

Bond

New York Issues New Travel Advisory Guideline



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Change in NYS Travel Advisory

- Governor's Executive Order 205 required individuals entering NY State from designated states with significant rates of transmission of COVID-19 to quarantine at their own expense for 14 days
 - Effective June 25, 2020
 - Traveler must have spent at least 24 hours in designated state
 - Certain exemptions for first responders and essential workers
 - Executive Order 205.1 extended rules to international travelers from Level 2 or 3 countries
 - Quarantine continued for 14 days even if negative COVID-19 test
- As of October 27, 2020, 39 states and 2 territories were on the travel advisory list and the list of designated states needed to be updated regularly. This approach was no longer feasible.
- **Effective November 4, 2020, new travel guidelines will allow out-of-state travelers to "test out" of the mandatory 14-day quarantine**



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NY Focuses on Testing Procedures

- New travel advisory applicable to travel to any state, regardless of COVID-19 levels in that state, as well as any country with a CDC Level 2 or 3 notice
 - Executive Order 205.2
 - November 3rd DOH Guidance
- New guidelines eliminate list of restricted states in favor of uniform national rule.
- Travelers from states that are contiguous with New York will continue to be exempt from the travel advisory, regardless of whether those states have significant levels of community spread. Individuals may travel freely between NY and Connecticut, Massachusetts, New Jersey, Pennsylvania and Vermont.
 - Enforcement of travel restrictions upon contiguous states is deemed impracticable due to frequency of work-related travel



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New Travel Advisory Guidelines

All travelers entering NY from a non-bordering state must quarantine for a period of 14 days, unless:

- Such traveler obtains a COVID-19 test within 72 hours of departure from that state prior to arrival in NY.
 - This test is to be obtained in the non-contiguous state “within 72 hours prior to arrival in NY.” This test can occur anytime in the 72 hours preceding the return to NY (e.g. 2 days before, 1 day before or even on the day the individual plans to leave that state to return to NY)
- The traveler must, upon arrival in New York, quarantine for 3 days measured from time of arrival.
- On day 4 of the quarantine, the traveler may obtain another COVID test. If the test is positive, they must remain in quarantine. If both tests come back negative, the traveler may exit quarantine early upon receipt of the second negative diagnostic test.



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New Travel Advisory Guidelines

- What if individual travels outside of NY for less than 24 hours?
 - The traveler does not need a COVID-19 test prior to their departure from the other state, and does not need to quarantine upon arrival in New York State.
 - However, they must fill out a traveler form upon entry into NY, and must take a COVID diagnostic test 4 days after their arrival in New York.



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New Travel Advisory Guidelines

- Local health departments will validate tests, if necessary, and if a test comes back positive, will issue isolation orders and initiate contact tracing.
- Individuals who choose not to get tested will be subject to the mandatory 14-day quarantine.
- Medical exemption for medical procedures and elective procedures that cannot be postponed.
- Essential workers will continue to be exempt
 - Pursuant to Nov 3rd Guidance, teachers, school employees, and child care workers must quarantine for a minimum of 3 days after returning to NY from a non-contiguous state and must be tested on day 4 after arriving in NY.



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New Travel Advisory Guidelines

- All individuals coming into NY from a non-contiguous state (whether or not such person is a NY resident) are required to complete the traveler health form upon entering NY.
 - Travelers will be required to submit the form at the airport.
 - Individuals traveling via other means (i.e., train or car) must fill out the form online.
- NY employers should be aware of their employees' out-of-state travel and may, as permitted under applicable policies, want to carefully consider vacation requests.
- Individuals who fail to comply with quarantine order subject to a penalty of up to \$10,000



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FAQs

- Did the rules regarding international travel change?
- Can rapid COVID tests be used to “test out” of quarantine?
 - Does the guidance require a particular test?
- What is the travel question you should be asking on the daily screening questionnaire?
- Have the rules for essential workers changed?
- Are employees entitled to paid leave after traveling to a non-contiguous state for more than 24 hours?



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FAQs (cont'd)

- Can an employee “test out” if they don’t get a test within 72 hours before entering New York?
- Can an employer request copies of the negative test results?
- What if I am only in a non-contiguous state for 48 hours?
- Does an employee have to stay in quarantine while awaiting the results of the second test?
- Can an employer implement more stringent requirements than what is prescribed by the travel guidance?



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