

**State Ordinance on the isolation of persons infected or suspected to be infected with the
Coronavirus SARS-CoV-2 and their household members and contact persons
(Absonderungsverordnung - AbsonderungsVO)
Dtd. 28 Jan 2022 (as amended on 01 Apr. 2022)**

Based on § 32 sentence 1 in conjunction with § 28 para. 1 sentence 1 and 2 and § 29 and § 30 para. 1 sentence 2 of the Infection Prevention and Control Act of 20 July 2000 (Federal Law Gazette Part I page 1045), as amended by Article 1 and 2 of the Act, dated 10 Dec 2021 (Federal Law Gazette Part I page 850) in conjunction with § 1 No. 1 of the State Ordinance on the Implementation of the Infection Prevention and Control Act of 10 March 2010 (Law and Ordinance Gazette page 55), as amended by § 7 of the Act, dated 15 October 2012 (Law and Ordinance Gazette page 341), BS 2126-0, the following is decreed:

§ 1

Definitions, exceptions to the obligation to isolate

(1) For the purposes of this Ordinance,

1. “Isolation” within the meaning of § 30 of the Infection Prevention and Control Act [IfSG=Infektionsschutzgesetz] is separating oneself from other persons for the protection of the general public or individual people from contagious diseases and includes both quarantine and isolation.
2. “A person suspected to be infected with Covid 19 disease” is any person who shows typical symptoms of an infection with the coronavirus SARS-CoV-2, in particular cough, fever, cold, disorder of the sense of taste and smell, and was either subjected to a molecular biological test using polymerase chain reaction technology (PCR test) for coronavirus SARS-CoV-2 by the competent public health authority or took a PCR test due to experiencing typical symptoms of an infection with the coronavirus SARS-CoV-2.
3. “Positively tested person” is any person who has received notification of a positive test result via a PCR test or a PoC antigen test carried out by trained personnel for the immediate pathogen detection of the coronavirus SARS-CoV-2 (PoC antigen test carried out by trained personnel) from the competent public health authority, or the test or assessment facility.
4. “Member of the household” is any person factually sharing a home with the positively tested person.
5. “Close contact person” is any person who meets the relevant criteria issued by the Robert-Koch-Institute and has gained knowledge that they meet the criteria of the Robert-Koch-Institute for classification as close contact person. The rules for close contact persons apply accordingly.

6. "Self-test" represents a PoC antigen test for direct pathogen detection of the coronavirus SARS-CoV-2, which is not performed by trained personnel.

7, "Test facility" represents any facility that serves as a service provider pursuant to § 6 of the Coronavirus Test Ordinance of 21 September 2021 (BAnz. AT 09/21/2021 V1) as amended or a different test center or test site for PoC Antigen tests, while the person to be tested cannot choose their workplace or their place of occupation as a testing facility.

(2) An obligation to isolate in accordance with the provisions of this Ordinance shall not apply

1. to persons who are subject to an exemption from the isolation requirement as regulated in accordance with Section 6 of the COVID 19 Protective Measures Exemption Ordinance (SchAusnahmV) dated May 8, 2021 (BAnz AT 08.05.2021 V1), as amended, as well as

2. to minors who qualify as members of the household pursuant to paragraph 1 No. 4 or as close contact persons pursuant to paragraph 1 No. 5 ; § 3 remains unaffected.

To the extent that this Ordinance provides for an obligation to test, it shall not apply to persons who are exempt from mandatory testing under § 3 of the SchAusnahmVO.

(3) Employees may agree with their employer that they are exempt from the duty to isolate themselves as household members according to paragraph 1 No. 4 or close contacts according to paragraph 1 No. 5 or as persons tested positive according to paragraph 1 No. 3 who do not exhibit typical symptoms of infection with the SARS-CoV-2 coronavirus, subject to protective measures for the purpose of taking up work (work quarantine). Further regulations of occupational health and safety remain unaffected. Protective measures according to sentence 1 for the protection of other persons against infection are in particular

1. the obligation to wear an FFP-2 mask or a mask of a comparable standard at all times outside the place of isolation, and

2. the greatest possible reduction of contact with other persons; these persons must be informed of the presence of a positive test; contact with other persons who have tested positive is possible without restriction.

