



District of Rendsburg-Eckernförde

The district administrator
Specialist Health Service

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Your references, your letter dated

My references, my letter dated

Rendsburg

15.03.2021

General Decree

of the district of Rendsburg-Eckernförde on the order for isolation (isolation or quarantine) due to an infection by the novel coronavirus (SARS-CoV-2) or classification as a category I contact person in a suit- able home

According to §§ 28a paragraph 1, 28 paragraph 1 sentence 1 and 2 in connection with § 30 paragraph 1 sentence 2 Law for the prevention and control of infectious diseases in humans (Infection Protection Act - IfSG) in connection with § 106 paragraph 2 General Administrative Law for the State of Schleswig -Holstein (State Administration Act - LVwG) the following general decree is issued:

1. Persons,

- a. who have the knowledge, that a molecular biological test carried out on them for the presence of SARS-CoV-2 viruses after this general decree has come into force has a positive result (people who tested positive)

or

- b. who are aware that a SARS-CoV-2 antigen rapid test for the presence of SARS-CoV-2 viruses carried out by trained staff on them after this general decree has come into force has a positive result



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or

- c. who are to be classified as category I contact persons according to the requirements of the Robert Koch Institute (RKI)

or

- d. who were informed by the health department of the Rendsburg-Eckernförde district that the presence of SARS-CoV-2 viruses was detected on the basis of a molecular biological examination carried out on them (people who tested positive)

or

- e. who are aware that a SARS-CoV-2 rapid antigen test for the presence of SARS-CoV-2 viruses carried out themselves after this general decree has come into force has a positive result,

are obliged to go to their home immediately after becoming aware of them and to stay there until further notice (domestic isolation/quarantine).

2. The persons named under number 1 letters **a - c** are obliged to contact the health services of the district of Rendsburg-Eckernförde immediately using the contact details below, via the citizen's telephone (04331 / 202-850) or by email at gesundheitschutz@kreis-rd.de to report. The data can also be sent in encrypted form. Registration at <https://www.kreis-rendsborg-eckernfoerde.de/e-mail-sicherheit/> is required for this.

The following data must be reported:

- First and second name,
- Date of birth,
- Telephone number,
- Address,
- Classification of oneself (Number 1 - 3),
- Symptoms of illness including notification of the day of the first occurrence,
- Day of the test carried out,
- First and second name of the people who live in the household

There is no obligation to report if a person who is legally obliged to report in accordance with Section 8 of the Infection Protection Act makes the report.

3. The persons named under **number 1 letters b and e** are obliged to have the test result confirmed immediately by means of a molecular biological examination (PCR

test) in a test center, a test station or a doctor. To do this, they are allowed to leave their home once. This may only be done using a mouth and nose cover, **without using public transport** and on the direct way there and back, i.e. no intermediate stops. Interruptions for other purposes are not permitted. If no PCR testing is carried out, the persons have to isolate themselves for 14 days.

4. The persons named under **number 1 letters a – e** are obliged to adhere to the following **behavioral measures**:

- No close physical contact with family members / other people.
- A distance of > 1.50 - 2 m to all persons must be maintained.
- Wear **close-fitting mouth and nose protection** if it is inevitable that you will have to share the room with third parties. This must be changed after two hours at the latest if it is saturated.
- The aforementioned sub-items do not apply to people who need personal attention or care or who are in the same household (close family circle). The contacts are to be reduced to the necessary extent.
- Keep a **diary** regarding your symptoms, body temperature, general activities and contacts with other people. The body temperature should be measured **twice a day**.
- If symptoms such as fever or increased temperature, cough, irritation of the throat or runny nose occur, the health department of the Rendsburg-Eckernförde district must be informed immediately using the contact details listed.

5. the persons named under **number 1 letters a - e** are prohibited from exercising a professional activity according to § 31 Infection Protection Law. An exception is home office if this can be done without contact with other people.

6. The segregation order applies until it is lifted by the health department of the Rendsburg-Eckernförde district, but no later than after 14 days. An extension may be possible in individual cases. In the case of contact persons, the arrangement is based on the PCR result of the index case (the initially confirmed COVID case).

For the case constellation of a positive self-test according to **number 1 letter e** and subsequent molecular biological examination (PCR test), the obligation to secrete ends automatically when the infection is terminated if the negative test result is available. For persons according to **number 1 letter c**, the index case (the initially confirmed COVID case) is decisive.

7. This general decree is valid from **20.03.2021 up to and including Monday, 03.05.2021, midnight**. An extension is possible.

8. The following general decree is replaced by this general decree:

General decree of the Rendsburg-Eckernförde district on the order for isolation (isolation or quarantine) due to an infection by the novel coronavirus (SARS-CoV-2) or the classification as a category I contact person in a suitable home from March 15, 2021.

9. Infringements can be punished with a fine of up to 25,000 € according to § 73 paragraph 1a no. 6 Infection Protection Act.

