



MINISTRY OF HEALTH
Palackého náměstí 375/4, 128 01 Prague 2

Prague, 14 January 2022

Ref. No.: MZDR 1520/2022-1/MIN/KAN

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EXTRAORDINARY MEASURE

The Ministry of Health, as the competent administrative authority, pursuant to Section 80(1)(g) of Act No. 258/2000 Coll., on Public Health Protection and on the amendment of certain related acts, as amended, and Section 2(1) of Act No. 94/2021 Coll., on Extraordinary Measures during the COVID-19 Disease Epidemic and on the amendment of certain related acts, **orders** this Extraordinary Measure, proceeding pursuant to Section 69(1)(i) and (2) of Act No. 258/2000 Coll., and pursuant to Section 2(2)(e) and (m) of Act No. 94/2021 Coll., in order to protect the population against the further spread of the COVID-19 disease caused by the novel SARS-CoV-2 coronavirus:

I.

1. All healthcare service providers and all social service providers (hereinafter referred to as the “employer”) are ordered, pursuant to the provisions of Section 2(2)(m) of Act No. 94/2021 Coll., to carry out preventive testing for the presence of the SARS-CoV-2 antigen, unless otherwise specified below, by means of rapid antigen tests (RAT) carried out by an employee who is a healthcare professional or by a healthcare service provider with which it has concluded a contract for the provision of occupational health services or by another healthcare service provider with which it has concluded a contract for the provision of healthcare services for the purpose of carrying out rapid antigen tests (RAT) on all its employees once every 7 days; for the purposes of this measure, an employee also refer to persons who perform activities in favor of the provider based on a relationship other than a concluded employment relationship, including volunteers, and persons training to perform an occupation. Among employees who are not present on the workplace at the time of performing regular testing, the test will be carried out on the day when they return to work, before commencing work.
2. Testing pursuant to point 1 will not be performed among employees who
 - a) given the nature of the work at their workplace, do not meet other persons who are not regarded as persons living in the same household as them, or who do not carry out work at the workplace; or
 - b) have undergone RT-PCR testing for the presence of the SARS-CoV-2 virus with a negative result no more than 72 hours before the date of the periodic preventive examination referred to in point 1, and provide proof of this to the employer by means of a record in the Infectious Disease Information System (EU COVID digital certificate) or a certificate issued by a healthcare services provider; or
 - c) have been vaccinated against COVID-19 and prove this fact to the employer by means of a national certificate of completed vaccination or a certificate of completed vaccination issued pursuant to the European Union regulation on the EU COVID digital

certificate¹, under the condition that at least 14 days have passed since completion of the vaccination program; a national certificate of completed vaccination refers to a written confirmation issued at least in the English language by the authorized entity operating in a third country, a specimen of which is published in the list of recognized national certificates on the website of the Ministry of Health; a written confirmation must contain data about the vaccinated person, type of vaccine administered, date of administration of the vaccine, identification of the entity that issued the confirmation of that vaccination, whereas these data must be verifiable via remote access directly from the written confirmation, assuming the vaccination was performed using

- i) a medicinal product containing a COVID-19 vaccine granted market authorization under Regulation (EC) No. 726/2004, or
 - ii) a medicinal product manufactured in accordance with a patent for the medicinal product pursuant to point i), if this medicinal product has been approved by the World Health Organization for emergency use; or
- d) have recovered from laboratory-confirmed Covid-19 disease, whereas the isolation period has elapsed, and no more than 180 days have passed since the first rapid antigen test (RAT) for the presence of the SARS-CoV-2 antigen or RT-PCR test for the presence of the SARS-CoV-2 virus with a positive result, and have provided proof to the employer by means of an entry in the Infectious Diseases Information System (EU COVID digital certificate) or a certificate issued by a healthcare service provider; or
- e) undergo preventive testing under this extraordinary measure with another employer who is a healthcare service provider or social service provider, and provide proof of this to the employer by written confirmation from that other employer.

II.

If a healthcare service provider or a social service provider is not able to ensure the testing of its employees in the manner referred to in Article I(1) for operational reasons, the extraordinary measure of the Ministry of Health of 5 January 2022, No MZDR 461/2022-1/MIN/KAN, as amended, shall be followed and Articles I, III to VII of this extraordinary measure shall not apply to that employer and its employees.

III.

1. All employees of the employers referred to in Article I(1), other than those referred to in Article I(2), are ordered, pursuant to Article 2(2)(m) of Act No. 94/2021 Coll., to undergo the testing referred to in Article I(1) at the employer's request.
2. In the event that an employee fails to comply with the obligation to undergo the testing referred to in Article I(1), the employer shall be ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to report this fact without undue delay to the locally competent regional public health authority (hereinafter referred to as the "KHS") in whose district the employer operates. Pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., an employee who fails to

¹Regulation (EU) 2021/953 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and recognition of interoperable certificates on vaccination, testing and recovery in relation to COVID-19 (EU COVID digital certificate) was published in the Official Journal of the European Union to facilitate free movement during the COVID-19 pandemic.

