


OCTOBER 17, 2022 | LEGISLATIVE & STANDARDS BOARD UPDATES

California Public Health Agency Redefines “Close Contact” (Yet Again)

The California Department of Public Health (CDPH) has just issued [a public health order](#) redefining the “close contact” definition. In short, the agency has reverted to the CDC’s 6 feet rule for “indoor spaces greater than 400,000 cubic feet per floor” such as warehouses, retail stores, grocery stores, manufacturing plants and hangars with large open floor plans (and high ceilings). Indoor spaces with 400,000 or fewer cubic feet per floor remain subject to the CDPH’s vague requirement that individuals “shar[e] the same indoor airspace.” 

What’s in the CDPH Order?

The public health order provides that “for purposes of [CDPH’s] recommendations regarding isolation and quarantine periods of persons infected with or exposed to COVID-19,” close contact means the following:

- **In indoor spaces 400,000 or fewer cubic feet per floor** (such as home, clinic waiting room, airplane etc.), a close contact is defined as **sharing the same indoor airspace** for a cumulative total of 15 minutes or more over a 24-hour period (for example, three separate 5-minute exposures for a total of 15 minutes) during an infected person’s (confirmed by COVID-19 test or [clinical diagnosis](#)) infectious period.
- **In large indoor spaces greater than 400,000 cubic feet per floor** (such as open-floor-plan offices, warehouses, large retail stores, manufacturing, or food processing facilities), a close contact is defined as **being within 6 feet of the infected person** for a cumulative total of 15 minutes or more over a 24-hour period during the infected person’s infectious period.

Significantly, the order also makes clear that areas that are separated by floor-to-ceiling walls, such as offices, suites, bathrooms, or break or eating areas, must be considered “distinct indoor airspace.”

Takeaways

This new bifurcated definition of “close contact” impacts the process for identifying close contacts and, as a result, influences an employer’s testing, masking and outbreak procedures. This change takes effect **immediately** under the present COVID-19 ETS as that regulation contains a provision that CDPH orders on the “close contact” definition govern over the ETS’s. This new definition has also been incorporated into Cal/OSHA’s proposed COVID-19 nonemergency rule, through a 15-day notice for comment issuing last Friday.

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