



August 24, 2021

Dr. Lindsay Huse, MPH, DNP, RN, PHNA-BC
Health Director, Douglas County Health Department
1111 South 41st Street
Omaha, NE 68105

Dear Dr. Huse:

The Department of Health and Human Services (DHHS) is in receipt of the request to approve a Directed Health Measure (DHM) that would allow the Douglas County Health District to issue a mask mandate. The State must balance the benefit of the public with that of individual liberty and consider the applicable state statutes. Previous DHMs primarily imposed limitations on gatherings and specific services. Mask requirements were limited to specific services when social distancing was not possible.

Under the current circumstances, imposing restrictions on every individual at a district level is not appropriate. The Department has not imposed or approved restrictions on individuals unless the specific individual posed an identifiable risk to others.

Per Neb. Rev. Stat. § 71-1631(10), DHHS will not approve this DHM. Should the Douglas County Health Department attempt to enforce a DHM without state approval, the Governor and DHHS will ask the Attorney General to challenge any enforcement action.

Governor Ricketts and DHHS have not supported a mask mandate and continue to encourage Nebraskans to exercise personal responsibility when it comes to masking and vaccination.

DHHS continues to work closely with stakeholders in the healthcare industry to ensure we continue to protect hospital capacity. We strongly encourage residents to get vaccinated for COVID-19, and to have a conversation with their doctor should they have questions about the vaccine.

Regards,

A handwritten signature in blue ink, reading "Gary J. Anthone, M.D.".

Gary J. Anthone, M.D.
Director of Public Health and
Chief Medical Officer