

KENTUCKY – COVID-19 – Back to Business Orders [Updated through 12/13/20]

ALL EXECUTIVE ORDERS AND HFS DIRECTIVES

<https://govstatus.egov.com/ky-healthy-at-work>
<https://governor.ky.gov/covid19>

HEALTHY AT WORK REOPENING SITE

<https://govstatus.egov.com/ky-healthy-at-work>

GENERAL TOPIC	SUMMARY	SECTION #
General	<p>Kentucky began reopening businesses in phases as part of the Healthy at Work plan, starting 5/11/20. Executive Order 2020-323 gave authority to the Cabinet for Health and Family Services (HFS) to issue orders and directives.</p> <p>See Healthy at Work site for HFS orders and directives, including detailed Minimum Requirements for All Businesses, including daily screenings, hygiene, mask requirements, sanitation requirements, designation of a Healthy at Work officer, training requirements, contact notification procedures,</p> <p>Certain tightened restrictions were adopted, effective 11/20/20 through 12/13/20. See Exec Order 2020-968.</p>	EO 2020-323 Healthy at Work
Shelter in Place - Modifications	No stay at home order was issued. Restrictions were on businesses and gatherings.	
Businesses	<p><u>Prior Orders</u>: Under prior orders and directives, most non-life sustaining businesses were closed to in person business operations. Curbside pickup and delivery were permitted.</p> <p><u>Reopening Businesses</u>: Businesses reopened in phases, subject to requirements established in orders of the Cabinet for Health and Family Services (HFS).</p> <p><u>Requirements for All Businesses</u>. All businesses, whether or not previously closed, are required to comply with the orders and directives of HFS. See Healthy at Work site for general and sector-specific requirements</p> <p>Under tightened restrictions effective 11/20/20 through 12/13/20, indoor dining at bars and restaurants was prohibited. Gyms and fitness centers cannot offer group classes and must</p>	

Disclaimer: The information provided in this handout is general information and not designed to be and should not be relied on as your sole source of information when analyzing and resolving a specific legal issue. Each fact situation is different; the laws are constantly changing. If you have specific questions regarding a particular fact situation, we urge you to consult with legal counsel.

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	<p>limit capacity to 33%. Retail stores and personal care businesses must close their seating and waiting areas and limit capacity to 50%. Indoor venues and event spaces, including weddings and funerals, can hold no more than 25 people per room. See Exec Order 2020-968</p>	
Restaurants/Bars	<p>Prior Orders: Under earlier orders, restaurants and bars were limited to takeout and delivery only.</p> <p>Effective 5/22/20, restaurants allowed to open for onsite consumption, subject to compliance with sector specific requirements. See Restaurant Guidance</p> <p>Under tightened restrictions effective 11/20/20 through 12/13/20, indoor dining at bars and restaurants is prohibited. See Exec Order 2020-968</p>	
Gatherings	<p>Prior Orders: Prior orders had prohibited all gatherings.</p> <p>Effective 5/22/20, gatherings up to 10 people are permitted, but must follow specific guidance for small gatherings. Gatherings of more than 10 people prohibited. All gatherings shall to the maximum extent possible, comply with social distancing. 5/20 Directive</p> <p>Effective 6/29/20, gatherings limit was increased to up to 50 people, but must follow specific requirements. 6/29 Directive Gatherings Requirements</p> <p>As of 11/20/20, all indoor social gatherings are limited to a maximum of two households and no more than eight individuals. See Exec Order 2020-968</p> <p>As of 12/13/20, “recommended” that all indoor social gatherings are limited to a maximum of two households and no more than eight individuals. See Exec Order 2020-1034. The Mass Gatherings Order dated 3/19/20 (as amended 5/9/20, 5/20/20, and 7/20/20), is rescinded.</p>	
Elective Surgeries	<p>Elective procedures were permitted to resume, subject to conditions, in phases, beginning 4/27/20. See HFS Directives dated 4/27/20 and 5/1/20.</p>	

Facemasks	Effective 7/10/20, all persons in Kentucky must wear face coverings in specified settings, including while inside or waiting to enter any retail establishment or indoor public space where it is difficult to maintain social distancing, while waiting for or riding on public transportation, and while in outdoor spaces where social distancing cannot be maintained. The order contains certain exceptions, and has been reissued or amended. See Exec Order 2020-586 (7/10/20); Exec Order 2020-931 (11/4/20), Exec Order 2020-996 (12/3/20)	Exec Order 2020-586 Exec Order 2020-931 Exec Order 2020-996
Travel	Effective 5/6/20, under EO 2020-315, persons entering Kentucky “were asked” to self quarantine for 14 days, unless an exception was met. The order provided that persons who test positive shall not enter the commonwealth. Effective 5/22/20, EO 2020-315 was rescinded and the “travel ban” is no longer in effect On December 14, 2020, the Kentucky Department for Public Health (KDPH) revised its travel guidance to discourage all out-of-state leisure travel until further notice. If people do travel, it is recommended they conduct a 14-day self-quarantine upon return. See Travel Advisory	EO 2020-315 EO 2020-415 Travel Advisory

DISCLAIMER: This information is provided for convenience only, and should not be relied upon in making decisions for your business. As this is a rapidly changing area, reference should always be made to the official order and related interpretative guidance. If you have specific questions about how any particular jurisdiction’s Order affects your business, or other COVID-19 topics, please contact a member of the Holland & Knight’s COVID-19 Response Team – State and Local Orders and Regulations.