10. The order is immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) Infection Protection Act. Objections and actions for rescission against these measures have no suspensive effect.

11. The general decree and its reasons can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg.

12. For information on the collection of data in the Rendsburg-Eckernförde district administration in accordance with Articles 12 and 13 of the General Data Protection Regulation, please refer to the COVID-19 data protection information sheet. This can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg and on the Internet on the Rendsburg-Eckernförde district's homepage (www.kreis-rendsburg-eckernförde.de).

Juristification

The legal basis for the measures taken is Sections 28 a (1) and 28 (1) in conjunction with Section 30 (1) sentence 2 of the Infection Protection Act. According to §§ 28a Paragraph 1, 28 Paragraph 1 Clause 1 of the Infection Protection Act, the competent authority must take the necessary protective measures if sick, suspected of being infected, suspected of being infected or who have been eliminated, or if it emerges that a deceased person was sick, suspected of being sick or had withdrawn, if so and as long as it is necessary to prevent the spread of communicable diseases. According to §§ 28a paragraph 1, 28 paragraph 1 sentence 2 Infection Protection Act, the competent authority can restrict or prohibit events for a larger number of people and close bathing establishments or community facilities mentioned in § 33 Infection Protection Act or parts thereof; it can also oblige people not to leave the place where they are or not to enter places specified by it until the necessary protective measures have been taken.

According to § 31 Infection Protection Act, the competent authority can prohibit sick people, suspected illnesses, contagious suspects and excretors from exercising certain professional activities in whole or in part. This also applies to other people who carry pathogens in or on themselves in such a way that there is a risk

of spreading them in individual cases.

The provisions of this general decree are based on the decree pursuant to Section 3 Paragraph 2 Clause 2 of the Act on Public Health Services (Health Services Act - GDG) of the Ministry of Social Affairs, Health, Youth, Family and Seniors of 19.03.2021.

The disease caused by the novel coronavirus is a disease caused by pathogens (viruses) that are transmitted from person to person by droplet infection. Transmission is possible through droplet infection with people suffering from the novel coronavirus or through contact with their vomit, stool or other body fluids. Since there is currently neither adequate protection of the population through vaccination nor a drug approved for treatment in Germany, preventing healthy people from being infected by the virus is of particular importance.

A sick person within the meaning of § 2 No. 4 Infection Protection Act is a person who is sick with a communicable disease. This is an ordinance on the extension of the reporting obligation pursuant to Section 6 (1) sentence 1 number 1 and Section 7 (1) sentence 1 of the Infection Protection Act to infections with the novel corona virus (SARS-CoV-2) which first appeared in December 2019 in Wuhan / People's Republic of China and is a reportable disease that is considered highly contagious.

According to Section 2 No. 7 of the Infection Protection Act, a person is considered to be a suspect of infection who can be assumed to have ingested pathogens without being sick, suspect or excretory.

People who are classified as Category I contact persons according to the RKI requirements are considered to be contagious through contact with a person suffering from the novel coronavirus. These are people with 15 minutes of "face-to-face contact" and / or who have been exposed to a high concentration of infectious aerosols and / or direct contact with secretions for a longer period of time (e.g. 30 minutes). A specific definition can be found at the RKI (https://www.rki.de/DE/Content/InfAZ/N/Neuartiges_Coronavirus/Kontaktperson/Management.html?jsessionid=7EDD03B554492F3938252D1388B8FBE5.internet101#doc13516162bodyText8)

In order to be able to curb the spread of this disease effectively, the Infection Protection Act grants the competent authorities very extensive rights to order specific measures to avert danger. These include in particular:

- The obligation to tolerate examinations, including taking blood
- Comprehensive information on health status

- Orders to be in a specified place

Sections 28 - 30 of the Infection Protection Act expressly provide that the basic rights of physical integrity (Article 2 (2) sentence 1 of the German Civil Act), the freedom of the person (Article 2 (2) sentence 2 of the German Civil Act) and the Inviolability of the home (Article 13, Paragraph 1 of the German Civil Act) may be restricted.

The order to stay at home and not to leave it without permission is based on the infection found in the persons named under 1 letters a to e or the fact that they are suspected of being contagious RKI requirements are to be classified, suitable for the protection of the general public and necessary to effectively combat the spread of the new type of coronavirus and to prevent it from spreading. According to Section 30 (1) sentence 2 IfSG, suspected contagion persons can be "isolated in a suitable hospital or in some other suitable manner". The isolation in one's own ("their") domesticity is necessary in order to ensure a verifiability of the specifications and the information and to be able to establish contact for any further orders.

There is no obligation to report for the persons named in number 1 letters a - c, as far as a person legally obliged to report makes the report. This includes in particular doctors (§ 8 Paragraph 1 No. 1 IfSG) or pharmacists (§ 8 Paragraph 1 No. 5 IfSG) as well as the diagnosing person when using near-patient rapid tests on third parties if they are diagnosed according to § 24 Sentence 2 or on the basis of Ordinance according to § 24 sentence 3 number 1 IfSG is authorized to carry out such rapid tests.