Regulation (EU) 2021/954 of the European Parliament and of the Council of 14 June 2021 on a framework for the issuance, verification and recognition of interoperable certificates on vaccination, testing and recovery in relation to COVID-19 (EU COVID digital certificate) in relation to the nationals of third countries with permits to stay or reside in EU Member States during the COVID-19 pandemic.

comply with the obligation to undergo the testing referred to in Article I(1) is ordered:

- a) to wear a class FFP2 respirator or other similar protection of the airways (always without an exhalation valve) meeting minimally all the technical conditions and requirements (for the product), including a filtration efficacy of at least 94% pursuant to the applicable standards (hereinafter an "FFP2 class respirator") for the duration of their presence in the workplace,
- b) to maintain a distance of at least 1.5 m from other persons, if possible given the nature of their work, and
- c) to eat meals separately from other persons; they are not obliged to wear protection of the airways while consuming meals.

Pursuant to Section 69(1)(i) of Act No. 258/2000 Coll., the employer is obliged to ensure the restriction of encounters between this employee and other persons during their presence on the workplace to the necessary degree by means of an organizational measure.

IV.

1. If the result of the preventive rapid antigen test (RAT) carried out in accordance with Article I(1) is positive for the presence of the SARS-CoV-2 antigen and the employee has clinical symptoms of Covid-19, they shall be considered to have ongoing Covid-19 and pursuant to Section 69(1)(i) of Act No. 258/2000 Coll. the employee is ordered to stop work without delay, notify the employer of this fact, leave the workplace and contact his/her general practitioner, or the general practitioner of medicine for children and adolescents, or another healthcare service provider by telephone to determine further action.
2. A employee who has been tested under Article I(1) with a positive result but who does not have clinical symptoms of Covid-19 shall, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., be ordered to immediately notify their employer of their planned absence from the workplace due to suspected SARS-CoV-2 positivity, to leave the workplace and to provide assistance to the locally-competent KHS, which shall order quarantine for a period of 5 days from the date of the testing, unless stipulated otherwise in Article VI. Pending the quarantine order, the employee shall be ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to wear an FFP2 respirator, not to work at the workplace and to avoid contact with other persons, if possible, but for no longer than 5 days from the date of the examination.
3. The employee referred to in point 2 is ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to undergo immediate testing by RT-PCR for the presence of SARS-CoV-2. Where the test referred to in Article I(1) is carried out by a healthcare service provider, that provider shall be ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to carry out the RT-PCR test for SARS-CoV-2 on the employee concerned without delay in the event of a positive result of that examination, or to issue a request for this test to the employee in the Information System for Infectious Diseases (ISIN), in the electronic request form module. If the examination referred to in Article I(1) is carried out by a healthcare professional who is not a healthcare service provider or an employee of a healthcare service provider, the employee referred to in point 2 is ordered, in the event of a positive test result, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to inform the employer's occupational healthcare service provider without delay, if the employer has so determined, otherwise the general practitioner or, where appropriate, the child and adolescent practitioner or other healthcare service provider. The healthcare service provider that has been notified of a positive test result as referred to in Article I(1) shall immediately issue the employee with a request for an RT-PCR test for the SARS-CoV-2 virus in the Infectious Disease Information System (ISIN), in the electronic request form module.
4. If the employee has undergone RT-PCR testing for the presence of the SARS-CoV-2 virus

according to point 3 with a negative result, the quarantine shall be terminated by the locally-competent KHS.

5. The employee referred to in point 2, for whom the result of the RT-PCR test for SARS-CoV-2 carried out under point 3 is not known until the expiry of the quarantine period, shall be ordered, pursuant to Article 2(2)(m) of Act No. 94/2021 Coll., to undergo a test for the presence of the SARS-CoV-2 antigen on the first day on which they are present at the workplace or place of work after the expiry of the quarantine period, immediately after arriving at the workplace or place of work. Under Article 2(2)(m) of Act No. 94/2021 Coll., the employer is ordered to provide such a test in the manner provided for in Article I(1).

V.

All the employees of healthcare service providers and social service providers are ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., in the event that they discover or have been notified by the KHS, on the basis of an epidemiological investigation, that they have been in epidemiologically-significant contact with a person confirmed to have Covid-19 (hereinafter referred to as “high-risk contact”), to inform their employer of this fact without delay; a person confirmed to have Covid-19 refers to a person who has had a positive RT-PCR test result for the presence of the SARS-CoV-2 virus or shows clinical signs of the Covid-19 disease and has had a positive rapid antigen test (RAT) result for the presence of the SARS-CoV-2 virus antigen performed by a healthcare service provider.

VI.

