



**Stadt Herne**

Mit Grün. Mit Wasser. Mittendrin.

Stadt Herne | Postfach 10 18 20 | 44621 Herne

**Against receipt**

Ms

The Mayor

**Health Management  
Department**

Rathausstr. 6  
44649 Herne

Room: 105  
Contact person:

Phone: 02323 16-3832  
Fax: 02323 16-1233-9282  
Mobile:  
Email: [ovcovid19@herne.de](mailto:ovcovid19@herne.de)

Web: [www.herne.de](http://www.herne.de)

Your letter dd:

Your ref.:

My ref.::

Date:

**Administrative order in accordance with the Infection Protection Act (IfSG)  
Here: Order for self-isolation at home for the so-called quarantine period**

Dear Madam ,

Due to the risk of infection that you have been exposed to and that may arise from you, you are considered the contact person.

1. Therefore, in accordance with article 30 section 1 sentence 2 of the Infection Protection Act, I am ordering that you need to self-isolate at home for a period of 14 days from the last contact to the secured case – **from to included.**

During this time, you are prohibited from leaving your above mentioned place of residence without the express consent of the Local Public Health Authority. Furthermore, visits by people not belonging to your household are forbidden during this time.

2. For the period of isolation, you are subject to observation by the Local Public Health Authority in accordance with article 29 of the Infection Protection Act.

Afterwards, the representatives of the Local Public Health Authority will make examinations and take samples from you, in particular the necessary external examinations, swabs of skin and mucous membranes, blood samples and X-ray examinations, as well as the necessary examination material have to be made available on request. You have to obey the orders of the Local Public Health Authority. You can be summoned by the Local Public Health Authority. Furthermore, you are obliged to allow the representatives of the Local Public Health Authority the access to your apartment for the purpose of questioning or examination and, upon request, to provide them with information about all circumstances related to your state of health.

You are obliged to notify me of any change of your main residence or your habitual residence immediately.

3. Until the end of isolation you have to:

- measure your body temperature twice a day;
- keep a diary and daily entries on symptoms, body temperature, general activities and contacts with other people (for the past days, please as far as you can remember).

In addition, the following hygiene rules must be observed:

Minimize contact with other people as far as possible.

In your household you should, if possible, keep temporal and spatial separation from the other household members. Temporal separation can be achieved e.g. by taking the meals not at the same time, but one after the other. Spatial separation can e.g. be effected by staying in a different room than the other members of the household.

When coughing and sneezing, keep distance to others and turn away; hold the crook of your arm in front of your mouth and nose or use a handkerchief, which is to be disposed immediately in a closed container. Wash your hands regularly (at least 30 seconds) thoroughly with soap and water and avoid touching your eyes, nose and mouth.

If you develop further symptoms (fever, cough, runny nose, sore throat, odour and taste disorders, general weakness), you are obliged to contact the local public health authority by phone. If you need medical help, please inform the respective person (e.g. the doctor or the emergency doctor, the employees of the rescue service) that you are infected with the novel coronavirus (SARS-CoV-2) before contacting the medical staff. Show this letter to the respective person.

To contact your local public health authority, please use the following telephone number: 02323 161653

Explanation:

My responsibility arises from article 54 of the Infection Protection Act in conjunction with article 3 of the ordinance regulating the responsibilities in accordance with the Infection Protection Act of 28 November 2000 (SGV. NRW. 2126).

According to the information available here, you had a close contact to a person diagnosed with COVID19.

You are therefore considered a person suspected to pose a risk of infection.

According to the ordinance on the extension of the reporting obligation according to article 6 section 1 sentence 1 no. 1 and article 7 section 1 sentence 1 of the Infection Protection Act, the novel coronavirus (2019-nCoV) that first appeared in Wuhan / People's Republic of China in December 2019 is a reportable illness.

Comprehensive detailed information about the pathogen, the disease COVID-19 caused by it and protective measures taken to prevent it from spreading in Germany can be found on the Internet at the following links:

[www.infektionsschutz.de/coronavirus-2019-ncov.html](http://www.infektionsschutz.de/coronavirus-2019-ncov.html) (Federal Centre for Health Education)

[www.rki.de/covid-19](http://www.rki.de/covid-19) (Robert Koch-Institute)

You have already been informed in advance by telephone about the intended measure.

