

## Recommendations for Managing the COVID-19 Business and Government Actions

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### Hotel Guest Issues:

1. You cannot refuse a guest because they appear sick. Hotel staff is not trained medical professionals.
2. If a hotel guest **TELLS YOU** they have COVID-19 or tells you they were exposed to it (“my wife has it, I had to leave the house”), or tells you they just arrived from China or Italy, then **YOU CAN REFUSE** accommodations. You have a legal right to refuse any guest that you reasonably believe might cause a danger to your staff and/or other hotel guests. You would tell the guest to seek medical treatment, and return to the hotel with a doctor’s note, clearing them of COVID-19. You would then allow them into the hotel. Make sure your conversation with the guest is documented.
3. In any case where you see a very sick hotel guest, you should approach the guest (keeping a minimum of 6’ distance) and determine if they need medical assistance. It doesn’t matter if the guest has the flu or slipped and fell. If you feel the guest needs medical assistance, you should call 911, or arrange transportation to a medical provider. Encourage sick guests to seek medical treatment.
4. When communicating with guests, remember to use social distancing, and use Personal Protective Equipment (PPE) as needed.

### If a Hotel Guest is found to in fact have COVID-19:

1. If you are notified by the Health Department or other government agency that you have a guest with a confirmed case of COVID-19, follow their instructions. CONFIRM THEIR INSTRUCTIONS IN WRITING. After you receive oral instructions from government officials, follow that up with an email to them, outlining exactly what they told you to do. Always follow up oral instructions with WRITTEN VERIFICATION. This avoids confusion or misinterpretation and helps protect the hotel if future issues arise.
2. Ask officials specifically:
  - a. Do you tell your employees?
  - b. DO YOU TELL YOUR GUESTS? If the officials tell you NOT to tell your employees or hotel guests, **MAKE SURE YOU GET THAT IN WRITING FROM THEM**. You will follow their instructions, but you need to be able to show you were specifically told that you did not have to notify employees or guests, depending on the circumstances.
3. If a confirmed COVID-19 guest is removed from the hotel, wait AT LEAST 24 hours BEFORE you clean, or use the room. The CDC has stated the virus dies after approx. 12-15 hours on surfaces, so leaving the room empty for 24-48 hours should allow the virus to die.
4. You should immediately write up a hotel SOP, Protocol, or Policy that REQUIRES employee “social distancing” and personal hygiene and sanitation procedures. Employees on their rest breaks and lunch breaks should practice social distancing. This includes “stand ups”, department meetings, and all employee gatherings. You must show that you practiced proper CDC recommendations to avoid infection and contamination. Following such procedures might avoid you having to close the hotel for cleaning or having YOUR ENTIRE STAFF self-quarantined if one employee gets infected.
5. Remember to send home any employee who shows any signs of being sick.
6. **California** state law requires innkeepers who know that a "person" has a contagious or infectious disease to notify local health officials. Specifically, California Health and Safety Code Section 120250 states:  
“All physicians, nurses, clergymen, attendants, owners, proprietors, managers, employees, and persons living with, or visiting any sick person, in any hotel... where any person is ill of any infectious, contagious, or communicable disease, shall promptly report that fact to the [local county] health officer... (Emphasis added.)”  
This law states "person", so we believe it applies to Guests and Employees. The notification to the "local health officials" is only required if a person is **CONFIRMED** ill with any infectious, contagious, or communicable disease. If an employee goes home sick, and you do NOT know what they are sick of, then you do not have to report it. **This law is specific to CALIFORNIA**. If you are not in California, check your state laws or ask your local health department for reporting guidance.

These recommendations will vary depending on the specific State where you operate, and your insurance policy language and requirements. Always check with your insurance providers and legal counsel before you take action.

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### If You Plan on Closing your Hotel:

1. If you close your hotel, you MUST provide security for the building, to meet basic insurance policy requirements. **Check with your insurance provider for your specific insurance policy requirements.**
2. Your Hotel Staff can act as “security”, or you can hire a security company. Remember that hotel security’s job is to “Observe and Report”. Call 911 if needed, or notify management or maintenance for assistance.
3. You MUST KEEP WRITTEN security logs, showing you patrolled the exterior of the building every 15 to 30 minutes, and any other hotel areas that could allow access into the building. Stairwells, banquet rooms, parking structures etc. The security logs should show dates, exact times, and the person who conducted the patrol. You may also use an electronic patrol tool, or any GPS type of phone app, as long as it provides the building patrol information.
4. Patrols are looking for trespassers, theft or damage of hotel property, fire, water leakage, and any other hazards.

### If a Government Agency wants to Use the Hotel for Quarantine or a Temporary Treatment Facility:

1. In a health emergency a public health authority may seek to shut down, limit the use of, or quarantine all or part of the hotel. In general, such agencies have the authority to do so. You may be entitled to compensation for the use of the hotel during the quarantine, but you will need to comply immediately. You should consult your own attorney for further information on this type of situation.
2. The government agency may present you with a CONTRACT for use of your facility. This can be for health care workers, patients or for quarantine. Make sure you have an Attorney examine the contract, before you sign it. Make sure you fully understand what will happen.
3. We recommend you insist on the following in the contract:
  - a. The agreement will need **FULL indemnity** by the Governmental agency. The agency will have to agree in writing to accept the facility “as is”, as the hotel is not a hospital and was not built to those specifications.
  - b. Make sure the government agency will be staffing any sick guests 100% with THEIR staff, NO HOTEL STAFF IS NEEDED.
  - c. The government agency may request hotel staff to manage the front desk and maintain the maintenance of the building. Make sure those roles are clearly defined. Insist that the government agency provide personal protective equipment (PPE) for any hotel staff remaining on the property and provide instruction to the Staff on best practices.
  - d. Once the government agency is done with the hotel, make sure the contract states they will clean, sanitize, and certify the hotel is ready for occupancy. Make sure you include a **TIME FRAME** for the cleaning and sanitizing of the hotel (“within 48 hours etc.”), so you can get the hotel operating in a short period of time, once vacated.
4. Make sure you **do not allow commingling** of GUESTS and Covid19 people in the same hotel! You must lease your entire hotel to the government agency for use. No guests in that same hotel! Insurance carriers are denying insurance coverage for “communicable diseases”, and also denying coverage for any Covid19 related incident. If you plan on putting Covid19 guests in your hotel, you **MUST** inform the insurance carrier. If you do not inform them, they could deny all insurance claims depending on the circumstances.

These recommendations will vary depending on the specific State where you operate, and your insurance policy language and requirements. Always check with your insurance providers and legal counsel before you take action.