



Since 1894

April 21, 2020

The Honorable Lee A. Norman
Secretary of Health and Environment
Kansas Department of Health and Environment
Curtis State Office Building,
1000 SW Jackson,
Topeka, Kansas 66612

RE: CRITICAL INFRASTRUCTURE QUARANTINE IN AGRICULTURE

Dear Secretary Norman:

The Kansas Livestock Association (KLA) appreciates your commitment to the health of Kansans during these challenging times. However, the agricultural sector needs your assistance. As you are aware, the nation's food supply is critical to the security and welfare of America. The food chain, starting at the farm, has a special responsibility to maintain operations to the fullest extent possible during this state and national emergency. KLA staff has fielded numerous calls where continuity of agricultural operations is facing serious issues in Kansas.

As you may know, on April 17, the U.S. Department of Homeland Security issued a new advisory memorandum to assist state and local governments in identifying "Essential Critical Infrastructure." Listed alongside law enforcement and healthcare workers is food and agricultural industries. This is attached for your reference. Within that document is a link to the Center for Disease Control's (CDC) guidance for critical infrastructure workers who may have had an exposure to COVID-19. This is also attached for your reference. The CDC guidance clearly states. "To ensure continuity of operations of essential functions, CDC advises that critical infrastructure workers may be permitted to continue work following potential exposure to COVID-19, provided they remain asymptomatic and additional precautions are implemented to protect them and the community."

In Kansas, KLA members have experienced several inconsistencies. In some instances, local health officials used the CDC guidance to allow potentially exposed agricultural workers to continue to work so long as they are asymptomatic and adhere to the CDC guidance. Unfortunately, we have not had this experience everywhere. Some local health officials are reporting that KDHE is recommending the quarantine of certain agricultural workers who are still asymptomatic because KDHE does not recognize the agricultural sector as critical infrastructure alongside law enforcement and healthcare workers.

This is concerning to KLA and our members. As you may know, much of the work on agricultural operations is performed outside, with the ability to remain at safe distances from other people with little to no contact with one another. Many of our members have also taken appropriate steps to limit the contact among employees for the very reason the CDC allows potentially exposed, asymptomatic employees to work – continuity of operations.

Ensuring the security of the nation's food supply is not the only reason to adhere to CDC guidance. Farmers, ranchers, and livestock producers also have the unique charge to care for the well-being of livestock. Taken to the extreme, if a local health official or KDHE were to quarantine several employees on a single agricultural operation, livestock could be left un-fed, sick animals un-treated, and cows un-milked.

While we understand human health is of the utmost importance, we simply cannot allow an agricultural operation to cease or dramatically reduce operations. We encourage you to review and implement the CDC "Interim Guidance for Implementing Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19" for agricultural workers. KLA believes this strikes the necessary balance between human health and continuity of critical infrastructure.

Thank you for your support of Kansas agriculture and your consideration of this request.

Sincerely,

A handwritten signature in black ink that reads "Matt Teagarden". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matt Teagarden
CEO

cc: The Honorable Laura Kelly
Kansas Governor

The Honorable Mike Beam
Kansas Secretary of Agriculture