



The Commonwealth of Massachusetts  
Executive Office of Health and Human Services  
Department of Public Health  
250 Washington Street, Boston, MA 02108-4619

DEVAL L. PATRICK  
GOVERNOR

TIMOTHY P. MURRAY  
LIEUTENANT GOVERNOR

JUDYANN BIGBY, MD  
SECRETARY

JOHN AUERBACH  
COMMISSIONER

ORDER REGARDING EXCLUSION REQUIREMENTS FOR  
PANDEMIC INFLUENZA H1N1 INFECTION

In accordance with 105 CMR 300.150<sup>1</sup> and under the authority of Massachusetts General Laws, Chapter 111, section 6<sup>2</sup>, swine origin Influenza A H1N1 is a recently identified disease that is a public health concern. This Order establishes exclusion requirements for individuals who are suspected to have, probably have, or have been confirmed to have this disease ("suspect, probable, or confirmed cases"), for 12 months from this day.

Any individual who is a suspect, probable or confirmed case of Influenza A H1N1, shall be excluded from school or work for at least 24 hours after he or she is free of fever (100.4 degrees F.) without the use of fever-reducing medications (such as ibuprofen or acetaminophen), or for any other length of time deemed necessary pursuant to guidelines of the Department of Public Health on the basis of medical information on transmission of the virus. For the purpose of this order, "school" shall mean public, private, and parochial schools with grades K-12, preschools, group child care settings, and classes in colleges and universities.

Such individuals should remain at home and follow the Home Isolation Instructions for Patients with Suspect, Probable, and Confirmed Influenza issued by the Massachusetts Department of Public Health as now or hereafter amended, available at [www.mass.gov/flu](http://www.mass.gov/flu).

This Order shall take effect immediately and shall expire when rescinded, but no later than 12 months after the date of signature.

IT IS SO ORDERED.

John Auerbach  
Commissioner  
Massachusetts Department of Public Health

8/27/09

Date

<sup>1</sup> 105 CMR 300.150: Declaring a Disease or Condition Immediately Reportable, Under Surveillance and/or Subject to Isolation and Quarantine: Temporary Reporting, Surveillance and/or Isolation and Quarantine: In addition to the diseases and conditions listed in 105 CMR 300.000 *et seq.*, the Commissioner, as necessary to reduce morbidity and mortality in the Commonwealth, shall require the reporting, authorize the surveillance and/or establish isolation and quarantine requirements, on a time-limited basis, of confirmed and suspect cases of diseases or conditions which are newly recognized or recently identified or suspected as a public health concern. Such declarations shall be authorized for a period of time not to exceed 12 months. Such requirements for a particular disease or condition beyond this time period shall be continued pursuant to revised regulation under 105 CMR 300.000 *et seq.* [emphasis added]

<sup>2</sup> M.G.L., Ch. 111, s. 6: The department shall have the power to define, and shall from time to time define, what diseases shall be deemed to be dangerous to the public health, and shall make such rules and regulations consistent with law for the control and prevention of such diseases as it deems advisable for the protection of the public health. The department shall also have the power to define, and shall from time to time so define, what diseases shall be included within the term venereal diseases in the provisions of the laws relative to public health.