



Prague dated 6 April 2021

Ref. No.: MZDR 14592/2021-2/MIN/KAN

MZDRX01FDPYS

EMERGENCY 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)(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. No later than from 12 April 2021, employers which are schools or school facilities may only allow their employees to be present at the employer's workplace in person under the condition that the employee does not have symptoms of COVID-19 and has taken a POC antigen test to stipulate the presence of the SARS-CoV-2 virus antigen or a preventive antigen test to determine the presence of the SARS-CoV-2 virus antigen on the employer's premises, determined by the employer, using a test provided to them by the employer, unless determined otherwise in Art. II, whereas the result of the test is negative. The preventive test is performed
 - a) in the case of teaching staff who provide education to children, pupils or students in person, who undergo preventive testing according to a different extraordinary measure, and in the case of non-teaching staff those who come into personal contact with children, pupils or students or teaching staff, at a frequency of twice every work week at intervals of 2 to 3 days between individual tests,
 - b) in other cases at a frequency of once every work week.
2. The employers specified in point 1 are obliged to ensure for their employees POC antigen tests to stipulate the presence of the SARS-CoV-2 virus antigen performed by a healthcare service provider, or antigen tests to determine the presence of the SARS-CoV-2 virus antigen which are designated for self-testing or permitted for used by non-professionals by the Ministry of Health. If an employee is not present at the employer's workplace on the date of testing, the preventive testing of this employee will be performed on the date he/she comes to the workplace. If an employee performs work exclusively outside of the employer's premises during the period between individual tests, the employer will allow them to take the preventive test specified in the first sentence outside of the employer's premises; this does not relate to employees who perform work remotely (from home). At the employee's request, the employer will issue confirmation of the negative test result, indicating the date and time of performing the test.

II.

1. Employees are obliged to undergo the testing pursuant to Art. I at the employer's request, with the exception of persons
 - a) who have undergone a laboratory-confirmed instance of COVID-19, where the period of isolation in accordance with a valid extraordinary measure of the Ministry of Health has ended, that are not showing any COVID-19 symptoms, and no more than 90 days have passed from the first positive RT-PCR test for the presence of SARS-CoV-2 or POC antigen test for the presence of a SARS-CoV-2 antigen,
 - b) who submit a negative result of a POC antigen test for the presence of the SARS-CoV-2 virus antigen or an RT-PCR test for the presence of the SARS-CoV-2 virus; the test must not be more than 48 hours old and must be performed by a healthcare service provider pursuant to the currently valid extraordinary measure concerning the performance of tests,
 - c) who have a certificate of the Ministry of Health of the Czech Republic on vaccination against COVID-19, and at least 14 days have passed since the application of the second dose of the vaccine in the case of a two-dose scheme in accordance with the summary of product characteristics (hereinafter "SPC") or at least 14 days have passed since the application of the first dose of the vaccine in the case of a single-dose scheme in accordance with the SPC, and the vaccinated person is not showing any COVID-19 symptoms, or
 - d) are simultaneously the employees of another school or school facility and submit confirmation of the negative result of the test pursuant to Art. I, which is not more than 48 hours old and which was issued for the employee by another school or school facility.
2. The employee is obliged to prove that they have taken an RT-PCR test for the presence of the SARS-CoV-2 virus or a POC antigen test for the presence of the SARS-CoV-2 virus antigen pursuant to paragraph 1(b) and the facts pursuant to the paragraph 1(a) or (c), by means of confirmation issued by the healthcare service provider.

III.

If the result of the preventive antigen test for the presence of the SARS-CoV-2 virus antigen performed at the employer's workplace in accordance with Art. I is positive, the employee is obliged to proceed in accordance with the valid Extraordinary Measure of the Ministry of Health regulating employee obligations during testing for the presence of the SARS-CoV-2 virus antigen performed by a non-professional using a test provided by the employer.

IV.

The employer pursuant to Art. I shall report aggregated data about performed testing electronically to the COVID forms App without undue delay on the date of obtaining the test results. The report shall contain at least the contact person, type of test, total number of tested persons, number of persons with a positive test result, number of persons with a negative test result and number of inconclusive tests.

V.

1. The employer specified in Art. I may replace testing using antigen tests to stipulate the presence of the SARS-CoV-2 virus antigen with testing using RT-PCR tests for the presence of the SARS-CoV-2 virus, provided it has non-invasive diagnostic in vitro resources for the performance of self-sampling designated for the subsequent performance of the RT-PCR test, and if it has arranged for the performance of RT-PCR tests with a healthcare service provider named in the list of analysis laboratories of the State Institute of Public Health (<http://www.szu.cz/tema/prevence/laboratomi-vysetrovani-puvodce-covid-19>). Art. I, II and IV shall apply mutatis mutandis, whereas the frequency of preventive testing for all the employees under Art. I is once every work week.
2. Employees who underwent a test pursuant to paragraph 1 are ordered, if the result of the test is positive, to immediately inform their employer about their planned absence from the

workplace due to positivity for the presence of the SARS-CoV-2 virus, to leave the workplace and return to their current residence address and to notify their registering provider of healthcare services in the field of general practical medicine or, where applicable, the field of pediatric practical medicine. If the employee is unable to notify the provider of healthcare services in accordance with the first sentence, he/she is obliged to contact another provider of healthcare services or public health protection authority which holds jurisdiction over his/her place of work in order for determination of further procedures to be followed. The healthcare service provider or public health protection authority that was notified about the positive RT-PCR test result shall proceed pursuant to the extraordinary measure of the Ministry of Health concerning the ordering of isolation and quarantine.