As to clause 1:

According to sections 28 (1) sentence 1, 30 (1) sentence 2 of the Infection Protection Act, sick persons, suspects of being ill or infected, as well as carriers can be ordered to be separated in a suitable manner, insofar as and as long as it is necessary to prevent the spread of the communicable disease. I have made use of the discretion given to me under article 40 of the Administrative Procedure Act of North Rhine-Westphalia as follows:

Due to your contact with the person infected with SARS-CoV-2, you have to be regarded as a suspect. According to Section 2 No. 7 of the Infection Protection Act, a person is suspected of being infected if it can be assumed that this person has ingested pathogens, even without being sick, suspected of being infected or being eliminated. The uptake of pathogens can be assumed if the person concerned, with sufficient probability, has had contact with an infected person. There is no strict standard that covers all possible cases equally when it comes to the requirements for the probability of an infection. The principle should rather apply that the greater and the more serious the possible damage, the lower the requirements for the probability of the occurring damage. Due to the particular risk posed by the new pathogen, due to its high transferability and the often severe to fatal course of the disease for public health in Germany and worldwide, the probability of infection is rather low, so here the proximity to the infected person is sufficient for the risk transmission.

If afterwards it can be assumed that the contact person has been infected, the isolation represents a means of preventing the further spread of the disease, the suitability of which is well proven by previous experience. Less drastic but equally suitable measures are not apparent to you. All you have to do is staying at your home. The duration of the isolation must be observed until other people are no longer posed to the risk of being infected by you. The isolation period results from the maximum incubation time between a possible infection and the first appearance of disease symptoms. The restrictions resulting from the isolation are not disproportionate to the goal of preventing the spread of this pathogen within the population. Be sure that in case of self-isolation at home, your concerns will be taken into consideration as far as possible. The restriction of your freedom of movement and the establishment of contact with other people for a certain period of time must be accepted by the existing health risk for the population.

As to clause 2:

The legal basis of the observation is article 29 of the Infection Protection Act. The purpose of observation is to monitor the progress and development of a disease or a suspected disease in the interest of infection protection. The measures listed at the beginning are necessary to determine whether the risk of infection has materialized, what course the disease and the associated risk of infection will take, and if there is actually a risk of the pathogen spreading within the population and, finally, to be able to take further protective measures if necessary. Here too, within the scope of the exercise of discretion, I weighed the special public interest in protection against the spread of diseases and the containment of health threats against your personal interests. The physical examinations and external sampling will not put you under any serious strain. Any necessary blood sampling and an X-ray examination are serious interventions, which, however, are to be accepted according to the will of the legislature (article 29 (2) sentence 6 of the Infection Protection Act), especially since they are only carried out by medical specialists.

As to clause 3:

The self-observation and documentation of the development of your state of health serves to enforce the obligation to provide information on your state of health in accordance with article 29 (2) of the Infection Protection Act. It creates a suitable source of knowledge in order to be able to adapt the measures ordered in this decision to any changed circumstances. You will not be excessively burdened by the controls and record-keeping obligations that are in your own interest.

Remarks:

I would like to point out that a violation of the domestic quarantine ordered under clause 1 is a criminal offense that is punishable by imprisonment of up to two years or a fine according to article 75 section 1 no. 1 of the Infection Protection Act.

Infringements of the inspection and notification obligations and the right of access set out in clause 2 constitute administrative offenses which, according to article 73 (1a) no. 6, 12 and 13 in conjunction with section 2 of the Infection Protection Act can be punished with fines of up to 25,000.00 euros.

If you fail to comply with the domestic quarantine orders, the quarantine can be enforced by being placed in a suitable locked facility. The fundamental right to freedom of the person (article 2, section 2, and sentence 2 of the Basic Law) can be restricted in this respect. Book 7 of the Act on the Procedure in Family Matters and in Matters of Non-contentious Jurisdiction (FamFG) applies accordingly.

Legal remedies:

You can take legal action against this decision. The complaint must be filed within one month of the notification of this decision at the administrative court in Gelsenkirchen, Bahnhofsvorplatz 3, 45879 Gelsenkirchen, in writing or on the record of the clerk at the office of this court. The lawsuit can also be filed as an electronic document in accordance with article 55a of the Administrative Court Regulations in the version of the law of 10 October 2013 (Federal Law Gazette I p. 3786) as amended and the ordinance on the technical framework for electronic legal transactions and on the special electronic mailbox (Electronic Legal Transactions Ordinance) of 24 November 2017 (Federal Law Gazette I p. 3803) as amended.

According to article 28 section 3, in connection with article 16 (8) of the Infection Protection Act, objections and actions for rescission against the aforementioned measures have no suspensive effect.

Kind regards  
By order

Anrede  
Name  
Straße  
Ort

Datum,

Zustellungsvermerk:

Der vorliegende Bescheid ist am \_\_\_\_ um \_\_\_\_ zugestellt worden.

\_\_\_\_\_  
[Unterschrift]