permitted (for example, walking or jogging in a park);
- g. Other activities should be assessed as needs and circumstances change to determine whether these activities may be undertaken.

These guidelines would allow an individual in the "some risk" category to go for walks, runs or ride their bicycle, but would prevent such a person from going into public places or coming within three feet of other people in non-congregate gatherings. Unfortunately, an agreement was not reached. The Governor remains willing to enter into such an agreement, on a case-by-case basis, with traveling healthcare workers who meet this definition.

As a result of the failed effort to reach an agreement, the Governor will exercise the full extent of his authority allowable by law.

Maine statutes provide robust authority to the State to use legal measures to address threats to public health.

Public health provisions contained at Title 22 of Maine's Revised Statutes govern how the State may proceed to control diseases. There are multiple options provided in law. Specifics of the process or steps being taken by the State at this time may not be discussed publicly due to the confidentially requirements in law.