1. If the healthcare service provider or social service provider finds that the proper provision of healthcare or social services is threatened in the course of its operation because of the level of absence of employees from the workplace, in particular because of illness, isolation or quarantine, and its prediction for the near term due to the current epidemic situation (in particular the number of newly diagnosed cases of Covid-19), and if it cannot ensure the proper provision of healthcare or social services otherwise, it is ordered under Section 69(1)(i) Act No. 258/2000 Coll., to inform the locally-competent KHS of this fact and to propose that, with respect to an employee who has had a positive test result as referred to in Article I(1) or a high-risk contact, but does not have clinical symptoms of Covid-19 and whose work at the workplace is necessary for the proper provision of healthcare or social services, it should decide on quarantine measures which do not prohibit that employee from working at the workplace.
2. Where the KHS imposes quarantine measures under point 1 on an employee who has had a high-risk contact, it shall at the same time issue a request to that employee to undergo RT-PCR testing for the presence of the SARS-CoV-2 virus in accordance with point 3(d) in the Information System for Infectious Diseases (ISIN), in the electronic request module.
3. If the KHS orders a quarantine measure for an employee who has been reported by a healthcare service provider or social service provider under point 1, which allows the employee to work at the workplace, then such an employee shall be ordered to comply with the following rules pursuant to Section 69(1)(i) of Act No. 258/2000 Coll.:
 - a) for a period of 10 calendar days from the date of the test referred to in Article I(1) with a positive result or the last risk contact, the employee:
 - i) shall work with an FFP2 class respirator, using one respirator for a maximum of 4 hours,

- ii) use a room at a healthcare or social service facility for rest and meals without the presence of other persons,
- iii) shall not attend work meetings and similar work-related meetings, public or private group events,
- b) for a period of 5 calendar days from the date of the positive test under Article I(1) or the last risk contact, the employee:
 - i) shall restrict movement at the healthcare or social services facility to the extent necessary and work in such a way as to minimize contact with other employees and other persons, while at the same time limiting contact with other persons outside the workplace to the necessary minimum,
 - ii) shall continuously monitor their state of health with a focus on possible clinical symptoms of Covid-19; in the event of clinical symptoms of Covid-19, they are ordered, pursuant to Section 69(1)(i) of Act No. 258/2000 Coll., to stop work without delay, notify their employer, leave the workplace and contact the healthcare service provider in the field of general practical medicine or general medicine for children and adolescents by telephone to determine the next course of action,
- c) an employee who has had a positive result from the test referred to in Article I(1) shall, if the result of his subsequent RT-PCR test for the presence of SARS-CoV-2 carried out in accordance with Article IV(3) is not known within five days of the date of that test, undergo a test for the presence of the SARS-CoV-2 antigen; the employer shall be ordered to ensure this test in accordance with Article I(1), pursuant to Article 2(2)(m) of Act No. 94/2021 Coll.,
- d) an employee who has had a high-risk contact shall undergo a rapid antigen test (RAT) for the presence of the SARS-CoV-2 antigen every working day for 5 calendar days after the last high-risk contact and, no earlier than 5 calendar days after the high-risk contact, shall undergo an RT-PCR test for the presence of the SARS-CoV-2 virus on the basis of a request form issued by the KHS which ordered the quarantine measure in the Information System for Infectious Diseases (ISIN), in the electronic request form module; a rapid antigen test (RAT) to determine the presence of the SARS-CoV-2 antigen shall be carried out by the employer in accordance with the procedure pursuant to Art. I(1).

In the event of a negative RT-PCR test result pursuant to Article IV(3) or (d), the employee shall no longer be obliged to comply with the restrictions referred to in points (a) and (b).

4. Healthcare service providers or social service providers who comply with point 1 are ordered, pursuant to Article 69(1)(i) of Act No. 258/2000 Coll., to ensure that the employees concerned are provided with the conditions for compliance with the rules referred to in point 3.

VII.

In the case of persons who are themselves healthcare service providers or social service providers, Articles I to VI shall apply *mutatis mutandis*.

VIII.

All healthcare service providers and all social service providers are ordered, pursuant to Article 2(2)(e) of Act No. 94/2021, to limit the holding of meetings, seminars and other similar gatherings of several persons at the workplace or elsewhere for work reasons so that only necessary events with the smallest possible number of participants are held.

IX.

Effective from 12:00 a.m. on 17 January 2022 the following are repealed:

- a) Extraordinary measure of the Ministry of Health of 1 September 2020, Ref. No. MZDR 36813/2020-1/MIN/KAN,
- b) Extraordinary measure of the Ministry of Health of 2 October 2020, Ref. No. MZDR 36813/2020-3/MIN/KAN,
- c) Extraordinary measure of the Ministry of Health of 30 August 2021, Ref. No. MZDR 32802/2021-2/MIN/KAN,
- d) point 2 of the extraordinary measure of the Ministry of Health of 10 September 2021, Ref. No. MZDR 32802/2021-3/MIN/KAN, and
- e) Extraordinary Measure of the Ministry of Health of 10 November 2021, Ref. No. MZDR 32802/2021-4/MIN/KAN.

X.

This Extraordinary Measure takes effect on 17 January 2022.

Prof. MUDr. Vlastimil Válek, CSc., MBA, EBIR,

undersigned Deputy Prime Minister and Minister of
Health