VI.

This Emergency Measure shall take effect on the date of its issue.

Rationale:

The extraordinary measure extends the range of employers whose employees are obliged to undergo testing to include public schools and school facilities, and unifies the system of testing at schools and school facilities within this extraordinary measure.

The new B.1.1.7 variant of the SARS-CoV-2 virus (i.e. the British variant), which spreads through the population about 40 to 70% faster, is one of the causes of the unfavorable trend in the development of the COVID-19 epidemic, which is characterized by the rising number of new cases of contagion. The B.1.351 variant (the so-called South African variant) is spreading significantly primarily of the countries in the region of South Africa. The European Center for Disease Prevention and Control (ECDC) also anticipates the spread of this variant in other countries in the world. Based on an ECDC evaluation, the B.1.351 virus variant is up to 50% more contagious and also less sensitive to the vaccination substances available to date, which can have a negative impact on the effect of vaccination against COVID-19. The spread of this variant has already been registered in more than 60 countries around the world. Preliminary information confirms that the P.1 variant of the SARS-CoV-2 virus (the so-called Brazilian variant) is more contagious than the original strain of the virus. Another problem now appears to be the lack of information about the efficacy of the available vaccines on the new variants of SARS-CoV-2 virus.

The performance of preventive screening examinations for the presence of the SARS-CoV-2 virus is an essential part of the anti-epidemic measures, the aim of this being to detect infected persons who have only minimal or no symptoms of infection yet may be a source of contagion for other persons without being aware of it.

In view of the need to find a compromise in view of the anticipated economic demands and lack of healthcare staff who could perform the regular testing of employees, this still being regarded as the gold standard and the main pillar of preventive testing, an additional pillar has also been made possible from the possible options, this being the performance of antigen tests by non-professionals. This manner of testing allows extensive use by the non-professional public. If the antigen test has sufficient sensitivity and specificity, and is repeated regularly at a frequency of at least once per week, the number of infected persons in the population who have no symptoms of the disease, but can invisibly spread the contagion in their area, will gradually decline.

Because this measure concerns the employees of schools and school facilities, it also reacts to the extraordinary measure implementing the testing of children, pupils and students, which permits their personal presence at schools and school facilities under clearly stipulated conditions. This measure stipulates, identically as stated for children, pupils and students, the testing of employees of schools and school facilities using antigen tests for the presence of SARS-CoV-2 virus antigen at a frequency of twice per week where they come into contact with

children, pupils or students, who are also tested at this frequency based on another extraordinary measure.

The employees of other schools and school facilities at which the personal presence of children, pupils and students is still prohibited (in the first wave typically primary artistic schools, leisure centers or school counseling facilities) are tested once per week, meaning at the same frequency as the employees of all other employers.

V If the school or school facility uses RT-PCR tests to determine the presence of the SARS-CoV-2 virus, testing will be conducted only once per week.

V The measure takes into account the existence of the other extraordinary measures of the Ministry of Finance concerning the testing of employees, e.g. the obligations of employees if the result of a self-test performed on the workplace is positive. In the event of a positive test, the result will be reported immediately to the healthcare services provider, who will ensure the performance of a confirmation test using the RT-PCR method. Contrary to the general extraordinary measure, an exception is stipulated in that the employees of schools or school facilities that were tested at the school using a preventive RT-PCR test need not be issued a request for a confirmation RT-PCR test by the healthcare service provider.

On the basis of the standardly performed RT-PCR confirmation test, a person with a positive result can be ordered into isolation in accordance with the valid extraordinary measure of the Ministry of Health on the ordering of isolation and quarantine and an epidemiological investigation can be commenced with the aim of determining all the persons who came into epidemiologically significant contact with the person who tested positive. Quarantine measures are imposed on these persons in the interest of preventing the further spread of the disease.

Given the fact that schools and school facilities will report summarized data into the Covid forms App about the number of performed tests among children, pupils and students at the school, with a specification of the number of positive results, negative results and inconclusive results, the same obligation is stipulated in the case of tests for the employees of schools and school facilities.

Performance of a test by a non-professional is not considered to be the provision of a healthcare service within the meaning of the respective legislation (the test is not performed by a healthcare worker in a due professional standard within the framework of the provision of healthcare services).

doc. MUDr. Jan Blatný, Ph.D.
Minister of Health
Signed electronically

Electronic signature - 6 April 2021
Signature author's certificate:
Name: Doc. MUDr. Jan Blatný Ph.D.
Issued by: PostSignum Qualified C...
Expiry date: 13.12.2021 17:26:01-000 +01:0