COVID-19 Guidance on Dispute Resolutions for Essential and Non-Essential Businesses

In accordance with the Amended Stay At Home Order that was issued that goes into effect on April 7, 2020 and runs through May 1 at 11:59 p.m. by Ohio Department of Health (ODH) Director Amy Acton, M.D., MPH under the direction of Governor Mike DeWine, the following is guidance regarding dispute resolutions for essential and non-essential businesses.

• The Stay At Home Order may be enforced by state and local law enforcement to the extent set forth in Ohio law.
  o Per Ohio R.C. 3701.352, “no person shall violate any rule the director of health or department of health adopts or any order the director or department of health issues under this chapter to prevent a threat to the public caused by a pandemic, epidemic, or bioterrorism event.”
  o Ohio R.C. 3701.56 provides that “boards of health of a general or city health district, health authorities and officials, officers of state institutions, police officers, sheriffs, constables, and other officers and employees of the state or any county, city, or township, shall enforce quarantine and isolation orders, and the rules the department of health adopts.”

• If a public official enforcing the Order has questions regarding what services are prohibited or what is an essential business or non-essential business, the Director of Health delegates to local health departments the authority to answer questions in writing. This does not require local health departments to provide advisory opinions to nongovernmental entities.

• A Dispute Resolution Commission will evaluate and render guidance in situations where two local health departments have come to a different conclusion for similar businesses on what is or is not an essential business.
  o This will help provide uniformity. For example, a chain store may be operating as an essential business in one jurisdiction, but not another.

For more information, visit: coronavirus.ohio.gov
The conflict may be submitted to ODH by either of the local health departments or an entity or person subject to the determination. The Dispute Resolution Commission will review the conflict and make a determination as to the application of the Order to the conflict. The decision of the Dispute Resolution Commission shall be final.

To submit a dispute, fill out this Dispute Resolution Form and submit it to Dispute.Resolution@odh.ohio.gov.

For additional information, visit coronavirus.ohio.gov.

For answers to your COVID-19 questions, call 1-833-4-ASK-ODH (1-833-427-5634).

If you or a loved one are experiencing anxiety related to the coronavirus pandemic, help is available. Call the Disaster Distress Helpline at 1-800-985-5990 (1-800-846-8517 TTY); connect with a trained counselor through the Ohio Crisis Text Line by texting the keyword “4HOPE” to 741 741; or call the Ohio Department of Mental Health and Addiction Services help line at 1-877-275-6364 to find resources in your community.
Protect yourself and others from COVID-19 by taking these precautions.

For additional information call 1-833-4-ASK-ODH or visit coronavirus.ohio.gov.

STAY HOME

PRACTICE SOCIAL DISTANCING

GET ADEQUATE SLEEP AND EAT WELL-BALANCED MEALS

WASH HANDS OFTEN WITH WATER AND SOAP (20 SECONDS OR LONGER)

DRY HANDS WITH A CLEAN TOWEL OR AIR DRY YOUR HANDS

COVER YOUR MOUTH WITH A TISSUE OR SLEEVE WHEN COUGHING OR SNEEZING

AVOID TOUCHING YOUR EYES, NOSE, OR MOUTH WITH UNWASHED HANDS OR AFTER TOUCHING SURFACES

CLEAN AND DISINFECT "HIGH-TOUCH" SURFACES OFTEN

CALL BEFORE VISITING YOUR DOCTOR

PRACTICE GOOD HYGIENE HABITS

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