

Bradley Heller



February 21, 2023

California Department of Public Health
Office of Regulations
1415 L Street, Suite 500
Sacramento, CA 95814
regulations@cdph.ca.gov

Re: Petition to Adopt Regulations

To whom it may concern:

Pursuant to Government Code section 11340.6, I request that the California Department of Public Health (CDPH) adopt permanent regulations that will effectively protect all Californians from being infected by airborne viruses, such as COVID-19 and the flu, when they are in healthcare settings, including, but not limited to, medical, surgical, dental, optometric, and podiatric clinics, hospitals and other health care facilities, and residential care facilities.

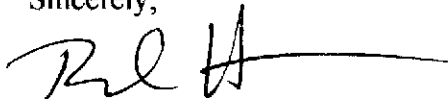
Calmatters.org has reported that there are millions of Californians at greater risk of complications from a COVID-19 infection despite being fully vaccinated. Also, there are many Californians that are at high risk from COVID-19 and other viruses due to medical conditions that they don't know about, and even healthy Californians can become seriously ill or die from COVID-19 in some cases.

In addition, CDPH's website acknowledges that COVID-19 is an airborne virus and states that effective mask wearing and improved ventilation are essential tools in reducing the spread of COVID-19 in California because they both prevent the transmission of airborne viruses. On January 8, 2023, Bloomberg.com quoted Katrine Wallace, an epidemiologist at the University of Illinois at Chicago, as saying that "Data from many experimental and observational studies supports the use of face masks to prevent the spread of Covid, as well as other respiratory viruses" and "Masks work best to protect everybody when they are universally worn."

Furthermore, I am aware that one-way masking provides some protection and Californians can protect themselves by wearing masks. However, one-way masking is not sufficient for several reasons. One-way masking provides substantially less protection than universal masking. The effectiveness of one-way masking declines the longer the wearer is exposed to infected unmasked people. Some Californians will delay or avoid needed medical care to avoid the risk and the associated anxiety of being infected by unmasked people. Also, the responsibility and burden of infectious disease control should be on CDPH and any policy that makes it the personal responsibility of millions of Californians, particularly the most vulnerable Californians, to be individual experts in infectious disease control and use one-way masking to protect themselves in healthcare setting, puts the responsibility and burden of infectious disease control in the wrong place. Therefore, I request that CDPH adopt permanent (non-emergency) regulations that require universal masking and substantially upgraded ventilation in all healthcare settings to protect all Californians and particularly the most vulnerable Californians from airborne viruses.

CDPH has the authority to adopt the requested regulations pursuant to Health and Safety Code sections 1225 (clinics), 1275 (health facilities), 1569.30 (residential care facilities), 100275 (CDHS), and 131200 (CDPH).

Sincerely,

A handwritten signature in black ink, appearing to read 'RH', followed by a long horizontal line extending to the right.

Bradley Heller