The persons named in paragraph 1 letter b and letter e are obliged in paragraph 3 to have the test result confirmed immediately by means of a molecular biological examination (PCR test). Alternatively, the possibility of 14-day secretion should remain as a milder means compared to (minor) physical intervention (no compulsory testing). A premature end of the secretion is only possible by confirming a negative PCR result.

For the persons named in number 1 letters a, b and c, the test center or the test station can provide proof of the time and reason for the test at the request of the health department.

Regulations on isolation or testing based on state or federal regulations remain unaffected.

The obligation to report to the responsible health authority after a positive test result only applies to the persons named in number 1 letters a - c. Self-testers are excluded from this. Self-testers are obliged to have the test result confirmed by a molecular biological examination in a test center. If this result is also positive, a PCR test must be carried out in the test center. From the time a positive rapid antigen test (PoC test) is available (number 4), the persons are also required to report in accordance with number 2.

There is no obligation to report for the persons named in number 1 letters a - c, as far as a person legally obliged to report makes the report. This includes in particular doctors (§ 8 Paragraph 1 No. 1 IfSG) or pharmacists (§ 8 Paragraph 1 No. 5 IfSG) as well as the diagnosing person when using near-patient rapid tests on third parties if they are diagnosed according to § 24 Sentence 2 or on the basis of Ordinance according to § 24 sentence 3 number 1 IfSG is authorized to carry out such rapid tests.

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Against the background of the very dynamic spread and infections with the SARS-CoV-2 virus and diseases from COVID-19, extensive and effective measures must be taken immediately to delay the spread of the spread and to break the chains of infection. Far-reaching effective measures are urgently needed to ensure the long-term maintenance of the essential functions of the health system and public safety and order in Schleswig-Holstein as far as possible in the interests of health protection. The large-scale interruption, containment or delay in the spread of the new pathogen in the country is - beyond the measures already taken - the only effective procedure to achieve these goals.

Taking into account the upcoming holidays and the already high workload of the public health service, the above measures will be taken to ensure the interruption, containment or delay of the spread of the SARS-CoV-2 virus.

This order comes into force on 20.03.2021. It is limited up to and including 03.05.2021. An extension is possible.

The general decree is based on §§ 28a paragraph 1, 28 paragraph 1 sentence 1 and 2 Infection Protection Act. Infringements are therefore subject to a fine according to Section 73, Paragraph 1a, No. 6 of the Infection Protection Act.

The orders are immediately enforceable in accordance with Section 28 (3) in conjunction with Section 16 (8) of the Infection Protection Act. Objections and actions for rescission against these measures have no suspensive effect.

The general decree and its justification can be viewed during office hours in the Rendsburg-Eckernförde district, Kaiserstraße 8, 24768 Rendsburg.

Notes:

- If possible, a temporal and spatial separation from non-positive household members should be observed in the household. A "temporal separation" can take place, for example, in that the meals are not consumed together, but one after the other. A spatial separation can take place, for example, by staying in different rooms.

- Pay attention to the coughing and sneezing etiquette at all times and use disposable handkerchiefs.

- Toiletries should not be shared with other members of the household.

- Dishes and linen should also not be shared with household members or third parties without first washing them. Laundry that comes into contact with the interior should be washed at at least 60 ° C.

- Surfaces that people come into frequent contact with should be cleaned regularly with household cleaners or surface disinfectants.

- Regular hand washing, especially before and after preparing food, eating and using the toilet.

- You should ensure regular ventilation of the living room, bedroom, kitchen and bathroom.

- Do your purchases online or have them done by third parties

- In case of doubt, a direct route means using a taxi or your own vehicle, but not using local public transport.

Legal Appeal

An objection can be raised against this general decree within one month of its announcement. The objection must be submitted in writing, electronically or for recording to the district of Rendsburg-Eckernförde, The district administrator, Specialist Health Service, Kaiserstraße 8, 24768 Rendsburg.

If a lawyer is involved or if the objection is filed electronically by an authority, it can be sent to the special electronic mailbox of the Rendsburg-Eckernförde district via the special electronic lawyer mailbox or authority mailbox.

An objection by email is not permitted. Citizens can only lodge an objection to the special electronic mailbox of the Rendsburg-Eckernförde district if the citizen has a citizen EGVP account (OSCI account) and also uses a qualified electronic signature.

The objection has no suspensive effect in accordance with Section 80, Paragraph 2, No. 3 of the Administrative Court Regulations (VwGO). An application for an order of suspensive effect can be submitted to the Schleswig-Holstein Administrative Court, Brockdorff-Rantzau-Strasse 13, 24837 Schleswig, in accordance with Section 80 (5) VwGO.

On behalf

Madlin Loof