Employees are required to travel to the place of their employment or isolation by direct route in each case. The use of public transportation is not permitted.

§ 2

Isolation of persons suspected of being infected with Covid 19 disease, positive-tested persons and close contacts

(1) Individuals suspected of being infected with Covid-19 shall isolate themselves immediately.

(2) Positive-tested individuals who are not already in isolation as per paragraph 1 shall isolate themselves immediately upon becoming aware of the positive test result.

(3) Household members shall isolate themselves immediately after becoming aware of the first positive test result of a person who has tested positive and is living in their household. Sentence 1 does not apply to household members who don't show any symptoms and who have not had any contact with the person tested positive since the time of the test and within the preceding ten days.

(4) Close contacts shall isolate themselves immediately after becoming aware of their status as defined in § 1 Para. 1 No. 5.

(5) The isolation will end as follows:

1. Upon submitting a negative PCR test result in the case of individuals suspected of having Covid-19 disease, unless they are close contacts or household members,

2. After ten days have passed from the date when the PCR test or the PoC antigen test carried out by trained personnel first confirmed the presence of the disease agent in the case of individuals who have tested positive,

3. Upon submitting a negative PCR test result in the case of individuals tested positive by a PoC antigen test carried out by trained personnel, if the first PCR test carried out after the PoC antigen test shows a negative result,

4. After ten days have passed from the date of the PCR test or the PoC antigen test performed by trained personnel on the person who was tested positive,

5. after ten days have passed since the last contact with the person who was tested positive in the case of close contacts.

For the purposes of calculating the isolation period in the cases listed in sentence 1, nos. 2 and 4, the day on which the test was carried out is not counted, and in the cases listed in sentence 1, no. 5, the day of the last contact with the person tested positive is not counted.

(6) Notwithstanding paragraph 5, isolation can be terminated sooner by submitting a PCR test or a PoC antigen test carried out by trained personnel at a testing facility and showing a negative result if no typical symptoms of SARS-CoV-2 coronavirus infection have been present in the 48 hours prior to testing. The respective test can be done after the seventh day of isolation.

(7) In the event of a positive result of the test for early termination of isolation pursuant to paragraph 6, the tested person shall again immediately go into isolation. Tested persons who were previously persons pursuant to paragraph 5 No. 2 may terminate isolation at any time by presenting a PoC antigen test with a negative result performed by trained personnel at a testing facility. For tested persons who were previously persons under paragraph 5 No. 4 or No. 5, paragraph 5 No. 2 and No. 3 and paragraph 6 shall apply to the termination of isolation.

§ 3

Regulations for children at schools, day care centers and childcare facilities

(1) In the event of a SARS-CoV-2 coronavirus infection occurring in schools, the person who has a positive self-test is subject to the obligation under § 6. Students within the class, study group, or care group in which the infection occurred, as well as their teachers and other educational personnel, are subject to daily testing by self-test for a period of five consecutive school days. The testing requirement does not apply if a PoC antigen test performed by trained personnel at a testing facility or a PCR test refutes the positive result of the self-test of the respective primary case.

(2) If an infection with the coronavirus SARS-CoV-2 occurs in day care centers for children and day care facilities for children, the person tested positive has the obligation to isolate himself/herself. The children within the care cohort in which the infection occurred, as well as their pedagogical staff and other caregivers, shall also isolate themselves immediately. § 2 para. 5 and para. 6 shall apply mutatis mutandis to the termination of isolation in accordance with sentence 2, with the proviso that, notwithstanding § 2 para. 6 sentence 2, testing for premature termination of isolation may be carried out on the day following the last contact with the person tested positive. Proof of the negative test result for early termination of isolation shall be submitted to the management of the facility or the public health office upon request by the end of the tenth day after the PoC antigen test of the primary case tested positive has been performed by trained personnel at a testing facility. Further details on the organizational implementation in the facilities are regulated in a corresponding circular from the State Office for Social Affairs, Youth and Care.

