MISSOURI – COVID-19 – Back to Business Orders
[Order of Director of the Dep’t of Health and Senior Services – Issued 4/27/20]

BACK TO BUSINESS ORDERS


SHOW ME STRONG RECOVERY PLAN

https://showmestrong.mo.gov/new-business-page/

SHOW ME STRONG GUIDANCE

https://governor.mo.gov/show-me-strong-recovery-plan-guidance-and-frequently-asked-questions
https://showmestrong.mo.gov/businesses-guidelines/
https://health.mo.gov/living/healthcondiseases/communicable/novel-coronavirus/

<table>
<thead>
<tr>
<th>GENERAL TOPIC</th>
<th>SUMMARY</th>
<th>SECTION # of DHSS Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>Effective Period</td>
<td>4/27/20 DHSS Order: Effective May 4, 2020 through May 31, 2020, as may be extended. [It is not clear whether this order has been extended. As of 7/19/20, it is not posted on the DHSS website.]</td>
<td></td>
</tr>
<tr>
<td>General</td>
<td>Missouri originally applied restrictions on gatherings, rather than business closure rules. Missouri has eased up restrictions on businesses in phases, imposed by Public Health Orders rather than by Executive Orders. Phase 1 of the reopening effort was announced as commencing 5/4/20 (the effective date of the DHSS Order). Phase 2 was announced as commencing 6/16/20. With Phase 2, announcements have stated that all businesses are open.</td>
<td></td>
</tr>
</tbody>
</table>
| Shelter in Place - Modification | Prior Orders: Prior orders had stated that residents “shall avoid” leaving their homes or places of residence, except for certain essential activities. Did not apply to persons performing “essential worker functions” where work requires closer distance.

4/27/20 DHSS Order: The Order specifies that when individuals leave their homes, they should at all times practice social distancing. Every person and business shall abide by social distancing requirements. | §1,2 |
<table>
<thead>
<tr>
<th>GENERAL TOPIC</th>
<th>SUMMARY</th>
<th>SECTION # of DHSS Order</th>
</tr>
</thead>
</table>
| Business Reopenings and Restrictions | Prior Orders: Under prior orders, any entity that does not employ individuals to perform “essential worker functions” (a) shall adhere to limitations on social gatherings and social distancing (see §4 and §5), and (b) may apply for a waiver on the gatherings restriction from Director of Dep’t of Economic Development. For workplaces that remain open, individuals shall practice good hygiene and where feasible work from home.  
4/27/20 DHSS Order: Under the DHSS Order, restrictions were placed on retail businesses (including occupancy restrictions based on the size of the retail location). The Order permitted restaurants to offer dining in services, subject to certain social distancing requirements. No other business restrictions are specified. | §4, 6 |
| Restaurants/Bars        | Prior Orders: Prior orders had specified that all persons “shall avoid” eating and drinking at restaurants, bars, etc. Use of drive thru pickup or delivery options is allowed.  
4/27/20 DHSS Order: The Order permitted restaurants to offer dining in services, subject to certain social distancing requirements. | §6 |
| Gatherings              | Prior Orders: Prior orders had specified that all persons “shall avoid” social gatherings of more than 10 people  
4/27/20 DHSS Order: No restrictions on gatherings.                                                                                                                                                     |                         |
| Facemasks               | No statewide mandate. Face coverings recommended. See Face Covering Guidance  
A number of local jurisdictions have adopted face mask requirements, including Clay County, Columbia, Jackson County, Johnson County, Joplin, Kansas City, North Kansas City, Springfield, St Louis. These requirements may change, and it is recommended that local jurisdictions be monitored for requirements. | Face Covering Guidance  |
| Travel                  | No travel restrictions under this order                                                                                                                                                               |                         |
| Impact on other Orders  | Nothing shall limit the right of local authorities to make further ordinances, rules, etc., not inconsistent with this Order.  
An exception to this authority is the Order from the Director of the Department of Health and Senior Services dated March 24, 2020, removing the authority of a local health authority from closing or restricting the operations of a business which is a part of the food supply, whether that be agricultural production, manufacturing, distribution, or sale of food. This limited waiver does not limit the authority of a local health authority from closing or restricting the | p.2 |
### GENERAL TOPIC

<table>
<thead>
<tr>
<th>SUMMARY</th>
<th>SECTION # of DHSS Order</th>
</tr>
</thead>
<tbody>
<tr>
<td>operations of a retail food establishment. In addition, the Director of the Department of Health and Senior Services may issue further orders as deemed necessary. A number of local jurisdictions have adopted restrictions, including St Louis county and City, and Kansas City.</td>
<td></td>
</tr>
<tr>
<td>Other</td>
<td>No visiting of nursing homes, long term care facilities, unless to provide critical assistance. This order does not restrict lawful possession of firearms. All state office buildings closed to public. Provisions relating to schools.</td>
</tr>
</tbody>
</table>

### APPENDIX AND DEFINITIONS (SUMMARY)

#### General Guidelines for Businesses

**Recommended General Guidelines for Business**

- Prepare to implement basic infection prevention measures informed by industry best practices, regarding:
  - Protective equipment;
  - Temperature checks;
  - Testing, isolating, and contact tracing; and
  - Sanitation, including disinfection of common and high-traffic areas (entrances, breakrooms, locations where there is high-frequency employee interaction with the public/customers).

- Modify physical workspaces to maximize social distancing.

- Develop an infectious disease preparedness and response plan, including policies and procedures for workforce contact tracing when an employee tests positive for COVID-19.

- Monitor workforce for indicative symptoms. Do not allow symptomatic people to physically return to work until cleared by a medical provider.

- Develop, implement, and communicate about workplace flexibilities and protections, including:
  - Encouraging telework whenever possible and feasible with business operations;
  - Returning to work in phases and/or split shifts, if possible;
  - Limiting access to common areas where personnel are likely to congregate and interact; and

---

*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.*

*All product and company names are trademarks™ or registered® trademarks of their respective holders. Use of them does not imply any affiliation with or endorsement by them.*

Copyright © 2020 Holland & Knight LLP. All rights reserved.
### GENERAL TOPIC

<table>
<thead>
<tr>
<th>SUMMARY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ensuring that sick leave policies are flexible and consistent with public health guidance</td>
</tr>
</tbody>
</table>

**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.