§ 4

Place of isolation, case by case decision

(1) The isolation is to be carried out in an apartment or in another suitable location as defined in § 30 Para. 1 Sentence 2 of the German IfSG (place of isolation). The person in isolation is not permitted to have visitors who are not members of their household or to leave the place of isolation during the period of isolation without the express consent of the competent health authority. If a balcony, terrace or garden adjoins the accommodation, the person in isolation can also stay in this space if it is used exclusively by him/her or the persons living together with him/her (permitted outdoor area).

(2) Paragraph 1 shall not apply if leaving or accessing the isolation site is absolutely necessary to protect life and health, such as in particular in the case of medical emergencies or urgent medical appointments, or for other compelling reasons.

(3) In all other respects, reference is made to the rules of conduct in the information sheet of the Robert Koch Institute "Isolation at home in the case of confirmed Covid 19 infection". (https://www.rki.de/DE/Content/InfAZ/N/Neuartiges_Coronavirus/Flyer_Patienten.pdf) as amended, which are also to be adhered to when isolating under the provisions of this Ordinance.

The right of the competent health authority to issue measures that deviate from or go beyond the scope of this ordinance remains unaffected. During the period of isolation, the isolated persons shall be monitored by the competent public health authority in accordance with Section 29 of the German Federal Infection Control Act (IfSG).

§ 5 Information on contact persons

(1) Positive-tested individuals shall immediately notify all persons they had close personal contact to within two days prior to or since the test was carried out, or within two days prior to or since the onset of typical symptoms preceding the test. This includes any contact exceeding 10 minutes at a distance below 1.5 meters without both parties wearing mouth-to-nose coverings, or anyone who shared a poorly ventilated or unventilated room with a positive-tested individual for an extended period of time.

(2) The competent health authority shall decide on the next steps. It shall not be bound by the time limits specified in the first sentence of paragraph 1 in its assessment. The management of the facilities listed in § 3 (1) and (2), and, in anonymized form, the guardians of the students or children from the class, study or tutor group or care group in which the infection occurred, are responsible to inform the competent public health authority of any positive test results.

§ 6 Self-test

If a self-test shows a positive result, the tested person is required to have a PoC antigen test carried out immediately by trained personnel in a testing facility. If the result of the test carried out as per sentence 1 is positive, the tested person shall immediately isolate themselves in accordance with § 2 (2).

§ 7 Certificate

The competent health authority shall, upon request, issue a certificate to individuals who were subject to the isolation requirement under § 2 para. 1 or para. 4, stating that they were subject to the isolation requirement and for how long.

§ 8 Administrative offences

Any person who intentionally or negligently fails to provide for or comply with protective measures pursuant to § 1 para. 3, or fails to comply with an obligation to isolate or test in

accordance with § 2, § 3 or § 6, or fails to do so in the required manner or in good time, is committing an administrative offence as defined in § 73 para. 1 a No. 24 IfSG

§ 9
Entry into force, expiration

(1) This Ordinance shall enter into force on January 29, 2022, and shall expire at the end of April 30, 2022.

(2) The Isolation Ordinance of January 13, 2022 (GVBl. p. 11), as last amended by Ordinance of January 14, 2022 (GVBl. p. 15), BS 2126-17, shall expire at the end of January 28, 2022.

Mainz, 28 January 2022

The State Secretary
of Science and Health

A handwritten signature in black ink, appearing to read 'Clemens Hoch', with a stylized flourish extending upwards and to the right.

Clemens Hoch